

Union Calendar No. 771

118TH CONGRESS
2D SESSION

H. R. 8302

[Report No. 118–800, Part I]

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

DECEMBER 5, 2024

Reported from the Committee on Financial Services with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

DECEMBER 5, 2024

Referral to the Committee on Rules extended for a period ending not later than December 19, 2024

DECEMBER 19, 2024

Committee on Rules discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on May 8, 2024]

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.

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

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. HUD EVALUATION AND OPTIMIZATION COMMIS-**
7 **SION.**

8 *(a) ESTABLISHMENT.—There is established a commis-*
9 *sion to be known as the HUD Evaluation and Optimization*
10 *Commission (in this Act referred to as the “Commission”).*

11 *(b) MEMBERS.—*

12 *(1) IN GENERAL.—The Commission shall be com-*
13 *posed of 4 members, appointed not later than 30 days*
14 *after the date of the enactment of this Act, as follows:*

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

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

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

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

23 *(2) PROHIBITION ON LOBBYISTS.—An individual*
24 *may not be appointed as a member of the Commis-*
25 *sion if the individual was registered as a lobbyist*

1 *under the Lobbying Disclosure Act of 1995 (2 U.S.C.*
2 *1601 et seq.) at any time during the 5-year period*
3 *ending on the date of the appointment.*

4 *(c) TERMS.—Each member shall be appointed for the*
5 *life of the Commission. Any vacancy in the Commission*
6 *shall not affect its powers, but shall be filled not later than*
7 *14 days after the date on which the vacancy occurs in the*
8 *same manner as the original appointment.*

9 *(d) CHAIRPERSON AND VICE CHAIRPERSON.—*

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

13 *(2) ABSENCE OF CHAIRPERSON.—The Vice*
14 *Chairperson shall serve as the Chairperson in the ab-*
15 *sence of the Chairperson.*

16 *(e) COMPENSATION.—*

17 *(1) IN GENERAL.—Each member of the Commis-*
18 *sion shall be compensated at a rate equal to the daily*
19 *equivalent of the annual rate of basic pay for level IV*
20 *of the Executive Schedule under section 5314 of title*
21 *5, United States Code, for each day (including travel*
22 *time) during which such member is engaged in the*
23 *performance of the duties of the Commission.*

24 *(2) TRAVEL EXPENSES.—Each member may be*
25 *allowed travel expenses, including per diem in lieu of*

1 *subsistence, in accordance with applicable provisions*
2 *under subchapter I of chapter 57 of title 5, United*
3 *States Code.*

4 (f) *MEETINGS.*—

5 (1) *INITIAL MEETING.*—*Not later than 30 days*
6 *after the date on which all members of the Commis-*
7 *sion have been appointed, the Commission shall hold*
8 *the initial meeting of the Commission.*

9 (2) *SUBSEQUENT MEETINGS.*—*The Commission*
10 *shall meet—*

11 (A) *at least once each month; and*

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

14 (g) *QUORUM.*—*A majority of the voting members shall*
15 *constitute a quorum, but a lesser number may hold meetings*
16 *approved pursuant to subsection (f)(2).*

17 (h) *VOTING.*—*The Commission shall act only on an*
18 *affirmative vote of a majority of the members of the Com-*
19 *mission.*

20 (i) *FEDERAL ADVISORY COMMITTEE ACT.*—*Chapter*
21 *10 of title 5, United States Code (5 U.S.C. 1001 et seq.;*
22 *relating to Federal Advisory Committees), shall not apply*
23 *to the Commission.*

1 **SEC. 3. DUTIES.**

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

4 (1) *the number, design, complexity, utilization,*
5 *authorization or lack thereof, and potential overlap of*
6 *the current programs administered by the Depart-*
7 *ment of Housing and Urban Development (in this Act*
8 *referred to as the “Department”);*

