

security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 1715

At the request of Ms. SNOWE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1715, a bill to amend title XVIII of the Social Security Act to eliminate discriminatory copayment rates for outpatient psychiatric services under the Medicare program.

S. 1942

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1942, a bill to amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants for the renovation of schools.

S. 2523

At the request of Mr. KERRY, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2523, a bill to establish the National Affordable Housing Trust Fund in the Treasury of the United States to provide for the construction, rehabilitation, and preservation of decent, safe, and affordable housing for low-income families.

S. 2551

At the request of Mr. INHOFE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2551, a bill to provide for the safe development of a repository at the Yucca Mountain site in the State of Nevada, and for other purposes.

S. 2770

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2770, a bill to amend the Federal Meat Inspection Act to strengthen the food safety inspection system by imposing stricter penalties for the slaughter of nonambulatory livestock.

S. 2783

At the request of Mr. ENSIGN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 2783, a bill to allow for additional flights beyond the perimeter restriction applicable to Ronald Reagan Washington National Airport.

S. 2836

At the request of Mr. CHAMBLISS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2836, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 2874

At the request of Mrs. FEINSTEIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2874, a bill to amend titles

5, 10, 37, and 38, United States Code, to ensure the fair treatment of a member of the Armed Forces who is discharged from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early discharge of a member who is the only surviving child in a family in which the father or mother, or one or more siblings, served in the Armed Forces and, because of hazards incident to such service, was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently disabled, and for other purposes.

S. 2895

At the request of Mr. DODD, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2895, a bill to amend the Higher Education Act of 1965 to maintain eligibility, for Federal PLUS loans, of borrowers who are 90 or more days delinquent on mortgage loan payments, or for whom foreclosure proceedings have been initiated, with respect to their primary residence.

S. 2934

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2934, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide a plot allowance for spouses and children of certain veterans who are buried in State cemeteries.

S. 2942

At the request of Mr. CARDIN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2942, a bill to authorize funding for the National Advocacy Center.

S. RES. 548

At the request of Mr. DODD, the names of the Senator from Florida (Mr. MARTINEZ) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. Res. 548, a resolution recognizing the accomplishments of the members and alumni of AmeriCorps and the contributions of AmeriCorps to the lives of the people of the United States.

AMENDMENT NO. 4616

At the request of Mr. ENSIGN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of amendment No. 4616 intended to be proposed to H.R. 2881, a bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself and Mrs. FEINSTEIN):

S. 2970. A bill to enhance the ability of drinking water utilities in the

United States to develop and implement climate change adaptation programs and policies, and for other purposes; to the Committee on Environment and Public Works.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being on objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2970

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Climate Change Drinking Water Adaptation Research Act."

SEC. 2. FINDINGS.

Congress finds that—

(1) the consensus among climate scientists is overwhelming that climate change is occurring more rapidly than can be attributed to natural causes, and that significant impacts to the water supply are already occurring;

(2) among the first and most critical of those impacts will be change to patterns of precipitation around the world, which will affect water availability for the most basic drinking water and domestic water needs of populations in many areas of the United States;

(3) drinking water utilities throughout the United States, as well as those in Europe, Australia, and Asia, are concerned that extended changes in precipitation will lead to extended droughts;

(4) supplying water is highly energy-intensive and will become more so as climate change forces more utilities to turn to alternative supplies;

(5) energy production consumes a significant percentage of the fresh water resources of the United States;

(6) since 2003, the drinking water industry of the United States has sponsored, through a nonprofit water research foundation, various studies to assess the impacts of climate change on drinking water supplies;

(7) those studies demonstrate the need for a comprehensive program of research into the full range of impacts on drinking water utilities, including impacts on water supplies, facilities, and customers;

(8) that nonprofit water research foundation is also coordinating internationally with other drinking water utilities on shared research projects and has hosted international workshops with counterpart European and Asian water research organizations to develop a unified research agenda for applied research on adaptive strategies to address climate change impacts;

(9) research data in existence as of the date of enactment of this Act—

(A) summarize the best available scientific evidence on climate change;

(B) identify the implications of climate change for the water cycle and the availability and quality of water resources; and

(C) provide general guidance on planning and adaptation strategies for water utilities; and

(10) given uncertainties about specific climate changes in particular areas, drinking water utilities need to prepare for a wider range of likely possibilities in managing and delivery of water.

