

H.R.8302 - HUD Evaluation and Optimization Commission Act of 2024

118th Congress (2023-2024) |

Sponsor:

Rep. Davidson, Warren [R-OH-8] (Introduced 05/08/2024)

Committees:

House - Financial Services; Rules

Committee Meetings:

05/16/24 10:00AM

Latest Action:

House - 12/19/2024 Placed on the Union Calendar, Calendar No. 771. (All Actions)

Tracker:

Introduced

Passed House

Passed Senate

To President

Became Law

Summary(0) Text(1) Actions(9) Titles(2) Amendments(0) Cosponsors(3) Committees(2) Related Bills(0)

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Shown Here:
Introduced in House (05/08/2024)

118TH CONGRESS
2D SESSION

H. R. 8302

To establish a commission to review the programs of the Department of Housing and Urban Development and make recommendations for legislative reforms, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2024

Mr. DAVIDSON (for himself, Mr. MEUSER, Mr. DONALDS, and Mr. GARBARINO) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a commission to review the programs of the Department of Housing and Urban Development and make recommendations for legislative reforms, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “HUD Evaluation and Optimization Commission Act of 2024”.

SEC. 2. HUD EVALUATION AND OPTIMIZATION COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the HUD Evaluation and Optimization Commission (in this Act referred to as the “Commission”).

(b) MEMBERS.—

(1) IN GENERAL.—The Commission shall be composed of 4 members, appointed not later than 30 days after the date of the enactment of this Act, as follows:

(A) One member shall be appointed by the Speaker of the House of Representatives.

(B) One member shall be appointed by the minority leader of the House of Representatives.

(C) One member shall be appointed by the majority leader of the Senate.

(D) One member shall be appointed by the minority leader of the Senate.

(2) PROHIBITION ON LOBBYISTS.—An individual may not be appointed as a member of the Commission if the individual was registered as a lobbyist under the Lobbying Disclosure Act of 1995 ([2 U.S.C. 1601 et seq.](#)) at any time during the 5-year period ending on the date of the appointment.

(c) TERMS.—Each member shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled not later than 14 days after the date on which the vacancy occurs in the same manner as the original appointment.

(d) CHAIRPERSON AND VICE CHAIRPERSON.—

(1) ELECTION.—The members of the Commission shall elect a Chairperson and a Vice Chairperson from among the members of the Commission.

(2) ABSENCE OF CHAIRPERSON.—The Vice Chairperson shall serve as the Chairperson in the absence of the Chairperson.

(e) COMPENSATION.—

(1) IN GENERAL.—Each member of the Commission shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5314 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission.

(2) TRAVEL EXPENSES.—Each member may be allowed travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of [chapter 57](#) of title 5, United States Code.

(f) MEETINGS.—

(1) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold the initial meeting of the Commission.

(2) SUBSEQUENT MEETINGS.—The Commission shall meet—

(A) at least once each month; and

(B) at the call of the Chairperson or the majority of the members of the Commission.

(g) QUORUM.—A majority of the voting members shall constitute a quorum, but a lesser number may hold meetings.

(h) VOTING.—The Commission shall act only on an affirmative vote of a majority of the members of the Commission.

(i) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

SEC. 3. DUTIES.

(a) IN GENERAL.—The Commission shall review and determine—

(1) the number, design, complexity, utilization, authorization or lack thereof, and potential overlap of the current programs administered by the Department of Housing and Urban Development (in this Act referred to as the “Department”); and

(2) the level of effectiveness of the Department and its programs, including identifying how best to optimize the effectiveness of each area of review, to more effectively meet the Department’s mission while reducing waste and mismanagement.

(b) ANALYSIS AND RECOMMENDATIONS.—The Commission shall analyze the potential performance and cost-efficiency benefits that could be achieved through a reorganization of the Department, including consolidation and realignment of its programs, and shall make recommendations regarding—

(1) changes to the Department’s organizational structure to better serve program participants, protect taxpayers, and create operational efficiencies;

(2) improvements in the processes that the Department can execute to better fulfill its statutory obligations and mission to provide decent, safe, sanitary, and affordable housing;

(3) the reduction of fragmentation and overlap between various Department programs and between programs of the Department and programs of other Federal agencies, and enhanced program utilization;

(4) technology-based solutions to allow programs to operate more efficiently and effectively and to better serve eligible program participants;

(5) quantitative and qualitative measures of the effectiveness of programs that provide housing for extremely low-, very low-, low-, and moderate-income individuals and families;

(6) reforms the Department can undertake to prevent, to the maximum extent possible, a disruptive loss of benefits by program participants who experience income growth that may otherwise disqualify them from such benefits (commonly referred to as a “benefits cliff”) or, conversely, that may disqualify participants with lower incomes marginally in excess of program requirements;

(7) ways to improve the social and economic outcomes for program participants, including actions the Department can take to mitigate health and safety risks to program participants and to foster economic mobility and opportunity;

(8) improvements to enhance transparency, oversight, and public accountability; and

(9) any such other action that would optimize the effectiveness of the Department or its programs.