9 (2) *the level of effectiveness of the Department*
10 *and its programs, including identifying how best to*
11 *optimize the effectiveness of each area of review, to*
12 *more effectively meet the Department’s mission while*
13 *reducing waste and mismanagement; and*

14 (3) *the extent to which housing costs are driving*
15 *inflation and how to reduce inflation in the cost of*
16 *housing.*

17 (b) *ANALYSIS AND RECOMMENDATIONS.*—*The Com-*
18 *mission shall analyze the potential performance and cost-*
19 *efficiency benefits that could be achieved through a reorga-*
20 *nization of the Department, including consolidation and re-*
21 *alignment of its programs, and shall make recommenda-*
22 *tions regarding—*

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

1 (2) *improvements in the processes that the De-*
2 *partment can execute to better fulfill its statutory ob-*
3 *ligations and mission to provide decent, safe, sani-*
4 *tary, and affordable housing;*

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

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

12 (5) *quantitative and qualitative measures of the*
13 *effectiveness of programs that provide housing for ex-*
14 *tremely low-, very low-, low-, and moderate-income*
15 *individuals and families;*

16 (6) *reforms the Department can undertake to*
17 *prevent, to the maximum extent possible, a disruptive*
18 *loss of benefits by program participants who experi-*
19 *ence income growth that may otherwise disqualify*
20 *them from such benefits (commonly referred to as a*
21 *“benefits cliff”) or, conversely, that may disqualify*
22 *participants with lower incomes marginally in excess*
23 *of program requirements;*

24 (7) *ways to improve the social and economic out-*
25 *comes for program participants, including actions the*

1 *Department can take to mitigate health and safety*
2 *risks to program participants and to foster economic*
3 *mobility and opportunity;*

4 *(8) improvements to enhance transparency, over-*
5 *sight, and public accountability; and*

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

8 *(c) REPORTS.—*

9 *(1) INITIAL REPORT.—Not later than 9 months*
10 *after the date of its initial meeting, the Commission*
11 *may submit to the Congress an initial report con-*
12 *taining its analysis and preliminary recommenda-*
13 *tions under subsections (a) and (b).*

14 *(2) FINAL REPORT.—Not later than 18 months*
15 *after the date of its initial meeting and upon an af-*
16 *firmative vote of a majority of the members of the*
17 *Commission, the Commission shall submit to the Con-*
18 *gress and make publicly available a final report con-*
19 *taining—*

20 *(A) a detailed statement of the findings,*
21 *conclusions, and recommendations of the Com-*
22 *mission under subsections (a) and (b);*

23 *(B) a statement of the assumptions, sce-*
24 *narios, and alternatives considered in reaching*

1 *such findings, conclusions, and recommenda-*
2 *tions;*

3 *(C) proposed legislative language for reau-*
4 *thorization, consolidation, expiration, termi-*
5 *nation, or elimination of programs consistent*
6 *with the final report;*

7 *(D) any additional views or recommenda-*
8 *tions of individual Commission members with*
9 *attribution and in a separate section of the re-*
10 *port;*

11 *(E) a summary of the Commission's meet-*
12 *ings, hearings, and activities;*

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

15 *(G) any other information that the Com-*
16 *mission considers to be appropriate.*

17 **SEC. 4. STAFF AND OUTSIDE SERVICES.**

18 *(a) APPOINTMENT AND COMPENSATION OF STAFF.—*
19 *The Chairperson of the Commission may appoint and fix*
20 *the compensation of a staff director and such other employ-*
21 *ees as may be necessary to enable the Commission to carry*
22 *out its functions, without regard to the provisions of title*
23 *5, United States Code, governing appointments in the com-*
24 *petitive service, but at rates not to exceed the annual rate*
25 *of basic pay for level V of the Executive Schedule.*

1 (b) *AGENCY ASSISTANCE.*—Upon the request of the
2 Chairperson, the head of any agency may detail an em-
3 ployee of the agency to the Commission without reimburse-
4 ment, and such detail shall be without interruption or loss
5 of civil service status or privilege.

