

117TH CONGRESS
1ST SESSION

S. 1218

To provide economic empowerment opportunities in the United States through the modernization of public housing, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 19, 2021

Mr. SANDERS (for himself, Ms. WARREN, Mr. MARKEY, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide economic empowerment opportunities in the United States through the modernization of public housing, 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 “Green New Deal for
5 Public Housing Act”.

6 **SEC. 2. PURPOSES.**

7 The purpose of this Act is—

8 (1) to stimulate, gather, and develop the work-
9 force capacity, tools, financing, and materials needed

1 to rehabilitate, upgrade, modernize, and transition
2 public housing;

3 (2) to rehabilitate public housing that is se-
4 verely distressed and causing residents to be exposed
5 to unhealthy and unsafe environments;

6 (3) to upgrade and equip all public housing
7 with cutting-edge materials, infrastructure, and all-
8 electric appliances made in the United States in
9 order to improve energy efficiency, water quality,
10 and material living standards in public housing and
11 to support United States manufacturing;

12 (4) to modernize public housing laws in order to
13 maximize tenant participation and management by
14 low- and very low-income individuals in the rehabili-
15 tation, upgrade, and transition of public housing
16 through education, training, and jobs; and

17 (5) to transition the entire public housing stock
18 of the United States, as swiftly and seamlessly as
19 possible, into highly energy-efficient homes that
20 produce on-site, or procure, enough carbon-free re-
21 newable energy to meet total energy consumption
22 annually.

23 **SEC. 3. DEFINITIONS.**

24 In this Act:

1 (1) ELIGIBLE ENTITY.—The term “eligible enti-
2 ty” means—

3 (A) a public housing agency;

4 (B) an Indian tribe or a tribally designated
5 housing entity that is eligible to receive assist-
6 ance under the Native American Housing As-
7 sistance and Self-Determination Act of 1996
8 (25 U.S.C. 4101 et seq.); and

9 (C) the Department of Hawaiian Home
10 Lands, as defined in section 801 of the Native
11 American Housing Assistance and Self-Deter-
12 mination Act of 1996 (25 U.S.C. 4221).

13 (2) INDIAN TRIBE; TRIBALLY DESIGNATED
14 HOUSING ENTITY.—The terms “Indian tribe” and
15 “tribally designated housing entity” have the mean-
16 ings given those terms in section 4 of the Native
17 American Housing Assistance and Self-Determina-
18 tion Act of 1996 (25 U.S.C. 4103).

19 (3) PUBLIC HOUSING.—The term “public hous-
20 ing”—

21 (A) has the meaning given the term in sec-
22 tion 3(b) of the United States Housing Act of
23 1937 (42 U.S.C. 1437a(b)); and

24 (B) includes—

1 (i) any dwelling unit owned by an In-
2 dian tribe that is or was a dwelling unit in
3 public housing;

4 (ii) any low-income housing dwelling
5 unit described in section 302(b)(1) of the
6 Native American Housing Assistance and
7 Self-Determination Act of 1996 (25 U.S.C.
8 4152(b)(1));

9 (iii) any dwelling unit assisted under
10 section 802 of the Native American Hous-
11 ing Assistance and Self-Determination Act
12 of 1996 (25 U.S.C. 4222); and

13 (iv) any dwelling unit that—

14 (I) was a low-income housing
15 dwelling unit described in section
16 302(b)(1) of the Native American
17 Housing Assistance and Self-Deter-
18 mination Act of 1996 (25 U.S.C.
19 4152(b)(1)); and

20 (II) is rented only to households
21 with an income that is not more than
22 80 percent of the area median income.

23 (4) PUBLIC HOUSING AGENCY.—The term
24 “public housing agency” has the meaning given the

term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(5) PUBLIC HOUSING RESIDENT-OWNED BUSINESS.—The term “public housing resident-owned business” means a business concern that—

(A) provides economic opportunities, as defined in section 3(e) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u(e)); and

(B) is owned by public housing residents.

(6) RENEWABLE ENERGY.—The term “renewable energy” means—

(A) utility-, community-, and small-scale photovoltaic and thermal solar energy;

(B) utility- and small-scale wind energy;

(C) geothermal energy;

(D) microturbine hydroelectricity;

(E) energy efficiency;

(F) building electrification;

(G) energy storage;

(H) microgrids; and

(I) modern distribution grid infrastructure.

(7) SECRETARY.—The term “Secretary” means the Secretary of Housing and Urban Development.

1 (8) ZERO-CARBON HOME.—The term “zero-car-
 2 bon home” means a highly energy-efficient home
 3 that produces on-site, or procures, enough carbon-
 4 free renewable energy to meet the total annual en-
 5 ergy consumption of the home.

6 **SEC. 4. CONGRESSIONAL FINDINGS AND SENSE OF CON-**
 7 **GRESS FOR IMPROVED ARCHITECTURAL DE-**
 8 **SIGN IN GOVERNMENT HOUSING PROGRAMS.**

9 Section 4 of the Housing and Urban Development
 10 Act of 1968 (12 U.S.C. 1701v) is amended to read as fol-
 11 lows:

12 **“SEC. 4. IMPROVED ARCHITECTURAL DESIGN IN GOVERN-**
 13 **MENT HOUSING PROGRAMS.**

14 “(a) FINDINGS.—Congress finds that—

15 “(1) if Federal aid is to make its full commu-
 16 nity-wide contribution toward improving our urban
 17 and rural environments, Federal aid must have a
 18 greater impact on improvements in architectural de-
 19 sign; and

20 “(2) even within the necessary budget limita-
 21 tions on housing for low- and moderate-income fami-
 22 lies, architectural design and environmental perform-
 23 ance can be improved not only to make the housing
 24 more livable, but also to better suit the needs of oc-
 25 cupants including human and environmental health,

1 zero carbon emissions, well-being, accessibility, and
 2 equity.

3 “(b) SENSE OF CONGRESS.—It is the sense of Con-
 4 gress that in the administration of housing programs that
 5 assist in the provision of housing for low- and moderate-
 6 income families, emphasis should be given to—

7 “(1) encouraging good architectural design that
 8 yields maximal environmental performance and ad-
 9 heres to accessibility guidelines established in ac-
 10 cordance with the Americans With Disabilities Act
 11 of 1990 (42 U.S.C. 12101 et seq.) as an essential
 12 component of such housing; and

13 “(2) developing, with opportunities for resident
 14 involvement, housing that will be of such quality as
 15 to reflect the highest international architectural
 16 standards and the architectural standards of the
 17 neighborhood and the community in which it is situ-
 18 ated, consistent with prudent budgeting.”.

