

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 8302  
OFFERED BY MR. DAVIDSON OF OHIO**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

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

**4 SEC. 2. HUD EVALUATION AND OPTIMIZATION COMMIS-  
5 SION.**

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

10       (b) MEMBERS.—

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

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

1 (B) One member shall be appointed by the  
2 minority leader of the House of Representa-  
3 tives.

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

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

8 (2) PROHIBITION ON LOBBYISTS.—An indi-  
9 vidual may not be appointed as a member of the  
10 Commission if the individual was registered as a lob-  
11 byist under the Lobbying Disclosure Act of 1995 (2  
12 U.S.C. 1601 et seq.) at any time during the 5-year  
13 period ending on the date of the appointment.

14 (c) TERMS.—Each member shall be appointed for the  
15 life of the Commission. Any vacancy in the Commission  
16 shall not affect its powers, but shall be filled not later than  
17 14 days after the date on which the vacancy occurs in the  
18 same manner as the original appointment.

19 (d) CHAIRPERSON AND VICE CHAIRPERSON.—

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

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

1 (e) COMPENSATION.—

2 (1) IN GENERAL.—Each member of the Com-  
3 mission shall be compensated at a rate equal to the  
4 daily equivalent of the annual rate of basic pay for  
5 level IV of the Executive Schedule under section  
6 5314 of title 5, United States Code, for each day  
7 (including travel time) during which such member is  
8 engaged in the performance of the duties of the  
9 Commission.

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

15 (f) MEETINGS.—

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

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

22 (A) at least once each month; and

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

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

4 (h) VOTING.—The Commission shall act only on an  
5 affirmative vote of a majority of the members of the Com-  
6 mission.

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

10 **SEC. 3. DUTIES.**

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

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

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

23 (b) ANALYSIS AND RECOMMENDATIONS.—The Com-  
24 mission shall analyze the potential performance and cost-  
25 efficiency benefits that could be achieved through a reor-

1 organization of the Department, including consolidation and  
2 realignment of its programs, and shall make recommenda-  
3 tions regarding—

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

7 (2) improvements in the processes that the De-  
8 partment can execute to better fulfill its statutory  
9 obligations and mission to provide decent, safe, sani-  
10 tary, and affordable housing;

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

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

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

22 (6) reforms the Department can undertake to  
23 prevent, to the maximum extent possible, a disrupt-  
24 tive loss of benefits by program participants who ex-  
25 perience income growth that may otherwise dis-

1       qualify them from such benefits (commonly referred  
2       to as a “benefits cliff”) or, conversely, that may dis-  
3       qualify participants with lower incomes marginally in  
4       excess of program requirements;

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

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

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

14       (c) REPORTS.—

15              (1) INITIAL REPORT.—Not later than 9 months  
16       after the date of its initial meeting, the Commission  
17       may submit to the Congress an initial report con-  
18       taining its analysis and preliminary recommenda-  
19       tions under subsections (a) and (b).

20              (2) FINAL REPORT.—Not later than 18 months  
21       after the date of its initial meeting and upon an af-  
22       firmative vote of a majority of the members of the  
23       Commission, the Commission shall submit to the  
24       Congress and make publicly available a final report  
25       containing—

1 (A) a detailed statement of the findings,  
2 conclusions, and recommendations of the Com-  
3 mission under subsections (a) and (b);

4 (B) a statement of the assumptions, sce-  
5 narios, and alternatives considered in reaching  
6 such findings, conclusions, and recommenda-  
7 tions;

8 (C) proposed legislative language for reau-  
9 thorization, consolidation, expiration, termi-  
10 nation, or elimination of programs consistent  
11 with the final report;

12 (D) any additional views or recommenda-  
13 tions of individual Commission members with  
14 attribution and in a separate section of the re-  
15 port;

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

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

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

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

23 (a) APPOINTMENT AND COMPENSATION OF STAFF.—  
24 The Chairperson of the Commission may appoint and fix  
25 the compensation of a staff director and such other em-

1 ployees as may be necessary to enable the Commission to  
2 carry out its functions, without regard to the provisions  
3 of title 5, United States Code, governing appointments in  
4 the competitive service, but at rates not to exceed the an-  
5 nual rate of basic pay for level V of the Executive Sched-  
6 ule.

7 (b) AGENCY ASSISTANCE.—Upon the request of the  
8 Chairperson, the head of any agency may detail an em-  
9 ployee of the agency to the Commission without reim-  
10 bursement, and such detail shall be without interruption  
11 or loss of civil service status or privilege.

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

21 **SEC. 5. POWERS.**

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

24 (1) hold such hearings, sit and act at such  
25 times and places, take testimony, receive evidence,



1 and administer oaths as the Commission considers  
2 appropriate; and

3 (2) require, by subpoena or otherwise, the at-  
4 tendance and testimony of such witnesses and the  
5 production of any evidence the Commission considers  
6 advisable to carry out its duties.

