



**UNITED STATES HOUSE OF REPRESENTATIVES
OFFICE OF THE MAJORITY WHIP
THE HONORABLE JAMES E. CLYBURN (SC-06)**

THE WHIP PACK

WEEK OF FEBRUARY 11, 2008

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Bill Text and Background for the Week of February 11, 2008

- H.R. 3521 – Public Housing Asset Management Improvement Act of 2007
- H.R. 5349 – To extend the Protect America Act of 2007 for 21 days
- H.R. ____ – Renewable Energy and Energy Conservation Tax Act of 2008

H.R. 3521 – PUBLIC HOUSING ASSET MANAGEMENT IMPROVEMENT ACT OF 2007 (Rep. Sires – Financial Services) (Subject to a Rule)

Bill Text: [HTML Version](#), [PDF Version](#)
[Bill Summary and Status](#)

Rules Committee Meeting: [H.Res. 974: Rule and Committee Report](#), [Special Announcement](#), [Amendment Process Announcement](#), [Text of H.R.3521 as Reported](#), [H.Rpt. 521: Financial Services Committee Report](#)

Committee: [Committee on Financial Services](#)

Committee Staff Contact: 5-4247

AMENDMENTS MADE IN ORDER:

1. [Frank \(MA\)/Sires \(NJ\)](#): The amendment clarifies the intent of an amendment offered by Rep. Velazquez and adopted by the Financial Services Committee by ensuring that public housing authorities that apply to HUD for “stop-loss” do not have their applications rejected on the basis that the management and related fees they establish pursuant to this bill are not reasonable as defined by HUD. Additionally, the amendment is a restatement of current law with respect to the ineligibility of illegal immigrants for assistance. (10 minutes)
2. [Meek \(FL\)](#): The amendment holds HUD responsible, in the case of receivership, for performing the same responsibilities that the local housing agencies have in respect to working with tenant associations before building public housing. Additionally, in the case of receivership, before building new public housing HUD must honor any formal agreements entered into before the commencement of such receivership between the local housing authority and the tenant association. (10 minutes)

LEGISLATION AT A GLANCE:

H.R. 3521 is a carefully written bill intended to provide flexibility to the nation’s 3,100 public housing authorities (PHAs) as they embark on the most significant administrative transformation in the last 30 years, commonly referred to as “asset management.” Under asset management, PHAs are moving from a system of managing public housing developments on an agency-wide basis to a system of administering each development on a project-level basis. While most agree that it is desirable for PHAs to move to asset management, the disagreement arises over how this transition is implemented. PHAs have raised strenuous objection to the inflexible manner in which HUD is implementing asset management and have strongly questioned HUDs decision to force PHAs to be in compliance with asset management prior to 2011. They also object to HUD’s restrictions on how they may use their operating and capital funds to successfully implement asset management. The bill responds to these objections by providing regulatory relief to PHAs transitioning to asset management.

The flexibility provided by this bill is critical because the move to asset management comes at a time of declining resources for public housing, which has in turn exacerbated the challenge faced by PHAs in converting to asset management. Public housing was funded at approximately \$7.1 billion in FY 2001 while the FY 2009 budget request calls for approximately \$6.3 billion in funding. PHAs should be given more, not less, flexibility in managing the declining funds being given to them.

Specifically, H.R. 3521 includes the following important provisions: (1) it would ensure that the management and related fees established by PHAs are reasonable by allowing PHs, rather than HUD, determine such fees prior to 2011; (2) it would clarify that PHAs may use a portion of their capital fund grant for operating expenses; (3) it would raise the level at which small PHAs are exempt from asset management from 250 to 500; and (4) it would encourage participation of public housing residents in the implementation of asset management.

The bill does not eliminate asset management or make it voluntary for all agencies. In addition, H.R. 3521 passed the Financial Services Committee by voice vote and the CBO estimates that the bill will have no significant impact on federal spending and does not contain any mandatory costs. Finally, the bill has been endorsed by all the groups that represent public housing administrators and agencies as well as by tenant advocacy groups, which were instrumental in developing language to ensure that affected residents are given an opportunity to comment on the impact of asset management.