SEC. 3. RESEARCH ON THE EFFECTS OF CLIMATE CHANGE ON DRINKING WATER UTILITIES.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency, in cooperation with the Secretary of Commerce,

the Secretary of Energy, and the Secretary of the Interior, shall establish and provide funding for a program of directed and applied research, to be conducted through a non-profit water research foundation and sponsored by drinking water utilities, to assist suppliers of drinking water in adapting to the effects of climate change.

(b) RESEARCH AREAS.—The research conducted in accordance with subsection (a) shall include research into—

(1) water quality impacts and solutions, including research—

(A) to address probable impacts on raw water quality resulting from—

(i) erosion and turbidity from extreme precipitation events;

(ii) watershed vegetation changes; and

(iii) increasing ranges of pathogens, algae, and nuisance organisms resulting from warmer temperatures; and

(B) on mitigating increasing damage to watersheds and water quality by evaluating extreme events, such as wildfires and hurricanes, to learn and develop management approaches to mitigate—

(i) permanent watershed damage;

(ii) quality and yield impacts on source waters; and

(iii) increased costs of water treatment;

(2) impacts on groundwater supplies from carbon sequestration, including research to evaluate potential water quality consequences of carbon sequestration in various regional aquifers, soil conditions, and mineral deposits;

(3) water quantity impacts and solutions, including research—

(A) to evaluate climate change impacts on water resources throughout hydrological basins of the United States;

(B) to improve the accuracy and resolution of climate change models at a regional level;

(C) to identify and explore options for increasing conjunctive use of aboveground and underground storage of water; and

(D) to optimize operation of existing and new reservoirs in diminished and erratic periods of precipitation and runoff;

(4) infrastructure impacts and solutions for water treatment facilities and underground pipelines, including research—

(A) to evaluate and mitigate the impacts of sea level rise on—

(i) near-shore facilities;

(ii) soil drying and subsidence; and

(iii) reduced flows in water and wastewater pipelines; and

(B) on ways of increasing the resilience of existing infrastructure and development of new design standards for future infrastructure;

(5) desalination, water reuse, and alternative supply technologies, including research—

(A) to improve and optimize existing membrane technologies, and to identify and develop breakthrough technologies, to enable the use of seawater, brackish groundwater, treated wastewater, and other impaired sources;

(B) into new sources of water through more cost-effective water treatment practices in recycling and desalination; and

(C) to improve technologies for use in—

(i) managing and minimizing the volume of desalination and reuse concentrate streams; and

(ii) minimizing the environmental impacts of seawater intake at desalination facilities;

(6) energy efficiency and greenhouse gas minimization, including research—

(A) on optimizing the energy efficiency of water supply and improving water efficiency in energy production; and

(B) to identify and develop renewable, carbon-neutral energy options for the water supply industry;

(7) regional and hydrological basin cooperative water management solutions, including research into—

(A) institutional mechanisms for greater regional cooperation and use of water exchanges, banking, and transfers; and

(B) the economic benefits of sharing risks of shortage across wider areas;

(8) utility management, decision support systems, and water management models, including research—

(A) into improved decision support systems and modeling tools for use by water utility managers to assist with increased water supply uncertainty and adaptation strategies posed by climate change;

(B) to provide financial tools, including new rate structures, to manage financial resources and investments, because increased conservation practices may diminish revenue and increase investments in infrastructure; and

(C) to develop improved systems and models for use in evaluating—

(i) successful alternative methods for conservation and demand management; and

(ii) climate change impacts on groundwater resources;