19 **SEC. 5. DECLARATION OF POLICY.**

20 Section 2(a) of the United States Housing Act of
 21 1937 (42 U.S.C. 1437(a)) is amended to read as follows:

22 “(a) DECLARATION OF POLICY.—It is the policy of
 23 the United States—

24 “(1) to modernize the intersections of Federal
 25 and local government by employing the funds and

1 credit of the United States, as provided in this
2 Act—

3 “(A) to guarantee the right to housing for
4 every individual;

5 “(B) to assist States and political subdivi-
6 sions of States in ensuring that—

7 “(i) all housing in the United States
8 is habitable, highly energy-efficient, and
9 safe; and

10 “(ii) housing conditions lead to good
11 health, security, and adequate protection
12 from the economic fears relating to old
13 age, disability, sickness, accident, and un-
14 employment; and

15 “(C) to protect, maintain, preserve, and
16 expand public housing as a sustainable safety
17 net for all people;

18 “(2) that it is the responsibility of the Federal
19 Government, in conjunction with public housing
20 agencies, to incentivize, promote, and protect the
21 independent, collaborative, and collective actions of
22 public housing residents and other private citizens to
23 develop housing in a manner that strengthens entire
24 neighborhoods; and

1 “(3) that the Federal Government should act
 2 and build new public housing where there is a seri-
 3 ous need that the free market cannot address or is
 4 not addressing responsibly.”.

5 **SEC. 6. GREEN NEW DEAL PUBLIC HOUSING GRANTS.**

6 (a) ESTABLISHMENT OF GRANT PROGRAMS.—

7 (1) GRANTS FOR PUBLIC HOUSING COMMUNITY
 8 WORKFORCE DEVELOPMENT.—

9 (A) IN GENERAL.—The Secretary, in con-
 10 sultation with the Secretary of Labor, shall es-
 11 tablish a grant program that provides amounts
 12 to eligible entities to facilitate workforce devel-
 13 opment projects and high-income employment
 14 transition at public housing.

15 (B) PREFERENCE.—In awarding grants
 16 under this paragraph, the Secretary shall give
 17 preference to applications submitted by—

18 (i) eligible entities described in sub-
 19 paragraph (B) or (C) of section 3(2);

20 (ii) eligible entities that have formed
 21 partnerships with an existing registered
 22 apprenticeship, pre-apprenticeship, intern-
 23 ship, labor-management partnership, or
 24 other partnerships with labor organiza-
 25 tions;

1 (iii) eligible entities that demonstrate
2 a capacity to facilitate a workforce develop-
3 ment program that leads to—

4 (I) the development of career and
5 related skills, including financial and
6 economic empowerment education;

7 (II) direct entry to registered ap-
8 prenticeship programs;

9 (III) certification or associate de-
10 gree acquisition;

11 (IV) technical assistance and re-
12 sources for public housing resident-
13 owned businesses for purposes of com-
14 pliance with the requirements under
15 section 3 of the Housing and Urban
16 Development Act of 1968 (12 U.S.C.
17 1701u), including—

18 (aa) legal or compliance
19 services on behalf of public hous-
20 ing resident-owned businesses for
21 purposes of helping them access
22 and apply for government pro-
23 curement and contracting oppor-
24 tunities;

1 (bb) education on starting
2 and sustaining a business;

3 (cc) accessing insurance and
4 bonds; and

5 (dd) demonstrating capacity
6 and sustainable operations;

7 (V) training and development of
8 skills necessary for career develop-
9 ment in the fields, trades, and services
10 reasonably determined during the first
11 public comment period held in accord-
12 ance with subsection (b)(3) to be of
13 interest to public housing residents;

14 (VI) educational and organiza-
15 tional tools for public housing resi-
16 dents in order to advance the models
17 of worker cooperatives and collective
18 bargaining;

19 (VII) education, engagement, and
20 empowerment resources to help both
21 residents of public housing and local
22 low- and very low-income individuals
23 avail themselves of opportunities made
24 available under the workforce develop-
25 ment program, including education,

1 engagement, and empowerment re-
2 sources provided in partnership
3 with—

4 (aa) a local entity that oper-
5 ates a Family Self-Sufficiency
6 program under section 23 of the
7 United States Housing Act of
8 1937 (42 U.S.C. 1437u); and

9 (bb) community-based orga-
10 nizations that demonstrate a
11 commitment to and history of or-
12 ganizing with public housing resi-
13 dents;

14 (VIII) innovative design partner-
15 ships with local schools and architec-
16 tural firms;

17 (IX) training and employment
18 opportunities reserved specifically for
19 local low- and very low-income people
20 that were formerly incarcerated; and

21 (X) stipends valued at not less
22 than \$250 per week to individuals
23 participating in the workforce develop-
24 ment program; and

1 (iv) eligible entities in the construc-
 2 tion or maintenance sector seeking to carry
 3 out a project to develop pre-apprentice-
 4 ships that prepare individuals for accept-
 5 ance into registered programs in that sec-
 6 tor.

7 (C) COMPLIANCE MANAGERS.—Not more
 8 than 10 percent of the amount of a grant re-
 9 ceived by an eligible entity under this para-
 10 graph may be used by an eligible entity to hire
 11 or otherwise retain reporting and compliance
 12 managers with sufficient expertise to ensure
 13 that the eligible entity can comply with the re-
 14 quirements of section 3 of the Housing and
 15 Urban Development Act of 1968 (12 U.S.C.
 16 1701u).

17 (D) ADDITIONAL ELIGIBLE ENTITIES.—In
 18 addition to the eligible entities under this legis-
 19 lation, the following shall be eligible for grants
 20 under this section—

- 21 (i) Institutes of Higher Education;
- 22 (ii) a labor organization;
- 23 (iii) a nonprofit organization.

24 (2) GREEN NEW DEAL FOR PUBLIC HOUSING
 25 GRANTS.—

1 (A) ESTABLISHMENT.—The Secretary
2 shall establish a grant program that provides
3 amounts to eligible entities for the eligible ac-
4 tivities described in subparagraph (B).

5 (B) ELIGIBLE ACTIVITIES.—The eligible
6 activities described in this subparagraph are—

7 (i) conducting physical needs assess-
8 ments and subsequent deep energy retro-
9 fits in public housing, including—

10 (I) retrofits for—

11 (aa) energy-efficient win-
12 dows;

13 (bb) super insulation of
14 roofs and exterior walls, includ-
15 ing the addition of new cladding
16 to buildings and the rerouting of
17 plumbing and electricity;

18 (cc) electrification of water
19 heating and building heating sys-
20 tems using electric heat pumps;
21 and

22 (dd) electric heat pumps to
23 provide air conditioning, where
24 feasible;

1 (II) strategies to increase
2 airtightness of building envelope, in-
3 cluding air sealant paints; and

4 (III) acquisition and installation
5 of heat-recovery ventilation systems;

6 (ii) upgrading, replacing, and improv-
7 ing public housing to energy efficiency,
8 building electrification, including—

9 (I) conducting physical needs as-
10 sessments of public housing dwelling
11 units;

12 (II) in-unit energy efficiency
13 product upgrades, including upgrad-
14 ing to—

15 (aa) modern, energy-efficient
16 insulation;

17 (bb) all-electric state-of-the-
18 art efficient appliances;

19 (cc) energy-efficient bath-
20 room plumbing, including low-
21 flow toilets;

22 (dd) energy-efficient laundry
23 machines;

24 (ee) energy-efficient air fil-
25 ters;

- 1 (ff) energy monitoring de-
- 2 vices including smart meters and
- 3 smart thermostats;
- 4 (gg) energy-efficient
- 5 lightbulbs;
- 6 (hh) highly insulated win-
- 7 dows;
- 8 (ii) reflective roofing; and
- 9 (jj) smart Supervisory Con-
- 10 trol and Data Acquisition sys-
- 11 tems and building-to-grid inte-
- 12 gration;
- 13 (III) upgrading infrastructure re-
- 14 lated to building electrification, in-
- 15 cluding upgrading—
- 16 (aa) electric heating, ventila-
- 17 tion, and air conditioning sys-
- 18 tems, including cold-climate heat
- 19 pumps;
- 20 (bb) electrical panels; and
- 21 (cc) electric appliances to re-
- 22 place appliances reliant on fossil
- 23 fuels, such as gas stoves and hot
- 24 water heaters; and

(IV) water quality upgrades, including replacing water pipes in public housing if a quality test of drinking water concentrations in public housing exceeds—

(aa) 3.1 parts per billion of lead;

(bb) 20 parts per trillion combined of the 5 perfluoroalkyl and polyfluoroalkyl substances, which are—

(AA) perfluorooctanoic acid;

(BB) perfluorooctane sulfonate;

(CC) perfluorohexane sulfonic acid;

(DD) perfluoroheptanoic acid; and

(EE) perfluorononanoic acid;

(cc) 0.010 mg/L of arsenic;

(dd) 1.3 mg/L of copper;

(ee) drinking water standards of the Environmental Pro-

1 tection Agency for organic and
 2 inorganic contaminants, radio-
 3 nuclides, and microbiological con-
 4 taminants; and

5 (ff) any other Environ-
 6 mental Protection Agency stand-
 7 ard adopted under the Safe
 8 Drinking Water Act (42 U.S.C.
 9 300f et seq.);

10 (iii) building and expanding commu-
 11 nity energy generation in public housing,
 12 including the construction of and ongoing
 13 costs associated with—

14 (I) renewable energy rooftops;
 15 (II) renewable energy generation;
 16 (III) photovoltaic glass windows;
 17 (IV) the bulk purchase of clean
 18 energy grid supply from energy utili-
 19 ties; and

20 (V) community-scale energy stor-
 21 age systems;

22 (iv) establishing or expanding recy-
 23 cling and zero-waste programs in public
 24 housing, including the recycling of appli-

ances and machines that were replaced
through activities described in clause (iii);

(v) community resilience and sustainability projects in public housing, including—

(I) the purchase and installation of energy storage, including batteries, flywheels, compressed air, and pumped hydroelectric or thermal energy storage, in order to ensure energy backup of not less than 48 hours in the event of an emergency or disaster;

(II) the construction of childcare centers and ongoing costs associated with childcare centers;

(III) the construction of senior centers and ongoing costs associated with senior centers;

(IV) the construction of community gardens and ongoing costs associated with community gardens;

(V) the maintenance of entire public housing developments;

1 (VI) the installation of publicly
2 owned high speed internet in order to
3 provide universal internet access for
4 all residents with an upload speed of
5 not less than 100Mbps and a
6 download speed of not less than
7 100Mbps, and the ongoing costs asso-
8 ciated with providing that internet in-
9 frastructure and access;

10 (VII) the establishment or im-
11 provement, and painting, of commu-
12 nity centers and other shared commu-
13 nity spaces, the personnel of which
14 shall earn the higher of—

15 (aa) the local prevailing
16 wage; or

17 (bb) a wage of \$15 per hour;

18 (VIII) the establishment or im-
19 provement of dedicated infrastructure
20 for transportation by bicycle, includ-
21 ing lanes, parking spots, and the bulk
22 purchase of enough bicycles to offer 1
23 bicycle to every low- and very low-in-
24 come public housing resident;

1 (IX) the deployment of electric
2 vehicle charging infrastructure for
3 public housing residents and visitors;

4 (X) the establishment and leasing
5 of commercial activity that offers pub-
6 lic housing residents on-site access to
7 goods and services, including good-
8 quality healthcare clinics, dental clin-
9 ics, bookstores, learning and tutoring
10 centers, and affordable organic gro-
11 ceries; and

12 (XI) repairs and upgrades to
13 public housing to ensure compliance
14 with the physical condition standards
15 under section 5.703 of title 24, Code
16 of Federal Regulations, or any suc-
17 cessor regulation; and

18 (vi) construction and ongoing costs
19 associated with climate adaptation and
20 emergency disaster response for public
21 housing, including—

22 (I) integrated solutions that com-
23 bine better walls, heating, cooling,
24 ventilation, solar, and storage into a

1 single easy-to-install and affordable
 2 retrofit for public housing;

3 (II) additional solar and storage
 4 on site, or through a local community
 5 microgrid, in order to allow residents
 6 to access essential energy during
 7 power outages;

8 (III) insulating and eliminating
 9 air leakage in order to ensure that in-
 10 dividual dwelling units can retain a
 11 safe temperature during a power out-
 12 age until power is restored or emer-
 13 gency assistance arrives; and

14 (IV) installing rigid foam wall in-
 15 sulation in hurricane and earthquake-
 16 prone areas in order to create shear
 17 walls to resist structural damage from
 18 walls tilting or falling during high
 19 winds and earthquakes.