House Report 110-521:

[HTML Version](#), [PDF Version](#)

Full Committee Mark-up:

[Full Committee Markup of H.R. 3521, H.R. 2930, H.R. 3355, H.R. 3524](#), September 25, 2007

Summary of Committee Votes:

- [Rep. Sires, D-N.J. Manager's Amendment](#) — Clarified that provisions in the bill, including those relating to public housing asset management, may not be construed to repeal or waive provisions in current law regarding tenant participation and tenant opportunities in public housing. **Adopted by Voice Vote.**
- [Rep. Velazquez, D-N.Y. Public Housing Authorities Amendment](#) — Prohibits any efforts to prevent certain public housing authorities from participation in negotiations regarding funding mechanisms. **Adopted by Voice Vote.**
- **Vote to Report:** Favorably Reported to the Full House, as Amended, by **Voice Vote.**

CRS Reports:

[RL33879](#): Housing Issues in the 110th Congress

GAO Reports:

(TBA)

CBO Report:

[Cost Estimate](#): Ordered Reported by the Committee on Financial Services

Organization Statements:

National Association of Housing and Redevelopment Officials
Public Housing Authorities Directors Association
Council of Large Public Housing Authorities
Coalition Support Letter

Administration Position:

(TBA)

Fact Sheets & Talking Points:

H.R. 3521 Background and Summary>>

Fact Sheet — Committee on Financial Services

Press Releases, News Articles & Related Information:

[Financial Services Committee Passes Housing Measures](#)

September 26, 2007 Press Release — Committee on Financial Services

Other Resources:

[Cosponsors of H.R. 3521](#)

[H.R. 5349 – TO EXTEND THE PROTECT AMERICA ACT OF 2007 FOR 21 DAYS](#)

Rules Committee Meeting: [H.Res. 976: Rule, Committee Report, and roll call votes, Special Announcement](#)

Committees: [Committee on the Judiciary](#), [House Permanent Select Committee on Intelligence](#)

Committee Staff Contacts: Judiciary 5-3951, Intelligence 5-7690

LEGISLATION AT A GLANCE:

H.R. 5349 – To Extend the Protect America Act of 2007 for 21 Days

We are currently on the doorstep of passing long-term FISA reform to do just that, but the PAA is set to expire on Saturday, and we need additional time to get FISA right.

In November, the House passed the RESTORE Act, a FISA-reform bill that would provide the Intelligence Community with all the tools it needs to conduct effective surveillance without undermining the Constitution.

The Senate just passed a FISA-reform bill. The Senate bill is very complex and markedly different from the House-passed RESTORE Act. But the clock is about to run out on the PAA, and the President wants to ram the Senate bill through the House.

We should not be forced to legislate this way. We need additional time to consider some important matters connected to this legislation.

- First, we need time for careful review of the Senate bill. Nevertheless, the White House wants us to vote on the Senate bill right away.
- Second, we need time to resolve the significant differences between our bill and theirs. The RESTORE Act includes some important Constitutional protections that are missing from the Senate bill. Also, the Senate bill provides retroactive immunity for telecommunications companies that participated in the President's warrantless surveillance program. These are important and controversial issues, and we cannot be expected to resolve them without holding a proper conference with the Senate.
- Third, we need time to review reams of highly classified documents that the White House only made available to us recently. We need to understand these documents if we are to assess whether immunity for telecommunications companies is warranted.

The extension we seek is only 21 days. This will not in any way hinder the ability of the Intelligence Community to do its job. Despite what the Administration might say, nothing terrible will happen if this bill is passed. This short period of additional time is what we need to make sure that the laws we write are sound and carefully considered.

CRS Reports:

[RL34279](#): The Foreign Intelligence Surveillance Act: A Brief Overview of Selected Issues

[RL34277](#): The Foreign Intelligence Surveillance Act: Comparison of House-Passed H.R. 3773, S. 2248 as Reported by the Senate Select Committee on Intelligence, a

[RL33539](#): Intelligence Issues for Congress

Organization Statements:

(TBA)

Fact Sheets & Talking Points:

[FISA Clearinghouse >>](#)

Web-Page — Office of the Majority Leader

Press Releases, News Articles & Related Information:

[Reid: FISA Bill Lacks Accountability; Democrats Will Continue To Work To Give](#)

[Intelligence Professionals Tools They Need](#)

[Reyes Comments on President Bush's FISA Remarks in his State of the Union Address](#)

[Conyers Responds to WH Granting Committee Access to Wiretapping Documents](#)

Administration Position:

(TBA)

Other Resources:

(TBA)

H.R. _____ – RENEWABLE ENERGY AND ENERGY CONSERVATION TAX ACT OF 2008

(Rep. Rangel – Ways and Means)

Bill Text: HTML Version, PDF Version

Bill Summary and Status

Rules Committee Meeting: TBA

Committee: [Committee on Ways and Means](#)

Committee Staff Contact: 5-3625

LEGISLATION AT A GLANCE:

TBA WHEN LEGISLATION IS INTRODUCED

CRS Reports:

[RL33578](#): Energy Tax Policy: History and Current Issues

[RL3376](#): Oil and Gas Tax Subsidies: Current Status and Analysis

[RS22558](#): Tax Credits for Hybrid Vehicles

CBO Report:

(TBA)

Organization Statements:

(TBA)

Administration Position:

(TBA)

Fact Sheets & Talking Points:

(TBA)

Press Releases, News Articles & Related Information:

(TBA)

Administration Position:

(TBA)

Other Resources:

(TBA)