(9) reducing greenhouse gas emissions and energy demand management, including research to improve energy efficiency in water collection, production, transmission, treatment, distribution, and disposal to provide more sustainability and means to assist drinking water utilities in reducing the production of greenhouse gas emissions in the collection, production, transmission, treatment, distribution, and disposal of drinking water;

(10) water conservation and demand management, including research—

(A) to develop strategic approaches to water demand management that offer the lowest-cost, noninfrastructural options to serve growing populations or manage declining supplies, primarily through—

(i) efficiencies in water use and reallocation of the saved water;

(ii) demand management tools;

(iii) economic incentives; and

(iv) water-saving technologies; and

(B) into efficiencies in water management through integrated water resource management that incorporates—

(i) supply-side and demand-side processes;

(ii) continuous adaptive management; and

(iii) the inclusion of stakeholders in decisionmaking processes; and

(11) communications, education, and public acceptance, including research—

(A) into improved strategies and approaches for communicating with customers, decisionmakers, and other stakeholders about the implications of climate change on water supply; and

(B) to develop effective communication approaches to gain—

(i) public acceptance of alternative water supplies and new policies and practices, including conservation and demand management; and

(ii) public recognition and acceptance of increased costs.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2009 through 2019.

By Mr. REID (for Ms. LANDRIEU (for herself, Mr. COCHRAN and Mr. WICKER)):

S. 2975. A bill to provide additional funds for affordable housing for low-income seniors, disabled persons, and others who lost their homes as a result of Hurricanes Katrina and Rita; to the

Committee on Banking, Housing, and Urban Affairs.

Ms. LANDRIEU. Mr. President, I come to the floor today to speak on behalf of some of our most in need gulf coast residents impacted by Hurricanes Katrina and Rita. As you know the gulf coast was devastated in 2005 by two of the most powerful storms to ever hit the U.S. in recorded history—Hurricanes Katrina and Rita. We also experienced the unprecedented disaster of having a major metropolitan city—the City of New Orleans—under up to 20 feet of water for two weeks when there were 28 separate levee failures which flooded 12,000 acres, or 80 percent of New Orleans, following Katrina.

In particular, I am speaking on behalf of our elderly and disabled residents impacted by these disasters. Many of these people are too frail or fragile to live on their own, yet they do not belong in a hospital. We have many people who been in seen homes or apartments for disabled and elderly residents, for adults who are not older but instead disabled through an accident or injury. In many cities, this type of housing is run by such organizations as Catholic Charities or other nonprofits. Right now in the gulf coast region, we desperately need more of this type of housing to take care of the most fragile people who either are without shelter or are without safe, affordable shelter with appropriate supportive services. One can imagine the challenges of providing sufficient housing for this group under normal circumstances. But here we find ourselves, dealing with the aftermath of a catastrophe, trying to provide additional housing for thousands of people now returning to the region.

According to the Congressional Research Service, 88,000 persons aged 65 or older were displaced by Hurricane Katrina—of that group 45,000 were 75 years of age or older. Furthermore, almost 15 percent of all displaced seniors had incomes below the poverty line. While recovery has primarily focused on restoring owner-occupied and rental housing, U.S. Department of Housing and Urban Development, HUD, assisted housing for our elderly and disabled residents has not received a great deal of attention. In particular, 123 properties of Section 202 housing, which serves elderly residents, and Section 811 housing, which serves disabled residents, were impacted by Hurricanes Katrina and Rita in my State alone. This includes 5,261 total units of 202/811 housing. As of February 2008, 602 of these units were still offline and I am aware that, for every unit of 202 housing, there are 10 eligible low-income seniors on the waiting list.

To further highlight the ongoing needs of the gulf coast, let me provide a snapshot of one community in my State—New Orleans East. In our Vietnamese community in New Orleans East, 6,000 people—or approximately 95 percent of the pre-Katrina population—have returned to the area. Of this 6,000,

it is estimated that 2,400 are seniors. The average age of these seniors is 72 years of age and 98 percent are considered extremely low-income according to HUD standards. This means that they earn below 30 percent of the area median income a year, or less than \$12,550 a year. Of these seniors 82 percent receive supplemental security income as their only source of income—approximately \$637 per month for a single household.