6 (c) *CONSULTANT, TEMPORARY, AND INTERMITTENT*
7 *SERVICES.*—The Chairperson may procure the services of
8 experts and consultants and temporary and intermittent
9 services in accordance with section 3109(b) of title 5, United
10 States Code, but at rates for individuals not to exceed the
11 daily equivalent of the annual rate paid of pay for a posi-
12 tion at level V of the Executive Schedule for each day during
13 which such consultant or expert is engaged in the perform-
14 ance of the duties of the Commission.

15 **SEC. 5. POWERS.**

16 (a) *HEARINGS.*—The Commission may, for the pur-
17 pose of carrying out this Act—

18 (1) hold such hearings, sit and act at such times
19 and places, take testimony, receive evidence, and ad-
20 minister oaths as the Commission considers appro-
21 priate; and

22 (2) require, by subpoena or otherwise, the attend-
23 ance and testimony of such witnesses and the produc-
24 tion of any evidence the Commission considers advis-
25 able to carry out its duties.

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

8 **(c) ISSUANCE AND ENFORCEMENT OF SUBPOENAS.**—

9 **(1) ISSUANCE.**—*Subpoenas issued under sub-*
10 *section (a) or (b) shall bear the signature of the*
11 *Chairperson of the Commission and shall be served by*
12 *any person or class of persons designated by the*
13 *Chairperson for that purpose.*

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

23 **(d) WITNESS ALLOWANCES AND FEES.**—*Section 1821*
24 *of title 28, United States Code, shall apply to witnesses re-*
25 *quested or subpoenaed to appear at any hearing of the Com-*

1 mission. The per diem and mileage allowances for witnesses
2 shall be paid from funds available to pay the expenses of
3 the Commission.

4 (e) *INFORMATION FROM CONGRESSIONAL BUDGET OF-*
5 *FICE AND OFFICE OF MANAGEMENT AND BUDGET.*—The
6 Commission may secure directly from the Congressional
7 Budget Office and Office of Management and Budget such
8 information, including estimates and analysis, as the Com-
9 mission considers advisable to carry out its duties. Upon
10 request of the Chairperson of the Commission, the Director
11 of the Congressional Budget Office or Office of Management
12 and Budget shall furnish such information, including esti-
13 mates and analysis, to the Commission.

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

20 **SEC. 6. EXPEDITED CONSIDERATION OF PROPOSED LEGIS-**
21 **LATIVE LANGUAGE FROM FINAL REPORT.**

22 (a) *INTRODUCTION.*—Upon submission of the final re-
23 port required under section 3(c)(2), the proposed legislative
24 language for reauthorization, expiration, termination, or
25 elimination of programs required by section 3(c)(2)(C) shall

1 *be introduced in the House of Representatives (by request)*
2 *within the next 5 legislative days by the majority leader*
3 *of the House or by a Member of the House designated by*
4 *the majority leader of the House and shall be introduced*
5 *in the Senate (by request) within the next 5 legislative days*
6 *on which the Senate is in session by the majority leader*
7 *of the Senate or by a Member of the Senate designated by*
8 *the majority leader of the Senate. In this section such a*
9 *bill is referred to as a “Commission bill”.*

10 (b) *CONSIDERATION IN THE HOUSE OF REPRESENTA-*
11 *TIVES.—*

12 (1) *REFERRAL AND REPORTING.—The Committee*
13 *on Financial Services and any other committee of the*
14 *House of Representatives to which the Commission*
15 *bill is referred shall report it to the House without*
16 *amendment not later than 60 days after its introduc-*
17 *tion. If a committee fails to report the Commission*
18 *bill within that period, it shall be in order to move*
19 *that the House discharge the committee from further*
20 *consideration of the bill. Such a motion shall not be*
21 *in order after the last committee authorized to con-*
22 *sider the bill reports it to the House or after the*
23 *House has disposed of a motion to discharge the bill.*
24 *The previous question shall be considered as ordered*
25 *on the motion to its adoption without intervening mo-*

