

110TH CONGRESS
1ST SESSION

H. R. 43

To amend the Housing and Community Development Act of 1974 to provide financial assistance for the development and reuse of brownfields.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Ms. VELÁZQUEZ introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Housing and Community Development Act of 1974 to provide financial assistance for the development and reuse of brownfields.

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 “Brownfields Housing
5 and Community Renewal Development Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) CONGRESSIONAL FINDINGS.—The Congress finds
8 the following:

9 (1) Addressing the problem of contaminated
10 abandoned industrial or commercial properties by

1 funding programs that encourage the reuse of such
2 properties must continue to be a priority of this
3 country.

4 (2) Brownfields grant programs funded through
5 the Environmental Protection Agency (EPA) are uti-
6 lized for environmental assessment, planning, job
7 training, and cleanup.

8 (3) EPA brownfields programs are not ade-
9 quate to rehabilitate, demolish, or redevelop struc-
10 tures.

11 (4) The Department of Housing and Urban De-
12 velopment is an appropriate agency to provide
13 grants to redevelop contaminated, abandoned or un-
14 derutilized buildings, which pose not only a possible
15 health risk but also impact a community's quality of
16 life.

17 (5) Local communities need additional redev-
18 opment programs that provide new flexibility to or-
19 ganizations to be part of community development ef-
20 forts.

21 (6) The Congress should fund appropriate Fed-
22 eral programs that allow communities to redevelop
23 their neighborhoods and improve the quality of life
24 in the surrounding areas.

1 (b) PURPOSE.—The purpose of this Act is to em-
2 power local communities and their partners to clean and
3 redevelop brownfields in their communities by providing—

4 (1) flexibility for the development of local plans
5 to address brownfields problems; and

6 (2) access to economic development grant
7 funds.

8 **SEC. 3. GRANT PROGRAM TO PROMOTE COMMUNITY RE-**
9 **NEWAL THROUGH BROWNFIELD REDEVELOP-**
10 **MENT.**

11 Section 108 of the Housing and Community Develop-
12 ment Act of 1974 (42 U.S.C. 5308) is amended—

13 (1) by redesignating subsection (r) as sub-
14 section (s); and

15 (2) by inserting after subsection (q) the fol-
16 lowing new subsection:

17 “(r) GRANT PROGRAM TO PROMOTE COMMUNITY RE-
18 NEWAL THROUGH BROWNFIELD REDEVELOPMENT.—

19 “(1) ESTABLISHMENT OF PROGRAM.—The Sec-
20 retary shall establish a program under this sub-
21 section to make grants to assist in carrying out re-
22 development activities for brownfield sites and aban-
23 doned, idled, and underused industrial, commercial
24 or housing structures located in brownfield sites.

1 “(2) GRANTEES AND GRANT CONDITIONS.—A
2 grant may be made under this subsection to a unit
3 of general local government, including an agency of
4 such a unit, an entity affiliated with such a unit, a
5 nonprofit organization, or a community development
6 corporation, but only pursuant to a grant proposal
7 for redevelopment of a brownfield site or sites, which
8 is submitted to and approved by the Secretary and
9 ensures that the grant will be used for at least one
10 of the following purposes:

11 “(A) To benefit low and moderate income
12 communities.

13 “(B) To increase affordable housing oppor-
14 tunities.

15 “(C) To address imminent threats or ur-
16 gent community needs.

17 “(D) To provide open spaces or parks.

18 “(3) PRIORITY.—In awarding grants under this
19 subsection, the Secretary shall give priority to grant
20 proposals that ensure that the grant will be used for
21 two or more of the objectives specified in subpara-
22 graphs (A) through (D) of paragraph (2).

23 “(4) AVAILABILITY OF ASSISTANCE.—The Sec-
24 retary shall not require, for eligibility to a grant
25 under this section, that such grant amounts be used

1 only in connection or conjunction with projects and
2 activities assisted with a loan guaranteed under this
3 section.

4 “(5) GRANT AMOUNT.—Each grant award
5 made under this subsection shall be of sufficient size
6 to carry out the goals of this subsection, but shall
7 not exceed \$1,000,000.

8 “(6) ADMINISTRATIVE COSTS.—A recipient of a
9 grant under this subsection may use not more than
10 10 percent of the amount of the grant for reasonable
11 administrative costs necessary in carrying out the
12 brownfields project for which the grant is made.

13 “(7) AUDITS.—The Secretary shall establish
14 and carry out procedures for auditing or reviewing
15 grants made under this subsection.

16 “(8) VIOLATIONS.—The Secretary shall estab-
17 lish and implement appropriate measures to sanction
18 grantees who are found to have violated the require-
19 ments under this subsection or any grant conditions.

20 “(9) DEFINITION.—For purposes of this sub-
21 section, the term ‘brownfield site’ has the meaning
22 given such term in section 101 of the Comprehensive
23 Environmental Response, Compensation, and Liabil-
24 ity Act of 1980 (42 U.S.C. 9601).

25 “(10) AUTHORIZATION OF APPROPRIATIONS.—

1 “(A) IN GENERAL.—There is authorized to
2 be appropriated for grants under this sub-
3 section \$25,000,000 for fiscal year 2008,
4 \$50,000,000 for fiscal year 2009, and
5 \$75,000,000 for fiscal year 2010.

6 “(B) AVAILABILITY.—Any amounts appro-
7 priated pursuant to this paragraph shall remain
8 available until expended.

9 “(11) REPORT TO CONGRESS.—The Secretary
10 shall submit a report to the Congress, not later than
11 30 months after the date of the enactment of the
12 Brownfields Housing and Community Renewal De-
13 velopment Act, on the use and impact of the grant
14 program under this subsection.”.

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