7 (b) INFORMATION FROM FEDERAL AGENCIES.—The  
8 Commission may request directly, or require by subpoena  
9 or otherwise, from any Federal agency such information  
10 as the Commission considers necessary to carry out its du-  
11 ties. Upon a request of the Chairperson of the Commis-  
12 sion, the head of a Federal agency shall furnish such infor-  
13 mation to the Commission.

14 (c) ISSUANCE AND ENFORCEMENT OF SUBPOENAS.—

15 (1) ISSUANCE.—Subpoenas issued under sub-  
16 section (a) or (b) shall bear the signature of the  
17 Chairperson of the Commission and shall be served  
18 by any person or class of persons designated by the  
19 Chairperson for that purpose.

20 (2) ENFORCEMENT.—In the case of contumacy  
21 or failure to obey a subpoena issued under sub-  
22 section (a) or (b), the United States district court  
23 for the judicial district in which the subpoenaed per-  
24 son resides, is served, or may be found may issue an  
25 order requiring such person to appear at any des-

1       ignated place to testify or to produce documentary  
2       or other evidence. Any failure to obey the order of  
3       the court may be punished by the court as a con-  
4       tempt of that court.

5       (d) WITNESS ALLOWANCES AND FEES.—Section  
6       1821 of title 28, United States Code, shall apply to wit-  
7       nesses requested or subpoenaed to appear at any hearing  
8       of the Commission. The per diem and mileage allowances  
9       for witnesses shall be paid from funds available to pay the  
10      expenses of the Commission.

11      (e) INFORMATION FROM CONGRESSIONAL BUDGET  
12      OFFICE AND OFFICE OF MANAGEMENT AND BUDGET.—  
13      The Commission may secure directly from the Congres-  
14      sional Budget Office and Office of Management and  
15      Budget such information, including estimates and anal-  
16      ysis, as the Commission considers advisable to carry out  
17      its duties. Upon request of the Chairperson of the Com-  
18      mission, the Director of the Congressional Budget Office  
19      or Office of Management and Budget shall furnish such  
20      information, including estimates and analysis, to the Com-  
21      mission.

22      (f) SUPPORT FROM LIBRARY OF CONGRESS.—Upon  
23      the request of the Commission, the Librarian of Congress  
24      shall provide to the Commission, on a reimbursable basis,  
25      administrative support services, research services, and re-

1 search staff necessary for the Commission to carry out its  
2 responsibilities under this Act.

3 **SEC. 6. EXPEDITED CONSIDERATION OF PROPOSED LEGIS-**  
4 **LATIVE LANGUAGE FROM FINAL REPORT.**

5 (a) INTRODUCTION.—Upon submission of the final  
6 report required under section 3(c)(2), the proposed legisla-  
7 tive language for reauthorization, expiration, termination,  
8 or elimination of programs required by section 3(c)(2)(C)  
9 shall be introduced in the House of Representatives (by  
10 request) within the next 5 legislative days by the majority  
11 leader of the House or by a Member of the House des-  
12 ignated by the majority leader of the House and shall be  
13 introduced in the Senate (by request) within the next 5  
14 legislative days on which the Senate is in session by the  
15 majority leader of the Senate or by a Member of the Sen-  
16 ate designated by the majority leader of the Senate. In  
17 this section such a bill is referred to as a “Commission  
18 bill”.

19 (b) CONSIDERATION IN THE HOUSE OF REPRESENT-  
20 ATIVES.—

21 (1) REFERRAL AND REPORTING.—The Com-  
22 mittee on Financial Services and any other com-  
23 mittee of the House of Representatives to which the  
24 Commission bill is referred shall report it to the  
25 House without amendment not later than 60 days

1 after its introduction. If a committee fails to report  
2 the Commission bill within that period, it shall be in  
3 order to move that the House discharge the com-  
4 mittee from further consideration of the bill. Such a  
5 motion shall not be in order after the last committee  
6 authorized to consider the bill reports it to the  
7 House or after the House has disposed of a motion  
8 to discharge the bill. The previous question shall be  
9 considered as ordered on the motion to its adoption  
10 without intervening motion except 20 minutes of de-  
11 bate equally divided and controlled by the proponent  
12 and an opponent. If such a motion is adopted, the  
13 House shall proceed immediately to consider the  
14 Commission bill in accordance with paragraphs (2)  
15 and (3). A motion to reconsider the vote by which  
16 the motion is disposed of shall not be in order.

17 (2) PROCEEDING TO CONSIDERATION.—After  
18 the last committee authorized to consider a Commis-  
19 sion bill reports it to the House or has been dis-  
20 charged (other than by motion) from its consider-  
21 ation, it shall be in order to move to proceed to con-  
22 sider the Commission bill in the House. Such a mo-  
23 tion shall not be in order after the House has dis-  
24 posed of a motion to proceed with respect to the  
25 Commission bill. The previous question shall be con-

1       sidered as ordered on the motion to its adoption  
2       without intervening motion. A motion to reconsider  
3       the vote by which the motion is disposed of shall not  
4       be in order.

5           (3) CONSIDERATION.—The Commission bill  
6       shall be considered as read. All points of order  
7       against the Commission bill and against its consider-  
8       ation are waived. The previous question shall be con-  
9       sidered as ordered on the Commission bill to its pas-  
10      sage without intervening motion except 2 hours of  
11      debate equally divided and controlled by the pro-  
12      ponent and an opponent and one motion to limit de-  
13      bate on the Commission bill. A motion to reconsider  
14      the vote on passage of the Commission bill shall not  
15      be in order.

16           (4) VOTE ON PASSAGE.—The vote on passage  
17      of the Commission bill shall occur not later than 12  
18      months after the final report required under section  
19      3(c)(2) is submitted to the Congress.

20           (c) CONSIDERATION IN THE SENATE.—

21           (1) COMMITTEE CONSIDERATION.—A Commis-  
22      sion bill introduced in the Senate under subsection  
23      (a) shall be jointly referred to the committee or com-  
24      mittees of jurisdiction, which committees shall report  
25      the bill without any revision and with a favorable

1 recommendation, an unfavorable recommendation, or  
2 without recommendation, not later than 60 days  
3 after its introduction. If any committee fails to re-  
4 port the bill within that period, that committee shall  
5 be automatically discharged from consideration of  
6 the bill, and the bill shall be placed on the appro-  
7 priate calendar.

8 (2) MOTION TO PROCEED.—Notwithstanding  
9 Rule XXII of the Standing Rules of the Senate, it  
10 is in order, not later than 2 days of session after the  
11 date on which a Commission bill is reported or dis-  
12 charged from all committees to which it was re-  
13 ferred, for the majority leader of the Senate or the  
14 majority leader’s designee to move to proceed to the  
15 consideration of the Commission bill. It shall also be  
16 in order for any Member of the Senate to move to  
17 proceed to the consideration of the Commission bill  
18 at any time after the conclusion of such 2-day pe-  
19 riod. A motion to proceed is in order even though a  
20 previous motion to the same effect has been dis-  
21 agreed to. All points of order against the motion to  
22 proceed to the Commission bill are waived. The mo-  
23 tion to proceed is not debatable. The motion is not  
24 subject to a motion to postpone. A motion to recon-  
25 sider the vote by which the motion is agreed to or

1       disagreed to shall not be in order. If a motion to  
2       proceed to the consideration of the Commission bill  
3       is agreed to, the Commission bill shall remain the  
4       unfinished business until disposed of.

5           (3) CONSIDERATION.—All points of order  
6       against the Commission bill and against consider-  
7       ation of the Commission bill are waived. Consider-  
8       ation of the Commission bill and of all debatable mo-  
9       tions and appeals in connection therewith shall not  
10      exceed a total of 30 hours which shall be divided  
11      equally between the Majority and Minority Leaders  
12      or their designees. A motion further to limit debate  
13      on the Commission bill is in order, shall require an  
14      affirmative vote of a majority of the Members duly  
15      chosen and sworn, and is not debatable. Any debat-  
16      able motion or appeal is debatable for not to exceed  
17      1 hour, to be divided equally between those favoring  
18      and those opposing the motion or appeal. All time  
19      used for consideration of the Commission bill, in-  
20      cluding time used for quorum calls and voting, shall  
21      be counted against the total 30 hours of consider-  
22      ation.

23           (4) NO AMENDMENTS.—An amendment to the  
24      Commission bill, or a motion to postpone, or a mo-  
25      tion to proceed to the consideration of other busi-

1       ness, or a motion to recommit the Commission bill,  
2       is not in order.

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

12          (6) RULINGS OF THE CHAIR ON PROCEDURE.—  
13      Appeals from the decisions of the Chair relating to  
14      the application of the rules of the Senate, as the  
15      case may be, to the procedure relating to a Commis-  
16      sion bill shall be decided without debate.

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

20          (e) CONSIDERATION BY OTHER HOUSE.—

21            (1) IN GENERAL.—If, before passing the Com-  
22      mission bill, one House receives from the other a  
23      Commission bill—

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



1 (B) the procedure in the receiving House  
2 shall be the same as if no Commission bill had  
3 been received from the other House until the  
4 vote on passage, when the Commission bill re-  
5 ceived from the other House shall supplant the  
6 Commission bill of the receiving House.

7 (2) REVENUE MEASURE.—This subsection shall  
8 not apply to the House of Representatives if the  
9 Commission bill received from the Senate is a rev-  
10 enue measure.

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

13 (1) TREATMENT OF COMMISSION BILL OF  
14 OTHER HOUSE.—If the Senate fails to introduce or  
15 consider a Commission bill under this section, the  
16 Commission bill of the House shall be entitled to ex-  
17 pedited floor procedures under this section.

18 (2) TREATMENT OF COMPANION MEASURES IN  
19 THE SENATE.—If following passage of the Commis-  
20 sion bill in the Senate, the Senate then receives the  
21 Commission bill from the House of Representatives,  
22 the House-passed Commission bill shall not be de-  
23 batable. The vote on passage of the Commission bill  
24 in the Senate shall be considered to be the vote on

1 passage of the Commission bill received from the  
2 House of Representatives.

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

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

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

13 (2) the Commission bill does not pass either  
14 House.

15 **SEC. 7. TERMINATION.**

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