(c) REPORTS.—

(1) INITIAL REPORT.—Not later than 9 months after the date of its initial meeting, the Commission may submit to the Congress an initial report containing its analysis and preliminary recommendations under subsections (a) and (b).

(2) FINAL REPORT.—Not later than 18 months after the date of its initial meeting and upon an affirmative vote of a majority of the members of the Commission, the Commission shall submit to the Congress and make publicly available a final report containing—

(A) a detailed statement of the findings, conclusions, and recommendations of the Commission under subsections (a) and (b);

(B) a statement of the assumptions, scenarios, and alternatives considered in reaching such findings, conclusions, and recommendations;

(C) proposed legislative language for reauthorization, expiration, termination, or elimination of programs consistent with the final report;

(D) any additional views or recommendations of individual Commission members with attribution and in a separate section of the report;

(E) a summary of the Commission's meetings, hearings, and activities;

(F) a final accounting of the funds the Commission received and expended; and

(G) any other information that the Commission considers to be appropriate.

SEC. 4. STAFF AND OUTSIDE SERVICES.

(a) APPOINTMENT AND COMPENSATION OF STAFF.—The Chairperson of the Commission may appoint and fix the compensation of a staff director and such other employees as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, but at rates not to exceed the annual rate of basic pay for level V of the Executive Schedule.

(b) AGENCY ASSISTANCE.—Upon the request of the Chairperson, the head of any agency may detail an employee of the agency to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(c) CONSULTANT, TEMPORARY, AND INTERMITTENT SERVICES.—The Chairperson may procure the services of experts and consultants and temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate paid of pay for a position at level V of the Executive Schedule for each day during which such consultant or expert is engaged in the performance of the duties of the Commission.

SEC. 5. POWERS.

(a) HEARINGS.—The Commission may, for the purpose of carrying out this Act—

(1) hold such hearings, sit and act at such times and places, take testimony, receive evidence, and administer oaths as the Commission considers appropriate; and

(2) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of any evidence the Commission considers advisable to carry out its duties.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may request directly, or require by subpoena or otherwise, from any Federal agency such information as the Commission considers necessary to carry out its duties. Upon a request of the Chairperson of the Commission, the head of a Federal agency shall furnish such information to the Commission.

(c) ISSUANCE AND ENFORCEMENT OF SUBPOENAS.—

(1) ISSUANCE.—Subpoenas issued under subsection (a) or (b) shall bear the signature of the Chairperson of the Commission and shall be served by any person or class of persons designated by the Chairperson for that purpose.

(2) ENFORCEMENT.—In the case of contumacy or failure to obey a subpoena issued under subsection (a) or (b), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(d) WITNESS ALLOWANCES AND FEES.—Section 1821 of title 28, United States Code, shall apply to witnesses requested or subpoenaed to appear at any hearing of the Commission. The per diem and mileage allowances for witnesses shall be paid from funds available to pay the expenses of the Commission.

(e) INFORMATION FROM CONGRESSIONAL BUDGET OFFICE AND OFFICE OF MANAGEMENT AND BUDGET.—The Commission may secure directly from the Congressional Budget Office and Office of Management and Budget such information, including estimates and analysis, as the Commission considers advisable to carry out its duties. Upon request of the Chairperson of the Commission, the Director of the Congressional Budget Office or Office of Management and Budget shall furnish such information, including estimates and analysis, to the Commission.

(f) SUPPORT FROM LIBRARY OF CONGRESS.—Upon the request of the Commission, the Librarian of Congress shall provide to the Commission, on a reimbursable basis, administrative support services, research services, and research staff necessary for the Commission to carry out its responsibilities under this Act.

SEC. 6. EXPEDITED CONSIDERATION OF PROPOSED LEGISLATIVE LANGUAGE FROM FINAL REPORT.

(a) INTRODUCTION.— Upon submission of the final report required under section 3(c)(2), the proposed legislative language for reauthorization, expiration, termination, or elimination of programs required by section 3(c)(2)(C) shall be introduced in the House of Representatives (by request) within the next 5 legislative days by the majority leader of the House or by a Member of the House designated by the majority leader of the House and shall be introduced in the Senate (by request) within the next 5 legislative days on which the Senate is in session by the majority leader of the Senate or by a Member of the Senate designated by the majority leader of the Senate. In this section such a bill is referred to as a “Commission bill”.