1 *tion except 20 minutes of debate equally divided and*
2 *controlled by the proponent and an opponent. If such*
3 *a motion is adopted, the House shall proceed imme-*
4 *diately to consider the Commission bill in accordance*
5 *with paragraphs (2) and (3). A motion to reconsider*
6 *the vote by which the motion is disposed of shall not*
7 *be in order.*

8 (2) *PROCEEDING TO CONSIDERATION.*—*After the*
9 *last committee authorized to consider a Commission*
10 *bill reports it to the House or has been discharged*
11 *(other than by motion) from its consideration, it shall*
12 *be in order to move to proceed to consider the Com-*
13 *mission bill in the House. Such a motion shall not be*
14 *in order after the House has disposed of a motion to*
15 *proceed with respect to the Commission bill. The pre-*
16 *vious question shall be considered as ordered on the*
17 *motion to its adoption without intervening motion. A*
18 *motion to reconsider the vote by which the motion is*
19 *disposed of shall not be in order.*

20 (3) *CONSIDERATION.*—*The Commission bill shall*
21 *be considered as read. All points of order against the*
22 *Commission bill and against its consideration are*
23 *waived. The previous question shall be considered as*
24 *ordered on the Commission bill to its passage without*
25 *intervening motion except 2 hours of debate equally*

1 *divided and controlled by the proponent and an oppo-*
2 *nent and one motion to limit debate on the Commis-*
3 *sion bill. A motion to reconsider the vote on passage*
4 *of the Commission bill shall not be in order.*

5 (4) *VOTE ON PASSAGE.*—*The vote on passage of*
6 *the Commission bill shall occur not later than 12*
7 *months after the final report required under section*
8 *3(c)(2) is submitted to the Congress.*

9 (c) *CONSIDERATION IN THE SENATE.*—

10 (1) *COMMITTEE CONSIDERATION.*—*A Commis-*
11 *sion bill introduced in the Senate under subsection*
12 *(a) shall be jointly referred to the committee or com-*
13 *mittees of jurisdiction, which committees shall report*
14 *the bill without any revision and with a favorable*
15 *recommendation, an unfavorable recommendation, or*
16 *without recommendation, not later than 60 days after*
17 *its introduction. If any committee fails to report the*
18 *bill within that period, that committee shall be auto-*
19 *matically discharged from consideration of the bill,*
20 *and the bill shall be placed on the appropriate cal-*
21 *endar.*

22 (2) *MOTION TO PROCEED.*—*Notwithstanding*
23 *Rule XXII of the Standing Rules of the Senate, it is*
24 *in order, not later than 2 days of session after the*
25 *date on which a Commission bill is reported or dis-*

1 *charged from all committees to which it was referred,*
2 *for the majority leader of the Senate or the majority*
3 *leader's designee to move to proceed to the consider-*
4 *ation of the Commission bill. It shall also be in order*
5 *for any Member of the Senate to move to proceed to*
6 *the consideration of the Commission bill at any time*
7 *after the conclusion of such 2-day period. A motion*
8 *to proceed is in order even though a previous motion*
9 *to the same effect has been disagreed to. All points of*
10 *order against the motion to proceed to the Commis-*
11 *sion bill are waived. The motion to proceed is not de-*
12 *batable. The motion is not subject to a motion to post-*
13 *pone. A motion to reconsider the vote by which the*
14 *motion is agreed to or disagreed to shall not be in*
15 *order. If a motion to proceed to the consideration of*
16 *the Commission bill is agreed to, the Commission bill*
17 *shall remain the unfinished business until disposed of.*