20 (b) GRANT APPLICATION.—

21 (1) REQUIRED CONTENTS.—As a condition of
 22 receiving a grant under subsection (a), each eligible
 23 entity shall include in the grant application sub-
 24 mitted to the Secretary—

1 (A) a signed acknowledgment indicating a
2 commitment to transition all public housing
3 owned or managed by the eligible entity into
4 zero-carbon homes not later than 10 years after
5 the date on which the eligible entity receives the
6 grant;

7 (B) a full accounting of the amount of
8 funds required to complete the activities under
9 the grant, which shall—

10 (i) be complete and reasonably cal-
11 culated to accomplish the purposes of this
12 Act;

13 (ii) include costs related to complying
14 with local wage and labor laws;

15 (iii) include the amount of funds ex-
16 pended by the eligible entity to comply
17 with the resident and community engage-
18 ment requirements under paragraph (3);
19 and

20 (iv) be updated and submitted to Con-
21 gress on a quarterly basis; and

22 (C) a community impact assessment and
23 analysis of—

24 (i) the likely direct and indirect im-
25 pact the grant funds, if awarded, will have

on the economic empowerment and social mobility of traditionally disadvantaged individuals and communities; and

(ii) whether the proposed actions to be taken under the grant would be affirmatively furthering fair housing, as defined in section 5.152 of title 24, Code of Federal Regulations, or any successor regulation.

(2) RESIDENT AND COMMUNITY ENGAGEMENT BEFORE SUBMITTING APPLICATION.—Before submitting an application for a grant under this subsection, an eligible entity shall—

(A) solicit and consider community and public feedback, to the maximum extent possible, by providing for opportunities to comment via a cloud-based content collaboration provider that is certified by the Federal Risk and Authorization Management Program, through—

(i) an initial public comment period, for which the eligible entity shall—

(I) publish—

(aa) a description of each of the grant programs established under subsection (a); and

1 (bb) a form to be used to
2 submit comments; and

3 (II) give interested persons 90
4 days to—

5 (aa) submit draft text di-
6 rectly into the application;

7 (bb) submit written data
8 and accounting estimates; and

9 (cc) submit general com-
10 ments;

11 (ii) a second public comment period
12 beginning not later than 30 days after the
13 end of the initial public comment period
14 under clause (i), for which the eligible enti-
15 ty shall—

16 (I) publish a draft version of the
17 completed common application form
18 described in subsection (a) that con-
19 tains, at a minimum—

20 (aa) a short analysis and
21 evaluation of the relevant signifi-
22 cant proposals set forth during
23 the initial public comment period;
24 and

1 (bb) a clear and concise
 2 statement of the basis, purpose,
 3 and goals of the application; and
 4 (II) give interested persons 30
 5 days to submit feedback on and rec-
 6 ommended improvements to the draft
 7 final grant application;

8 (B) host not less than 2 public hearings,
 9 which shall be recorded and held at a conven-
 10 ient location for public housing residents, for
 11 each public comment period described in sub-
 12 paragraph (A), to provide public housing resi-
 13 dents with an opportunity to comment, with not
 14 less than 1 occurring in the afternoon and not
 15 less than 1 occurring in the evening; and

16 (C) solicit input and acquire signed ap-
 17 proval of the completed common application
 18 form from the resident council or resident coun-
 19 cils, if existing and active, of the public housing
 20 that will receive assistance under the grant.

21 (3) PRIORITY FOR WORKFORCE DEVELOPMENT
 22 GRANTS.—The Secretary shall prioritize the review
 23 and funding of applications submitted for grants
 24 under subsection (a)(1) over applications submitted
 25 for any other grant described in subsection (a).

1 (4) PRIORITY AMONG APPLICATIONS FOR COM-
 2 MUNITY ENERGY GENERATION.—In reviewing appli-
 3 cations for grants to carry out activities described in
 4 subsection (a)(2)(B)(iii), the Secretary shall give
 5 preference to applications submitted by eligible enti-
 6 ties that—

7 (A) demonstrate an ability to generate the
 8 greatest amount of renewable energy that can
 9 be consumed by public housing projects and
 10 transferred to the local energy grid; and

11 (B) demonstrate a commitment to provide
 12 job training and contracting opportunities to
 13 public housing residents and public housing
 14 resident-owned businesses.

15 (5) EXCEPTIONS FOR INDIGENOUS GROUPS AND
 16 TRIBES.—

17 (A) IN GENERAL.—Any eligible entity de-
 18 scribed in section 3(2) that submits an applica-
 19 tion for a grant program described in this sub-
 20 section—

21 (i) is exempt from compliance with
 22 subclauses (I), (II), and (III) of paragraph
 23 (2)(A)(i) and paragraph (2)(A)(ii)(I); and
 24 (ii) is empowered to self-determine
 25 guidelines and standards pertaining to en-

1 suring community and resident engage-
2 ment.

3 (B) SUBMISSION BY TRIBALLY DES-
4 IGNATED HOUSING ENTITIES.—An application
5 for a grant under subsection (a) for an Indian
6 tribe may be prepared and submitted on behalf
7 of the Indian tribe by the tribally designated
8 housing entity for the Indian tribe, if the appli-
9 cation contains a certification by the recognized
10 tribal government of the grant beneficiary that
11 the Indian tribe—

12 (i) has had an opportunity to review
13 the application and has authorized the sub-
14 mission of the application by the tribally
15 designated housing entity; or

16 (ii) has delegated to the tribally des-
17 ignated housing entity the authority to
18 submit an application on behalf of the In-
19 dian tribe without prior review by the In-
20 dian tribe.

21 (6) BENCHMARKING ENERGY AND WATER CON-
22 SUMPTION.—An eligible entity desiring a grant to
23 carry out activities described in subsection
24 (a)(2)(B)(ii) shall include in the grant application a
25 commitment to benchmarking energy and water con-

1 sumption using ENERGY STAR Portfolio Manager,
 2 or another system approved by the Department of
 3 Housing and Urban Development, for a period of
 4 not less than 5 years beginning on the date on which
 5 the eligible entity receives the grant.

6 (c) SELECTION OF GRANT RECIPIENTS.—

7 (1) IN GENERAL.—If an eligible entity submits
 8 to the Secretary an application for a grant under
 9 subsection (a) that complies with the requirements
 10 under subsection (b), the Secretary shall award the
 11 funds to the eligible entity that are required to com-
 12 plete the grant, as specified in the accounting sub-
 13 mitted under subsection (b)(2)(C).

14 (2) REAPPLICATION.—If the Secretary deter-
 15 mines that an application submitted by an eligible
 16 entity under this section does not comply with the
 17 requirements under subsection (b)—

18 (A) the Secretary shall provide to the eligi-
 19 ble entity a summary of the requirements that
 20 the eligible entity has failed to meet; and

21 (B) the eligible entity may reapply for the
 22 grant.