(b) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(1) REFERRAL AND REPORTING.—The Committee on Financial Services and any other committee of the House of Representatives to which the Commission bill is referred shall report it to the House without amendment not later than 60 days after its introduction. If a committee fails to report the Commission bill within that period, it shall be in order to move that the House discharge the committee from further consideration of the bill. Such a motion shall not be in order after the last committee authorized to consider the bill reports it to the House or after the

House has disposed of a motion to discharge the bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except 20 minutes of debate equally divided and controlled by the proponent and an opponent. If such a motion is adopted, the House shall proceed immediately to consider the Commission bill in accordance with paragraphs (2) and (3). A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(2) PROCEEDING TO CONSIDERATION.—After the last committee authorized to consider a Commission bill reports it to the House or has been discharged (other than by motion) from its consideration, it shall be in order to move to proceed to consider the Commission bill in the House. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to the Commission bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(3) CONSIDERATION.—The Commission bill shall be considered as read. All points of order against the Commission bill and against its consideration are waived. The previous question shall be considered as ordered on the Commission bill to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the Commission bill. A motion to reconsider the vote on passage of the Commission bill shall not be in order.

(4) VOTE ON PASSAGE.—The vote on passage of the Commission bill shall occur not later than 12 months after the final report required under section 3(c)(2) is submitted to the Congress.

(C) CONSIDERATION IN THE SENATE.—

(1) COMMITTEE CONSIDERATION.—A Commission bill introduced in the Senate under subsection (a) shall be jointly referred to the committee or committees of jurisdiction, which committees shall report the bill without any revision and with a favorable recommendation, an unfavorable recommendation, or without recommendation, not later than 60 days after its introduction. If any committee fails to report the bill within that period, that committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

(2) MOTION TO PROCEED.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order, not later than 2 days of session after the date on which a Commission bill is reported or discharged from all committees to which it was referred, for the majority leader of the Senate or the majority leader's designee to move to proceed to the consideration of the Commission bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the Commission bill at any time after the conclusion of such 2-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the Commission bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the Commission bill is agreed to, the Commission bill shall remain the unfinished business until disposed of.

(3) CONSIDERATION.—All points of order against the Commission bill and against consideration of the Commission bill are waived. Consideration of the Commission bill and of all debatable motions and appeals in connection therewith shall not exceed a total of 30 hours which shall be divided equally between the Majority and Minority Leaders or their designees. A motion further to limit debate on the Commission bill is in order, shall require an affirmative vote of a majority of the Members duly chosen and sworn, and is not debatable. Any debatable motion or appeal is debatable for not to exceed 1 hour, to be divided equally between those favoring and

those opposing the motion or appeal. All time used for consideration of the Commission bill, including time used for quorum calls and voting, shall be counted against the total 30 hours of consideration.

(4) NO AMENDMENTS.—An amendment to the Commission bill, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the Commission bill, is not in order.

(5) VOTE ON PASSAGE.—If the Senate has voted to proceed to the Commission bill, the vote on passage of the Commission bill shall occur immediately following the conclusion of the debate on a Commission bill, and a single quorum call at the conclusion of the debate if requested. The vote on passage of the Commission bill shall occur not later than 12 months after the final report required under section 3(c)(2) is submitted to the Congress.

(6) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a Commission bill shall be decided without debate.

(d) AMENDMENT.—The Commission bill shall not be subject to amendment in either the House of Representatives or the Senate.

(e) CONSIDERATION BY OTHER HOUSE.—

(1) IN GENERAL.—If, before passing the Commission bill, one House receives from the other a Commission bill—

(A) the Commission bill of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no Commission bill had been received from the other House until the vote on passage, when the Commission bill received from the other House shall supplant the Commission bill of the receiving House.

(2) REVENUE MEASURE.—This subsection shall not apply to the House of Representatives if the Commission bill received from the Senate is a revenue measure.

(f) RULES TO COORDINATE ACTION WITH OTHER HOUSE.—

(1) TREATMENT OF COMMISSION BILL OF OTHER HOUSE.—If the Senate fails to introduce or consider a Commission bill under this section, the Commission bill of the House shall be entitled to expedited floor procedures under this section.

(2) TREATMENT OF COMPANION MEASURES IN THE SENATE.—If following passage of the Commission bill in the Senate, the Senate then receives the Commission bill from the House of Representatives, the House-passed Commission bill shall not be debatable. The vote on passage of the Commission bill in the Senate shall be considered to be the vote on passage of the Commission bill received from the House of Representatives.

(3) VETOES.—If the President vetoes the Commission bill, debate on a veto message in the Senate under this section shall be 1 hour equally divided between the majority and minority leaders or their designees.

(g) LOSS OF PRIVILEGE.—The provisions of this section shall cease to apply to the Commission bill if—

- (1) the Commission fails to produce the final report required under section 3(c)(2) within 20 months from the date of enactment; or
- (2) the Commission bill does not pass either House.

SEC. 7. TERMINATION.

The Commission shall terminate 30 days after submitting the final report pursuant to section 3(c)(2).