18 (3) *CONSIDERATION.*—*All points of order against*
19 *the Commission bill and against consideration of the*
20 *Commission bill are waived. Consideration of the*
21 *Commission bill and of all debatable motions and ap-*
22 *peals in connection therewith shall not exceed a total*
23 *of 30 hours which shall be divided equally between the*
24 *Majority and Minority Leaders or their designees. A*
25 *motion further to limit debate on the Commission bill*

1 *is in order, shall require an affirmative vote of a ma-*
2 *jority of the Members duly chosen and sworn, and is*
3 *not debatable. Any debatable motion or appeal is de-*
4 *batable for not to exceed 1 hour, to be divided equally*
5 *between those favoring and those opposing the motion*
6 *or appeal. All time used for consideration of the Com-*
7 *mission bill, including time used for quorum calls*
8 *and voting, shall be counted against the total 30*
9 *hours of consideration.*

10 (4) *NO AMENDMENTS.*—*An amendment to the*
11 *Commission bill, or a motion to postpone, or a mo-*
12 *tion to proceed to the consideration of other business,*
13 *or a motion to recommit the Commission bill, is not*
14 *in order.*

15 (5) *VOTE ON PASSAGE.*—*If the Senate has voted*
16 *to proceed to the Commission bill, the vote on passage*
17 *of the Commission bill shall occur immediately fol-*
18 *lowing the conclusion of the debate on a Commission*
19 *bill, and a single quorum call at the conclusion of the*
20 *debate if requested. The vote on passage of the Com-*
21 *mission bill shall occur not later than 12 months after*
22 *the final report required under section 3(c)(2) is sub-*
23 *mitted to the Congress.*

24 (6) *RULINGS OF THE CHAIR ON PROCEDURE.*—
25 *Appeals from the decisions of the Chair relating to the*

1 *application of the rules of the Senate, as the case may*
2 *be, to the procedure relating to a Commission bill*
3 *shall be decided without debate.*

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

7 *(e) CONSIDERATION BY OTHER HOUSE.—*

8 *(1) IN GENERAL.—If, before passing the Commis-*
9 *sion bill, one House receives from the other a Com-*
10 *mission bill—*

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

13 *(B) the procedure in the receiving House*
14 *shall be the same as if no Commission bill had*
15 *been received from the other House until the vote*
16 *on passage, when the Commission bill received*
17 *from the other House shall supplant the Commis-*
18 *sion bill of the receiving House.*

19 *(2) REVENUE MEASURE.—This subsection shall*
20 *not apply to the House of Representatives if the Com-*
21 *mission bill received from the Senate is a revenue*
22 *measure.*

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

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

6 (2) *TREATMENT OF COMPANION MEASURES IN*
7 *THE SENATE.—If following passage of the Commis-*
8 *sion bill in the Senate, the Senate then receives the*
9 *Commission bill from the House of Representatives,*
10 *the House-passed Commission bill shall not be debat-*
11 *able. The vote on passage of the Commission bill in*
12 *the Senate shall be considered to be the vote on pas-*
13 *sage of the Commission bill received from the House*
14 *of Representatives.*

15 (3) *VETOES.—If the President vetoes the Com-*
16 *mission bill, debate on a veto message in the Senate*
17 *under this section shall be 1 hour equally divided be-*
18 *tween the majority and minority leaders or their des-*
19 *ignees.*

20 (g) *LOSS OF PRIVILEGE.—The provisions of this sec-*
21 *tion shall cease to apply to the Commission bill if—*

22 (1) *the Commission fails to produce the final re-*
23 *port required under section 3(c)(2) within 20 months*
24 *from the date of enactment of this Act; or*

1 (2) *the Commission bill does not pass either*
2 *House.*

3 **SEC. 7. TERMINATION.**

4 *The Commission shall terminate 30 days after submit-*
5 *ting the final report pursuant to section 3(c)(2).*

Union Calendar No. 771

118TH CONGRESS
2^D SESSION

H. R. 8302

[Report No. 118-800, Part I]

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.

DECEMBER 19, 2024

Committee on Rules discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed