

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.

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”.

1 **SEC. 2. HUD EVALUATION AND OPTIMIZATION COMMIS-**
2 **SION.**

3 (a) **ESTABLISHMENT.**—There is established a com-
4 mission to be known as the HUD Evaluation and Optimi-
5 zation Commission (in this Act referred to as the “Com-
6 mission”).

7 (b) **MEMBERS.**—

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

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

14 (B) One member shall be appointed by the
15 minority leader of the House of Representa-
16 tives.

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

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

21 (2) **PROHIBITION ON LOBBYISTS.**—An indi-
22 vidual may not be appointed as a member of the
23 Commission if the individual was registered as a lob-
24 byist under the Lobbying Disclosure Act of 1995 (2
25 U.S.C. 1601 et seq.) at any time during the 5-year
26 period ending on the date of the appointment.

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

6 (d) CHAIRPERSON AND VICE CHAIRPERSON.—

7 (1) ELECTION.—The members of the Commis-
8 sion shall elect a Chairperson and a Vice Chair-
9 person from among the members of the Commission.

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

13 (e) COMPENSATION.—

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

22 (2) TRAVEL EXPENSES.—Each member may be
23 allowed travel expenses, including per diem in lieu of
24 subsistence, in accordance with applicable provisions

1 under subchapter I of chapter 57 of title 5, United
2 States Code.

3 (f) MEETINGS.—

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

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

10 (A) at least once each month; and

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

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

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

19 (i) FEDERAL ADVISORY COMMITTEE ACT.—The Fed-
20 eral Advisory Committee Act (5 U.S.C. App.) shall not
21 apply to the Commission.

22 **SEC. 3. DUTIES.**

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

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

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

11 (b) ANALYSIS AND RECOMMENDATIONS.—The Com-
12 mission shall analyze the potential performance and cost-
13 efficiency benefits that could be achieved through a reor-
14 ganization of the Department, including consolidation and
15 realignment of its programs, and shall make recommenda-
16 tions regarding—

17 (1) changes to the Department’s organizational
18 structure to better serve program participants, pro-
19 tect taxpayers, and create operational efficiencies;

20 (2) improvements in the processes that the De-
21 partment can execute to better fulfill its statutory
22 obligations and mission to provide decent, safe, sani-
23 tary, and affordable housing;

24 (3) the reduction of fragmentation and overlap
25 between various Department programs and between

1 programs of the Department and programs of other
2 Federal agencies, and enhanced program utilization;

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

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

10 (6) reforms the Department can undertake to
11 prevent, to the maximum extent possible, a disrup-
12 tive loss of benefits by program participants who ex-
13 perience income growth that may otherwise dis-
14 qualify them from such benefits (commonly referred
15 to as a “benefits cliff”) or, conversely, that may dis-
16 qualify participants with lower incomes marginally in
17 excess of program requirements;

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

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

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

3 (c) REPORTS.—

4 (1) INITIAL REPORT.—Not later than 9 months
5 after the date of its initial meeting, the Commission
6 may submit to the Congress an initial report con-
7 taining its analysis and preliminary recommenda-
8 tions under subsections (a) and (b).

9 (2) FINAL REPORT.—Not later than 18 months
10 after the date of its initial meeting and upon an af-
11 firmative vote of a majority of the members of the
12 Commission, the Commission shall submit to the
13 Congress and make publicly available a final report
14 containing—

15 (A) a detailed statement of the findings,
16 conclusions, and recommendations of the Com-
17 mission under subsections (a) and (b);

18 (B) a statement of the assumptions, sce-
19 narios, and alternatives considered in reaching
20 such findings, conclusions, and recommenda-
21 tions;

22 (C) proposed legislative language for reau-
23 thorization, expiration, termination, or elimi-
24 nation of programs consistent with the final re-
25 port;

1 (D) any additional views or recommenda-
2 tions of individual Commission members with
3 attribution and in a separate section of the re-
4 port;

5 (E) a summary of the Commission's meet-
6 ings, hearings, and activities;

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

9 (G) any other information that the Com-
10 mission considers to be appropriate.

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

12 (a) APPOINTMENT AND COMPENSATION OF STAFF.—
13 The Chairperson of the Commission may appoint and fix
14 the compensation of a staff director and such other em-
15 ployees as may be necessary to enable the Commission to
16 carry out its functions, without regard to the provisions
17 of title 5, United States Code, governing appointments in
18 the competitive service, but at rates not to exceed the an-
19 nual rate of basic pay for level V of the Executive Sched-
20 ule.

21 (b) AGENCY ASSISTANCE.—Upon the request of the
22 Chairperson, the head of any agency may detail an em-
23 ployee of the agency to the Commission without reim-
24 bursement, and such detail shall be without interruption
25 or loss of civil service status or privilege.

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

10 **SEC. 5. POWERS.**

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

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

17 (2) require, by subpoena or otherwise, the at-
18 tendance and testimony of such witnesses and the
19 production of any evidence the Commission considers
20 advisable to carry out its duties.

21 (b) **INFORMATION FROM FEDERAL AGENCIES.**—The
22 Commission may request directly, or require by subpoena
23 or otherwise, from any Federal agency such information
24 as the Commission considers necessary to carry out its du-
25 ties. Upon a request of the Chairperson of the Commis-

1 sion, the head of a Federal agency shall furnish such infor-
2 mation to the Commission.

3 (c) ISSUANCE AND ENFORCEMENT OF SUBPOENAS.—

4 (1) ISSUANCE.—Subpoenas issued under sub-
5 section (a) or (b) shall bear the signature of the
6 Chairperson of the Commission and shall be served
7 by any person or class of persons designated by the
8 Chairperson for that purpose.

9 (2) ENFORCEMENT.—In the case of contumacy
10 or failure to obey a subpoena issued under sub-
11 section (a) or (b), the United States district court
12 for the judicial district in which the subpoenaed per-
13 son resides, is served, or may be found may issue an
14 order requiring such person to appear at any des-
15 ignated place to testify or to produce documentary
16 or other evidence. Any failure to obey the order of
17 the court may be punished by the court as a con-
18 tempt of that court.

19 (d) WITNESS ALLOWANCES AND FEES.—Section
20 1821 of title 28, United States Code, shall apply to wit-
21 nesses requested or subpoenaed to appear at any hearing
22 of the Commission. The per diem and mileage allowances
23 for witnesses shall be paid from funds available to pay the
24 expenses of the Commission.

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

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

18 **SEC. 6. EXPEDITED CONSIDERATION OF PROPOSED LEGIS-**
19 **LATIVE LANGUAGE FROM FINAL REPORT.**

20 (a) INTRODUCTION.— Upon submission of the final
21 report required under section 3(c)(2), the proposed legisla-
22 tive language for reauthorization, expiration, termination,
23 or elimination of programs required by section 3(c)(2)(C)
24 shall be introduced in the House of Representatives (by
25 request) within the next 5 legislative days by the majority

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

9 (b) CONSIDERATION IN THE HOUSE OF REPRESENT-
10 ATIVES.—

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

1 bate equally divided and controlled by the proponent
2 and an opponent. If such a motion is adopted, the
3 House shall proceed immediately to consider the
4 Commission bill in accordance with paragraphs (2)
5 and (3). A motion to reconsider the vote by which
6 the motion is disposed of shall not be in order.

7 (2) PROCEEDING TO CONSIDERATION.—After
8 the last committee authorized to consider a Commis-
9 sion bill reports it to the House or has been dis-
10 charged (other than by motion) from its consider-
11 ation, it shall be in order to move to proceed to con-
12 sider the Commission bill in the House. Such a mo-
13 tion shall not be in order after the House has dis-
14 posed of a motion to proceed with respect to the
15 Commission bill. The previous question shall be con-
16 sidered as ordered on the motion to its adoption
17 without intervening motion. A motion to reconsider
18 the vote by which the motion is disposed of shall not
19 be in order.

20 (3) CONSIDERATION.—The Commission bill
21 shall be considered as read. All points of order
22 against the Commission bill and against its consider-
23 ation are waived. The previous question shall be con-
24 sidered as ordered on the Commission bill to its pas-
25 sage without intervening motion except 2 hours of

1 debate equally divided and controlled by the pro-
2 ponent and an opponent and one motion to limit de-
3 bate on the Commission bill. A motion to reconsider
4 the vote on passage of the Commission bill shall not
5 be in order.

6 (4) VOTE ON PASSAGE.—The vote on passage
7 of the Commission bill shall occur not later than 12
8 months after the final report required under section
9 3(c)(2) is submitted to the Congress.