23 (3) EXPEDITED REVIEW.—The Secretary shall
 24 expedite the review of applications submitted by eli-

1 gible entities that own or manage public housing in
2 a congressional district—

3 (A) with an aggregate total of not less
4 than 5,000 public housing residents;

5 (B) in which—

6 (i) not less than 40 percent of the
7 residents are not less than 62 years old;

8 (ii) not less than 25 percent of the
9 residents are disabled; or

10 (iii) not less than 5 percent of all
11 heads of household are not more than 24
12 years old; or

13 (C) with an average household income of
14 less than \$40,000.

15 (d) USE OF GRANT AMOUNTS FOR CAPACITY BUILD-
16 ING.—An eligible entity may use not more than 5 percent
17 of grant funds received under this section for activities to
18 expand the capacity of the eligible entity to carry out the
19 grant activities, including—

20 (1) hiring staff;

21 (2) training residents for staff positions;

22 (3) providing technical assistance;

23 (4) community engagement; and

24 (5) other necessary administrative activities.

1 (e) RESIDENT PROTECTION.—Each eligible entity
 2 that is the recipient of a grant under subsection (a)
 3 shall—

4 (1) comply with the requirements under part 24
 5 of title 49, Code of Federal Regulations, and provide
 6 relocation assistance for any and all residents of
 7 public housing managed by the eligible entity who
 8 may be displaced during construction, and ensure
 9 that all temporarily displaced residents can return to
 10 their homes once retrofitting is completed;

11 (2) provide enhanced tenant protection vouchers
 12 under section 8(t) of the United States Housing Act
 13 of 1937 (42 U.S.C. 1437f(t)) to all displaced resi-
 14 dents during the period in which dwelling units are
 15 under construction;

16 (3) ensure that activities undertaken as part of
 17 the grant do not result in a reduction of total public
 18 housing dwelling units; and

19 (4) to the greatest extent practicable, complete
 20 construction of replacement dwellings prior to de-
 21 molishing existing public housing units.

22 (f) PROFITS RELATED TO COMMUNITY ENERGY
 23 GENERATION.—

24 (1) IN GENERAL.—With respect to any energy
 25 produced by an eligible entity carrying out activities

1 described in subsection (a)(2)(B)(iii), the eligible en-
 2 tity may retain 90 percent of any profits earned
 3 from selling the energy.

4 (2) VOTE.—An eligible entity described para-
 5 graph (1) with not less than 50 public housing
 6 dwelling units shall provide residents of the public
 7 housing the opportunity to vote on how the profits
 8 earned under paragraph (1) shall be used.

9 (3) OTHER REVENUE.—Any profits not re-
 10 tained under this subsection shall be transferred to
 11 the Department of the Treasury for deposit in the
 12 General Fund.

13 (g) LABOR AND BUY AMERICAN PROVISIONS.—

14 (1) IN GENERAL.—In carrying out grant activi-
 15 ties under this section, each contractor or subcon-
 16 tractor for a project funded under this section shall
 17 carry out the following:

18 (A) Ensure that the materials used by the
 19 contractor or subcontractor are substantially
 20 manufactured, mined, and produced in the
 21 United States in accordance with chapter 83 of
 22 title 41, United States Code (commonly known
 23 as the “Buy American Act”).

24 (B) Ensure that all laborers and mechan-
 25 ics employed by the contractor or subcontractor

1 in the performance of construction, alteration,
2 or repair work financed in whole or in part with
3 assistance under this section shall be paid
4 wages at rates not less than those prevailing on
5 similar construction in the locality, as deter-
6 mined by the Secretary of Labor, in accordance
7 with subchapter IV of chapter 31 of title 40,
8 United States Code (commonly known as the
9 “Davis-Bacon Act”). With respect to the labor
10 standards in this subparagraph, the Secretary
11 of Labor shall have the authority and functions
12 set forth in Reorganization Plan Numbered 14
13 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and
14 section 3145 of title 40, United States Code.

15 (C) With respect to a project that costs
16 not less than \$25,000,000, consent to a project
17 labor agreement.

18 (D) Require each project labor agreement
19 to be in compliance with the hiring and con-
20 tracting requirements described in subsections
21 (c) and (d) of section 3 of the Housing and
22 Urban Development Act of 1968 (12 U.S.C.
23 1701u).

24 (E) Not hire employees through a tem-
25 porary staffing agency unless the relevant State

1 workforce agency certifies that temporary em-
2 ployees are necessary to address an acute,
3 short-term labor demand.

4 (F) Have an explicit neutrality policy on
5 any issue involving the organization of employ-
6 ees of the contractor or subcontractor, and all
7 contractors and subcontractors, for purposes of
8 collective bargaining.

9 (G) For each project employing union
10 workers to rehabilitate, upgrade, innovate and
11 transition public housing developments, dem-
12 onstrate an ability to use and to commit to use
13 individuals enrolled in a registered apprentice-
14 ship program who shall, to the greatest extent
15 practicable, constitute not less than 20 percent
16 of the individuals working on the project.

17 (H) To the greatest extent practicable,
18 provide preferential treatment in hiring laborers
19 and mechanics that are—

20 (i) public housing residents;

21 (ii) hired from within 50 miles of their
22 official residence;

23 (iii) veterans or active or retired mili-
24 tary;

25 (iv) highly skilled union workers; or

1 (v) returning citizens who were for-
 2 merly incarcerated individuals.

3 (I) Not require mandatory arbitration for
 4 any dispute involving a worker engaged in a
 5 service for the contractor or subcontractor.

6 (J) Consider an individual performing any
 7 service under the grant as an employee, and not
 8 an independent contractor, of the contractor or
 9 subcontractor, respectively, unless—

10 (i) the individual is free from control
 11 and direction in connection with the per-
 12 formance of the service, both under the
 13 contract for the performance of the service
 14 and in fact;

15 (ii) the service is performed outside
 16 the usual course of the business of the con-
 17 tractor or subcontractor, respectively; and

18 (iii) the individual is customarily en-
 19 gaged in an independently established
 20 trade, occupation, profession, or business
 21 of the same nature as that involved in such
 22 service.

23 (2) ACTION TO ENFORCE INDEPENDENT CON-
 24 TRACTOR REQUIREMENT.—A third party, including
 25 a State or local government, may bring an action in

1 any court of competent jurisdiction to enforce the re-
2 quirement under paragraph (1)(J).