Prior to Katrina, there were six retirement communities in New Orleans East, consisting of about 735 units, serving this community. Presently none of them are in operation. This is not just a short-term recovery problem as the demand for age-restricted housing will continue to increase in the next few years, particularly in New Orleans East.

Given the ongoing needs in the southern part of my State in regard to damaged multifamily and senior/disabled housing, as well as all across the Gulf Coast, I am proud to introduce today the Gulf Coast Multifamily and Assisted Housing Recovery Act of 2008. I am joined on this bill by my colleagues Senator THAD COCHRAN and Senator ROGER WICKER. This legislation includes some key provisions which should target assistance where it is most needed. The bill will also help to cut through some Federal red tape stalling redevelopment efforts in the region.

To address the affordable housing needs in my State, as well as across the gulf coast, our bill authorizes \$125 million for additional Section 202 housing and \$75 million for new Section 811 housing. This provision would create almost 1,500 new 202/811 units. The bill would also authorize \$4 million to cover gaps for the redevelopment of former Section 202 housing in the City of New Orleans and St. Bernard Parish.

Another major problem in New Orleans East is that 50 seniors were living pre-Katrina at Versailles Arms, a project-based Section 8 housing development which has not reopened. I understand that a few weeks ago the community boarded up the development. While this property is sitting vacant—but vacant with a project-based contract still attached to it—Mary Queen of Viet Nam Community Development Corporation, MQVN, and Providence Community Housing have begun work on Phase I of the Mary Queen of Viet Nam Retirement Community. This project would provide 84 units of affordable senior housing. Their problem, however, is with the downturn in the tax credit market in the last 4 months, the equity investment will not be sufficient to cover the development costs. For example, the current rent structure, which is below the market rates, is not sufficient to support a mortgage to cover the development gap, so they are in need of a project-based subsidy to complete the project.

MQVN have been trying to work with our local housing authority, the Hous-

ing Authority of New Orleans, HANO, to secure project-based assistance for this project. However, as many of our developers have discovered, HANO has exhausted its 20 percent maximum set aside for project-based subsidies. This is troubling for those of us in Congress, especially for my colleagues and I who are members of the Senate Appropriations Committee. Last year, via the fiscal year 08 Supplemental Appropriations bill, we provided HANO with additional vouchers by allowing HUD to utilize pre-Katrina population figures in allocating Section 8 vouchers, rather than post-Katrina population figures. While there certainly are increased demands for such assistance, the fact that so many developments are in need of this type of assistance and that HANO lacks the necessary resources to fully address needs on the ground raises many questions. For my part, I do not have all the answers but I can provide a commonsense solution to address the need for project-based assistance in New Orleans and the rest of the gulf coast.

Each year, in the Transportation, Housing and Urban Development Appropriations bill, there has regularly been legislative authority for HUD to transfer some or all project-based assistance associated with one or more multifamily housing projects to another multifamily housing project or projects. In the fiscal year 06 Appropriations bill, Public Law 109-115, Section 318 addressed this issue, and in the fiscal year 08 Omnibus Appropriations bill, Public Law 110-161, which passed the Congress in December 2007, this language was contained in Section 215. While this language is discretionary, not mandatory, it does provide HUD with the legislative authority to transfer project-based assistance from a damaged or vacant property to another property, with certain restrictions. However, as I mentioned, this annual language is discretionary so HUD is not required to review and approve transfer requests. This has proven to be the main obstacle for housing organizations. Some of these properties have been destroyed and, rather than asking for new project-based contracts, the developers simply want to transfer the existing ones to new buildings. This would maximize existing resources, and in many cases, could help communities build housing which could better resist future disasters.