10 (c) CONSIDERATION IN THE SENATE.—

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

23 (2) MOTION TO PROCEED.—Notwithstanding
24 Rule XXII of the Standing Rules of the Senate, it
25 is in order, not later than 2 days of session after the

1 date on which a Commission bill is reported or dis-
2 charged from all committees to which it was re-
3 ferred, for the majority leader of the Senate or the
4 majority leader's designee to move to proceed to the
5 consideration of the Commission bill. It shall also be
6 in order for any Member of the Senate to move to
7 proceed to the consideration of the Commission bill
8 at any time after the conclusion of such 2-day pe-
9 riod. A motion to proceed is in order even though a
10 previous motion to the same effect has been dis-
11 agreed to. All points of order against the motion to
12 proceed to the Commission bill are waived. The mo-
13 tion to proceed is not debatable. The motion is not
14 subject to a motion to postpone. A motion to recon-
15 sider the vote by which the motion is agreed to or
16 disagreed to shall not be in order. If a motion to
17 proceed to the consideration of the Commission bill
18 is agreed to, the Commission bill shall remain the
19 unfinished business until disposed of.

20 (3) CONSIDERATION.—All points of order
21 against the Commission bill and against consider-
22 ation of the Commission bill are waived. Consider-
23 ation of the Commission bill and of all debatable mo-
24 tions and appeals in connection therewith shall not
25 exceed a total of 30 hours which shall be divided

1 equally between the Majority and Minority Leaders
2 or their designees. A motion further to limit debate
3 on the Commission bill is in order, shall require an
4 affirmative vote of a majority of the Members duly
5 chosen and sworn, and is not debatable. Any debat-
6 able motion or appeal is debatable for not to exceed
7 1 hour, to be divided equally between those favoring
8 and those opposing the motion or appeal. All time
9 used for consideration of the Commission bill, in-
10 cluding time used for quorum calls and voting, shall
11 be counted against the total 30 hours of consider-
12 ation.

13 (4) NO AMENDMENTS.—An amendment to the
14 Commission bill, or a motion to postpone, or a mo-
15 tion to proceed to the consideration of other busi-
16 ness, or a motion to recommit the Commission bill,
17 is not in order.

18 (5) VOTE ON PASSAGE.—If the Senate has
19 voted to proceed to the Commission bill, the vote on
20 passage of the Commission bill shall occur imme-
21 diately following the conclusion of the debate on a
22 Commission bill, and a single quorum call at the
23 conclusion of the debate if requested. The vote on
24 passage of the Commission bill shall occur not later

1 than 12 months after the final report required under
2 section 3(c)(2) is submitted to the Congress.

3 (6) RULINGS OF THE CHAIR ON PROCEDURE.—

4 Appeals from the decisions of the Chair relating to
5 the application of the rules of the Senate, as the
6 case may be, to the procedure relating to a Commis-
7 sion bill shall be decided without debate.

8 (d) AMENDMENT.—The Commission bill shall not be
9 subject to amendment in either the House of Representa-
10 tives or the Senate.

11 (e) CONSIDERATION BY OTHER HOUSE.—

12 (1) IN GENERAL.—If, before passing the Com-
13 mission bill, one House receives from the other a
14 Commission bill—

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

17 (B) the procedure in the receiving House
18 shall be the same as if no Commission bill had
19 been received from the other House until the
20 vote on passage, when the Commission bill re-
21 ceived from the other House shall supplant the
22 Commission bill of the receiving House.

23 (2) REVENUE MEASURE.—This subsection shall
24 not apply to the House of Representatives if the

1 Commission bill received from the Senate is a rev-
2 enue measure.

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

5 (1) TREATMENT OF COMMISSION BILL OF
6 OTHER HOUSE.—If the Senate fails to introduce or
7 consider a Commission bill under this section, the
8 Commission bill of the House shall be entitled to ex-
9 pedited floor procedures under this section.

10 (2) TREATMENT OF COMPANION MEASURES IN
11 THE SENATE.—If following passage of the Commis-
12 sion bill in the Senate, the Senate then receives the
13 Commission bill from the House of Representatives,
14 the House-passed Commission bill shall not be de-
15 batable. The vote on passage of the Commission bill
16 in the Senate shall be considered to be the vote on
17 passage of the Commission bill received from the
18 House of Representatives.

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

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

1 (1) the Commission fails to produce the final
2 report required under section 3(c)(2) within 20
3 months from the date of enactment; or

4 (2) the Commission bill does not pass either
5 House.

6 **SEC. 7. TERMINATION.**

7 The Commission shall terminate 30 days after sub-
8 mitting the final report pursuant to section 3(c)(2).

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