3 (h) CONSULTATION WITH AGENCIES.—The Sec-
4 retary shall—

5 (1) consult with the Secretary of Energy—

6 (A) in developing criteria and assessing ap-
7 plications for grants under subsection (a); and

8 (B) to identify and verify state-of-the-art
9 building materials and appliances, made in the
10 United States, that can be procured at scale for
11 purposes of this Act;

12 (2) consult with the Secretary of the Treasury
13 to track alternative energy revenues that are re-
14 turned to the Department of the Treasury under
15 subsection (f)(4);

16 (3) consult with the Administrator of the Envi-
17 ronmental Protection Agency—

18 (A) in developing criteria and assessing ap-
19 plications for grants under of subsection (a)(2);
20 and

21 (B) regarding testing air quality and water
22 quality for purposes of grant activities described
23 in subsection (a)(2)(B)(ii);

1 (4) consult with the Secretary of Education in
2 developing criteria and assessing applications for
3 grants under subsection (a)(1);

4 (5) consult with the Secretary of Labor in de-
5 veloping criteria and assessing applications for
6 grants under subsection (a)(1);

7 (6) consult with the Administrator of the Small
8 Business Administration in developing criteria and
9 assessing applications for grants under subsection
10 (a);

11 (7) consult with the Secretary of Health and
12 Human Services—

13 (A) in developing criteria and assessing ap-
14 plications for grants under subsection (a)(2);
15 and

16 (B) regarding health trends related to all
17 illnesses that disproportionately impact low-in-
18 come people;

19 (8) consult with the Administrator of the Fed-
20 eral Emergency Management Agency in developing
21 criteria and assessing applications for grants under
22 subsection (a)(2);

23 (9) consult with the Secretary of the Interior to
24 develop criteria and assess applications for grants
25 under subsection (a)(2); and

1 (10) consult with any entity described in para-
 2 graphs (1) through (9) for any other purpose as de-
 3 termined necessary by the Secretary to carry out
 4 this section and the purposes of this Act.

5 (i) REPORTS.—The Secretary shall submit to Con-
 6 gress biannual reports on the impact that the grant pro-
 7 grams established under subsection (a) have had on—

8 (1) the rehabilitation, upgrades, innovation, and
 9 transition of public housing in the United States;

10 (2) total greenhouse gas emission output, and
 11 quarterly data on greenhouse gas emission reduc-
 12 tions from individual public housing developments,
 13 specifically as they relate to—

14 (A) home energy carbon pollution emis-
 15 sions in each public housing development, as
 16 calculated using the Carbon Footprint Calcu-
 17 lator from the Environmental Protection Agen-
 18 cy;

19 (B) waste-related carbon emissions in each
 20 public housing development, as calculated using
 21 the Carbon Footprint Calculator from the Envi-
 22 ronmental Protection Agency; and

23 (C) total greenhouse gas emissions released
 24 by individual public housing buildings and
 25 homes within a public housing development, as

1 calculated using the Greenhouse Gas Equiva-
2 lencies Calculator from the Environmental Pro-
3 tection Agency;

4 (3) the amount of Federal money saved due to
5 energy cost savings at public housing projects, on a
6 quarterly basis;

7 (4) the amount of energy savings per KWH at
8 each public housing project, on a quarterly basis;

9 (5) public housing residents, including—

10 (A) access to economic opportunities
11 through compliance with the hiring and con-
12 tracting requirements described in subsections
13 (c) and (d) of section 3 of the Housing and
14 Urban Development Act of 1968 (12 U.S.C.
15 1701u);

16 (B) the impacts, if any, those residents
17 have experienced to their individual economic
18 growth as measured by individual and house-
19 hold income;

20 (C) the specific career skills acquired;

21 (D) the impacts, if any, those residents
22 have experienced to their overall health; and

23 (E) the specific educational or technical
24 certifications acquired; and

1 (6) changes to the overall community health in-
 2 dicators in public housing developments and their
 3 surrounding neighborhoods, including asthma rates,
 4 air quality, water quality, and levels of lead and
 5 mold.

6 (j) ELIGIBILITY FOR THE CAPITAL AND OPERATING
 7 FUNDS.—The receipt of a grant under this section shall
 8 not affect the eligibility of a public housing agency or a
 9 public housing dwelling unit to receive assistance under
 10 subsection (d) or (e) of section 9 of the United States
 11 Housing Act of 1937 (42 U.S.C. 1437g).

12 (k) FUNDING.—Out of funds in the Treasury not oth-
 13 erwise appropriated, there are appropriated to carry out
 14 this section—

15 (1) such sums as may be necessary for each of
 16 fiscal years 2022 through 2032; and

17 (2) \$1,000,000,000, to remain available until
 18 expended, for administrative costs relating to car-
 19 rying out this section.

20 **SEC. 7. THE SECTION 3 PROGRAM FOR ECONOMIC OPPOR-**
 21 **TUNITIES.**

22 Section 3 of the Housing and Urban Development
 23 Act of 1968 (12 U.S.C. 1701u) is amended—

24 (1) in subsection (c)(1)—

(A) in subparagraph (A), by striking “, operating assistance provided pursuant to section 9 of that Act, and modernization grants provided pursuant to section 14 of that Act” and inserting “(42 U.S.C. 1437c), assistance from the Operating Fund under section 9(e) of that Act (42 U.S.C. 1437g(e)), assistance from the Capital Fund under section 9(d) of that Act (42 U.S.C. 1437g(d)), and assistance provided under a grant awarded under section 6 of the Green New Deal for Public Housing Act”; and

(B) by adding at the end the following:

“(C) **HIRING REQUIREMENT.**—The Secretary shall require that, of the employment positions generated by development assistance provided pursuant to section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437c), assistance from the Operating Fund under section 9(e) of that Act (42 U.S.C. 1437g(e)), assistance from the Capital Fund under section 9(d) of that Act (42 U.S.C. 1437g(d)), and assistance provided under a grant awarded under section 6 of the Green New Deal for Public Housing Act, public and Indian housing agen-

1 cies, and their contractors and subcontractors,
2 shall fill, to the greatest extent possible—

3 “(i) not less than 40 percent of those
4 positions generated during the 1-year pe-
5 riod beginning 1 year after the initial re-
6 ceipt of grant funds awarded, with low-
7 and very low-income persons;

8 “(ii) not less than 50 percent of those
9 positions generated during the 1-year pe-
10 riod beginning 2 years after the initial re-
11 ceipt of grant funds awarded, with low-
12 and very low-income persons; and

