

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4141

To amend section 8 of the United States Housing Act of 1937 to provide rental assistance to obtain new residences for families residing in dwelling units assisted under such section or in public housing, who provide information regarding criminal activity to law enforcement agencies and are subject to violence because of providing such information.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1994

Mr. LAZIO (for himself, Mr. SCHUMER, Mr. PENNY, Mr. BAKER of Louisiana, Mr. FLAKE, Mr. KNOLLENBERG, Mr. BEREUTER, Mr. BLUTE, Mr. EWING, Mr. MCCANDLESS, Mr. RANGEL, Mr. ACKERMAN, Mr. FISH, Mr. GUNDERSON, Mr. CALVERT, Ms. PRYCE of Ohio, Mr. FROST, and Mrs. ROUKEMA) introduced the following bill; which was referred to the Committee on Banking, Finance and Urban Affairs

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## A BILL

To amend section 8 of the United States Housing Act of 1937 to provide rental assistance to obtain new residences for families residing in dwelling units assisted under such section or in public housing, who provide information regarding criminal activity to law enforcement agencies and are subject to violence because of providing such information.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Neighborhood Crime  
3 Fighters Housing Assistance Act”.

4 **SEC. 2. SECTION 8 ASSISTANCE FOR PROTECTION OF**  
5 **NEIGHBORHOOD CRIME FIGHTERS.**

6 Section 8 of the United States Housing Act of 1937  
7 (42 U.S.C. 1437f) is amended by adding at the end the  
8 following new subsection:

9 “(z) NEIGHBORHOOD CRIME FIGHTERS ASSIST-  
10 ANCE.—

11 “(1) ASSISTANCE.—To the extent amounts for  
12 assistance under this section are reserved under sec-  
13 tion 213(d)(4)(A) of the Housing and Community  
14 Development Act of 1974 for use under this sub-  
15 section, the Secretary may provide such amounts to  
16 any public housing agency approved under para-  
17 graph (3) to make assistance payments under this  
18 subsection on behalf of any family described under  
19 paragraph (2) for the rental of a dwelling unit for  
20 the family that, in the determination of the public  
21 housing agency (after consultation with law enforce-  
22 ment agency concerned) provides for the protection  
23 of the family.

24 “(2) ELIGIBLE FAMILIES.—A family referred to  
25 in paragraph (1) shall be any family that—

1           “(A) contains a member that has provided  
2 information to any Federal, State, or local law  
3 enforcement agency that such law enforcement  
4 agency determines substantially contributes to  
5 the arrest, criminal prosecution, or conviction of  
6 any person for any criminal activity in or near  
7 the area or neighborhood in which the person  
8 providing the information resides;

9           “(B) is likely, in the determination of such  
10 law enforcement agency, to be subject to a  
11 crime of violence directed at the family on ac-  
12 count of providing the information referred to  
13 in subparagraph (A);

14           “(C) is legally residing, at the time such  
15 information is provided to the law enforcement  
16 agency, in a dwelling unit in a public housing  
17 project administered by a public housing agency  
18 meeting the requirements of paragraph (3) or  
19 in a dwelling unit assisted under this section by  
20 such a public housing agency; and

21           “(D) is not protected or assisted, or to be  
22 protected or assisted, under chapter 224 of title  
23 18, United States Code.

24           “(3) ELIGIBLE PHA’S.—The Secretary may pro-  
25 vide amounts reserved for use under this subsection

1 only to public housing agencies approved by the Sec-  
2 retary under this paragraph. The Secretary may ap-  
3 prove only agencies that the Secretary determines  
4 have—

5 “(A) established sufficient cooperation with  
6 local law enforcement agencies to make deter-  
7 minations to provide assistance under this sub-  
8 section; and

9 “(B) coordinated with local law enforce-  
10 ment agencies to promptly inform the public  
11 housing agency and the Secretary of any deter-  
12 mination that assistance under this subsection  
13 is appropriate for a family, except that such co-  
14 ordination shall be subject to the procedures es-  
15 tablished under paragraph (6)(C) to ensure  
16 confidentiality.

17 “(4) GUIDELINES.—

18 “(A) DETERMINATION OF NEED AND CO-  
19 ORDINATION.—The Secretary shall establish  
20 guidelines jointly with the Attorney General  
21 that—

22 “(i) describe the types of situations  
23 under subparagraphs (A) and (B) of para-  
24 graph (2) in which assistance may be pro-  
25 vided under this subsection, which shall in-

1           clude situations in which the information  
2           referred to in paragraph (2)(A) is informa-  
3           tion regarding any crime that is detrimen-  
4           tal to the health, safety, peace, or security  
5           of the area or neighborhood in which the  
6           family providing the information resides;  
7           and

8           “(ii) describe elements of sufficient  
9           cooperation between public housing agen-  
10          cies and law enforcement agencies for pur-  
11          poses of paragraph (3)(A).

12          “(B) PROCEDURES.—The Secretary shall  
13          establish procedures for public housing agencies  
14          approved under paragraph (3)—

15               “(i) to apply for, obtain, and admin-  
16               ister amounts reserved for providing assist-  
17               ance under this subsection on behalf of  
18               families eligible under paragraph (2); and

19               “(ii) to provide for the termination of  
20               the tenancy of any family assisted under  
21               this subsection from the dwelling unit in  
22               which the family is residing so that such  
23               assistance may be utilized.

1           “(5) PHA ACTIONS.—Each public housing agen-  
2           cy approved by the Secretary under paragraph (3)  
3           shall—

4                   “(A) periodically notify Federal, State, and  
5                   local law enforcement agencies in the area of  
6                   jurisdiction of the public housing agency of the  
7                   availability of assistance under this subsection;

8                   “(B) take such actions as may be appro-  
9                   priate to inform residents of public housing  
10                  projects administered by the agency and dwell-  
11                  ing units assisted under this section by the  
12                  agency of the availability of such assistance;  
13                  and

14                  “(C) coordinate with such law enforcement  
15                  agencies to promptly inform the public housing  
16                  agency and the Secretary of any determination  
17                  that assistance under this subsection is appro-  
18                  priate for a family, except that such coordina-  
19                  tion shall be subject to the procedures estab-  
20                  lished under paragraph (6)(C) to ensure con-  
21                  fidentiality.

22           “(6) NOTICE AND CONFIDENTIALITY.—The  
23           Secretary shall—

1           “(A) periodically notify public housing  
2 agencies of the availability of assistance under  
3 this subsection;

4           “(B) encourage public housing agencies to  
5 cooperate and coordinate with law enforcement  
6 agencies to encourage residents of public hous-  
7 ing projects and dwelling units assisted under  
8 this section to provide information to law en-  
9 forcement agencies regarding criminal activity;  
10 and

11           “(C) develop and implement procedures to  
12 ensure the confidentiality of the identity and  
13 new location of any family assisted under this  
14 subsection.

15           “(7) OTHER ASSISTANCE.—A public housing  
16 agency that provides assistance under paragraph (1)  
17 for a family and the law enforcement agency in-  
18 volved shall ensure that the family is provided access  
19 to other assistance and services appropriate to en-  
20 sure that the relocation of the family to the dwelling  
21 unit assisted under paragraph (1) and the neighbor-  
22 hood of such dwelling unit occurs with the minimum  
23 possible amount of disruption to the life of the  
24 family.

1           “(8) LIABILITY.—The United States, and its  
2 officers and employees, shall not be subject to any  
3 civil liability on account of any decision to provide  
4 or not to provide protection under this subsection.”.

5 **SEC. 3. SET ASIDE OF SECTION 8 ASSISTANCE AMOUNTS**  
6                   **FOR NEIGHBORHOOD CRIME FIGHTERS AS-**  
7                   **SISTANCE.**

8           Section 213(d)(4)(A) of the Housing and Community  
9 Development Act of 1974 (42 U.S.C. 1439(d)(4)(A)) is  
10 amended—

11           (1) by inserting after the period at the end of  
12 the first sentence the following new sentence: “In  
13 addition to any financial assistance for the rental  
14 housing assistance program under section 8 of the  
15 United States Housing Act of 1937 that is reserved  
16 pursuant to the preceding sentence, the Secretary  
17 shall reserve an additional \$15,000,000 of any fi-  
18 nancial assistance that becomes available under such  
19 program during each of fiscal years 1995 and 1996  
20 and such additional amounts may be used only for  
21 the purpose under clause (v) of this subparagraph.”;

22           (2) in clause (iii), by striking “and” at the end;

23           (3) in clause (iv), by striking the period at the  
24 end and inserting “; and”; and

1           (4) by adding at the end the following new  
2 clause:

3           “(v) in the case of financial assistance under  
4 the rental housing assistance program under section  
5 8 of the United States Housing Act of 1937, provid-  
6 ing assistance pursuant to section 8(z)(1) of such  
7 Act.”.

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