13 “(iii) not less than 90 percent of those
14 positions generated after the expiration of
15 the period described in clause (ii) with low-
16 and very low-income persons.”;

17 (2) in subsection (d)(1)—

18 (A) in subparagraph (A), by striking “, op-
19 erating assistance provided pursuant to section
20 9 of that Act, and modernization grants pro-
21 vided pursuant to section 14 of that Act” and
22 inserting “(42 U.S.C. 1437c), assistance from
23 the Operating Fund under section 9(e) of that
24 Act (42 U.S.C. 1437g(e)), assistance from the
25 Capital Fund under section 9(d) of that Act

1 (42 U.S.C. 1437g(d)), and assistance provided
2 under a grant awarded under section 6 of the
3 Green New Deal for Public Housing Act”; and

4 (B) by adding at the end the following:

5 “(C) CONTRACTING REQUIREMENT.—The
6 Secretary shall require that, of the aggregate
7 dollar amount of contracts awarded for work to
8 be performed in connection with assistance
9 from the Operating Fund under section 9(e) of
10 the United States Housing Act of 1937 (42
11 U.S.C. 1437g(e)), assistance from the Capital
12 Fund under section 9(d) of that Act (42 U.S.C.
13 1437g(d)), and assistance provided under a
14 grant awarded under section 6 of the Green
15 New Deal for Public Housing Act, public and
16 Indian housing agencies, and their contractors
17 and subcontractors, shall, to the greatest extent
18 possible, certify that—

19 “(i) not less than 20 percent of the
20 aggregate dollar amount of such contracts
21 awarded during the 1-year period begin-
22 ning 1 year after the initial receipt of
23 grant funds awarded shall be awarded to
24 public housing resident-owned businesses;

1 “(ii) not less than 30 percent of the
 2 aggregate dollar amount of such contracts
 3 awarded during the 1-year period begin-
 4 ning 2 years after the initial receipt of
 5 grant funds awarded shall be awarded to
 6 public housing resident-owned businesses;
 7 and

8 “(iii) not less than 50 percent of the
 9 aggregate dollar amount of such contracts
 10 awarded after the expiration of the period
 11 described in clause (ii) shall be awarded to
 12 public housing resident-owned busi-
 13 nesses.”;

14 (3) in subsection (e), by adding at the end the
 15 following:

16 “(3) PUBLIC HOUSING RESIDENT-OWNED BUSI-
 17 NESS.—The term ‘public housing resident-owned
 18 business’ has the meaning given the term in section
 19 3 of the Green New Deal for Public Housing Act.”;

20 (4) by redesignating subsection (g) as sub-
 21 section (i); and

22 (5) by inserting after subsection (f) the fol-
 23 lowing:

24 “(g) MEASURING ECONOMIC IMPACT.—

1 “(1) MONITORING, MEASURING, AND REPORT-
2 ING REQUIREMENTS.—Before the start of the second
3 fiscal year beginning after the date of enactment of
4 the Green New Deal for Public Housing Act, and
5 quarterly thereafter, the Secretary shall require each
6 public housing agency to monitor, measure, and re-
7 port to the Secretary on the economic impacts of
8 this section on the community in which housing de-
9 velopments of the public housing agency are located,
10 including—

11 “(A) the aggregate dollar amount of con-
12 tracts awarded in compliance with this section;

13 “(B) the aggregate dollar amount of wages
14 and salaries paid for positions employed by low-
15 and very low-income persons in accordance with
16 this section;

17 “(C) the aggregate dollar amount ex-
18 pended for training opportunities provided to
19 low- and very low-income persons in accordance
20 with this section; and

21 “(D) the aggregate dollar amount ex-
22 pended for training and assisting public housing
23 resident-owned businesses for compliance with
24 this section.

1 “(2) TERMINATION OF SPEARS SYSTEM.—The
 2 Secretary shall terminate the Section 3 Performance
 3 Evaluation and Registration System of the Depart-
 4 ment of Housing and Urban Development and shall
 5 issue such notice and guidelines as may be necessary
 6 to replace such system with the system for moni-
 7 toring, measuring, and reporting under this sub-
 8 section.

9 “(h) WORKFORCE ROSTER.—

10 “(1) REQUIREMENT.—The Secretary shall re-
 11 quire each public housing agency to establish and
 12 maintain a roster of the residents and public hous-
 13 ing resident-owned businesses of the public housing
 14 agency in order to identify and spotlight talented
 15 local laborers and facilitate compliance with this sec-
 16 tion.

17 “(2) INFORMATION.—The roster maintained by
 18 a public housing agency under paragraph (1) shall
 19 include information that is updated not less fre-
 20 quently than every 30 days, including—

21 “(A) information for each public housing
 22 resident choosing to have their information re-
 23 corded that lists their occupational skills, career
 24 goals, and any workforce development programs
 25 they participate in; and

1 “(B) information for each public housing
 2 resident-owned business that lists the field of
 3 business they are in and the hiring opportuni-
 4 ties they currently have available.

5 “(3) AVAILABILITY.—In order to facilitate com-
 6 pliance with this subsection, the Secretary shall—

7 “(A) require each public housing agency to
 8 submit to the Secretary the information main-
 9 tained by the public housing agency in the ros-
 10 ter under this subsection; and

11 “(B) collect and make the data described
 12 in subparagraph (A) available on the website of
 13 the Department of Housing and Urban Devel-
 14 opment, upon request, to contractors, sub-
 15 contractors, resident councils, resident manage-
 16 ment organizations, and YouthBuild pro-
 17 grams.”.

18 **SEC. 8. FAMILY SELF-SUFFICIENCY PROGRAM.**

19 Section 23 of the United States Housing Act of 1937
 20 (42 U.S.C. 1437u), as amended by section 306 of the Eco-
 21 nomic Growth, Regulatory Relief, and Consumer Protec-
 22 tion Act (Pub. L. 115–174; 132 Stat. 1339), is amend-
 23 ed—

24 (1) in subsection (c)(2), by adding at the end
 25 the following:

1 “(C) An Indian tribe or tribally designated
 2 housing entity, as defined in section 4 of the
 3 Native American Housing Assistance and Self-
 4 Determination Act of 1996 (25 U.S.C. 4103).”;
 5 (2) in subsection (d)(2)—

6 (A) in subparagraph (J), by striking “and”
 7 at the end;

8 (B) by redesignating subparagraph (K) as
 9 subparagraph (M); and

10 (C) by inserting after subparagraph (J)
 11 the following:

12 “(K) digital literacy;

13 “(L) provision of a home health aide for el-
 14 derly and disabled members of participating
 15 families; and”;

16 (3) in subsection (g)(2), by inserting after the
 17 first sentence the following: “The program coordi-
 18 nating committee shall include representatives of any
 19 resident council and any jurisdiction-wide resident
 20 council of the eligible entity.”;

21 (4) in subsection (h)(3)—

22 (A) in subparagraph (H), by striking
 23 “and” at the end;

24 (B) by redesignating subparagraph (I) as
 25 subparagraph (J); and

1 (C) by inserting after subparagraph (H)
 2 the following:

3 “(I) a description of how the local program
 4 will ensure that opportunities provided through
 5 the local program will maximize success in syn-
 6 chronizing the program with, and complying
 7 with, the requirements regarding employment
 8 and contracting under section 3 of the Housing
 9 and Urban Development Act of 1968 (12
 10 U.S.C. 1701(u)).”; and
 11 (5) in subsection (i)(2)—

12 (A) in subparagraph (A), by inserting “,
 13 but not more than 35 participants,” before “is
 14 eligible”;

15 (B) in subparagraph (B)—

16 (i) by striking “75” and inserting
 17 “36”; and

18 (ii) by striking “50” and inserting
 19 “35”;

20 (C) by redesignating subparagraphs (C),
 21 (D), and (E) as subparagraphs (F), (G), and
 22 (H), respectively; and

23 (D) by inserting after subparagraph (B)
 24 the following:

“(C) ADDITIONAL AWARD FOR PUBLIC HOUSING GREEN NEW DEAL APPLICANTS.—An eligible entity that is approved for a grant under section 6 of the Green New Deal for Public Housing Act shall be eligible to receive an additional award under this subparagraph to cover costs of filling an additional family self-sufficiency coordinator position, or additional such positions, responsible for—

“(i) coordinating participation in a local program under this section for participants seeking employment opportunities made available by the grant; and

“(ii) compliance by the eligible entity with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u).

“(D) ADDITIONAL AWARD FOR SYNCHRONIZATION WITH SECTION 3 REQUIREMENTS.—An eligible entity that meets such criteria as the Secretary shall establish regarding successful synchronization and compliance of a local program under this section with the requirements regarding employment and contracting under section 3 of the Housing and Urban De-

1 velopment Act of 1968 (12 U.S.C. 1701u) shall
 2 be eligible to receive an additional award under
 3 this subparagraph to cover costs relating to a
 4 family self-sufficiency coordinator position re-
 5 sponsible for such synchronization and compli-
 6 ance.

7 “(E) AWARDS TO ASSIST ELIGIBLE ENTI-
 8 TIES TO ESTABLISH FAMILY SELF-SUFFICIENCY
 9 PROGRAMS.—An eligible entity that is not ad-
 10 ministering a local program under this section
 11 and that meets such standards as the Secretary
 12 shall establish shall be eligible to receive an
 13 award under this subparagraph to cover costs
 14 relating to a family self-sufficiency coordinator
 15 position responsible for assisting in preparing
 16 and submitting an application to establish such
 17 a local program.”.

18 **SEC. 9. RESIDENT COUNCILS.**

19 Section 2 of the United States Housing Act of 1937
 20 (42 U.S.C. 1437) is amended by adding at the end the
 21 following:

22 “(c) RESIDENT COUNCILS.—

23 “(1) IN GENERAL.—Each public housing
 24 project with not less than 50 dwelling units shall
 25 form a resident council to—

1 “(A) improve residents’ quality of life and
2 resident satisfaction; and

3 “(B) establish self-help initiatives to enable
4 residents to create a positive living environment
5 for families living in public housing.

6 “(2) PARTICIPATION.—Each resident council
7 formed under this subsection may actively partici-
8 pate through working partnerships with a public
9 housing agency to advise and assist in all aspects of
10 public housing operations.

11 “(3) REQUIREMENTS.—

12 “(A) IN GENERAL.— A resident council
13 shall consist of individuals residing in public
14 housing and shall meet the requirements de-
15 scribed in this paragraph in order to—

16 “(i) receive official recognition from
17 the public housing agency and the Sec-
18 retary;

19 “(ii) be eligible to receive funds for
20 resident council activities; and

21 “(iii) be eligible to receive stipends for
22 officers for their related costs in connec-
23 tion with volunteer work in public housing.

1 “(B) RESIDENTS REPRESENTED.—A resi-
 2 dent council may represent residents residing
 3 in—

4 “(i) scattered site buildings;
 5 “(ii) areas of contiguous row houses;
 6 “(iii) 1 or more contiguous buildings;
 7 “(iv) a development; or
 8 “(v) any combination of clauses (i)
 9 through (iv).

10 “(C) ELECTIONS.—

11 “(i) WRITTEN PROCEDURES.—A resi-
 12 dent council shall adopt written proce-
 13 dures, such as by-laws or a constitution,
 14 which shall—

15 “(I) provide for a democratically
 16 elected governing board that—

17 “(aa) consists of not less
 18 than 5 members; and

19 “(bb) is elected—

20 “(AA) by the voting
 21 membership of the residents
 22 of the public housing; and

23 “(BB) in elections that
 24 occur on a regular basis not

1 less frequently than every 2
2 years; and

3 “(II) provide for the recall of the
4 resident council by the voting mem-
5 bership through a petition or other ex-
6 pression of the desire of the voting
7 membership for a recall election and
8 set the threshold percentage of voting
9 membership who are required to be in
10 agreement in order to hold a recall
11 election, which percentage shall be not
12 less than 10 percent of the voting
13 membership.

14 “(ii) VOTING MEMBERSHIP.—The vot-
15 ing membership of a resident council shall
16 consist of heads of households of the public
17 housing dwelling units of any age and
18 other residents not less than 16 years of
19 age.

20 “(4) STIPENDS.—Public housing agencies may
21 provide stipends to resident council officers who
22 serve as volunteers in their public housing develop-
23 ments, which shall—

24 “(A) not exceed \$1,000 per month per offi-
25 cer; and

1 “(B) be decided locally by the resident
2 council and the public housing agency.

3 “(5) APPLICABILITY OF 2-YEAR ELECTION
4 CYCLE.—The requirement under paragraph
5 (3)(C)(i)(I)(bb)(BB) shall apply on and after Janu-
6 ary 1, 2022.”.

7 **SEC. 10. REPEAL OF FAIRCLOTH AMENDMENT.**

8 Section 9(g) of the United States Housing Act of
9 1937 (42 U.S.C. 1437g(g)) is amended by striking para-
10 graph (3).

○