While HUD currently has this transfer authority, there have been numerous instances post-Katrina where HUD has failed to quickly implement such transfers. For example, Mississippi Methodist Senior Services, MMSS, is a nonprofit which, despite testifying before Congress last year, ended up having its Section 318 transfer request rejected by HUD. It subsequently lost 65 units of elderly housing. This is even more troubling as MMSS was the first non-profit in Mississippi to provide affordable housing for seniors. So this is a group with extensive experience in

senior housing—one with deep roots in the community. The nonprofit had seven properties throughout the State, serving 1,800 seniors daily. One of its properties in Biloxi had significant wind damage and suffered 2 feet of Gulf water on the first floor. Upon further inspection, there was additional damage found and their insurance company determined it would only cover repairs on the first floor. This left MMSS with an uninhabitable building and a \$1 million gap between insurance and the amount that was necessary for repairs.

To redevelop the property and provide badly needed housing, MMSS intended to transfer the 65 units of project-based assistance to a new site further inland. The new site would be in a better position to avoid gulf coast waves and weather patterns. As with most gulf coast groups in this situation, MMSS submitted a Section 318 request and started working with HUD to prepay the existing mortgage, sell the property, and transfer the Section 8 contract. However, in December 2006, HUD eventually refused the transfer, forcing MMSS to abandon the contract and sell the property. This resulted in the loss of housing for 65 elderly families. Our observation of these failures has led us to believe there is a need for Congress to enact stronger legislation on this issue.

To address this issue, the legislation I am introducing would tackle this problem in three important ways. First, this bill would require HUD to maintain project-based contracts in declared Katrina and Rita areas until the date specified in the contract or not less than 3 months after the property is made habitable. This provision would ensure that there is no loss of current project-based contracts. Next, the bill would require HUD to review and approve any feasible transfer proposal made by owners of damaged/destroyed multifamily housing. The language in this bill tracks Section 215 language from the fiscal year 08 Omnibus, except that we limit this requirement for Alabama, Mississippi, and Louisiana and sunset it on October 1, 2009. These restrictions are to ensure that it is strictly for recovery purposes. Lastly, to get a full picture of the number of units that may have been lost, the bill requires that HUD report to Congress on the number and location of project-based contracts which have been cancelled since the storms. These key provisions would make a real difference not only for MQVN in New Orleans East but for countless providers of multifamily housing across the gulf coast.

As chairman of the Homeland Security Subcommittee on Disaster Recovery, I have been working with my Senate colleagues to push for better Federal Government disaster preparedness. Therefore, in addition to addressing current needs on the gulf coast, the bill also looks forward to future disasters. This bill requires that, not later than June 1, 2008—the start of the 2008 Atlantic Hurricane season—that HUD

provide Congress with a disaster response plan for HUD-assisted Section 202/811 properties. A number of recommendations have been made to HUD by the affordable housing community on regulatory waivers and funding gaps that the agency will face in future disaster situations. There is no reason that HUD, or Congress for that matter, should have to expend future resources, time, and energy to address some of the similar issues which this bill is attempting to address for Katrina and Rita areas. Lessons learned from Katrina and Rita have been well documented by Congress. It is now time that HUD improves its preparedness and response to disasters which could impact assisted properties.

In closing, let me reiterate that this bill addresses one of the most fundamental needs following a disaster: the need to return home. For our elderly and disabled residents, a safe and affordable home is even more essential. Many gulf coast residents lost homes, family members, and pets, among other things. It is our obligation as a city, county/parish, State, and as a nation to help. So I am here today, for my part, to try to put forward legislation which I strongly believe will make a real difference for those most in need in the gulf coast region. I urge my colleagues to support this bipartisan recovery legislation as these disaster victims are counting on the United States Senate for action.

Mr. President, I ask unanimous consent that the text of the bill and supplemental material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2975

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Gulf Coast Multifamily and Assisted Housing Recovery Act".

SEC. 2. ADDITIONAL SUPPORT FOR HOUSING LOW-INCOME ELDERLY PERSONS.

Section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) is amended by adding at the end the following:

"(n) ADDITIONAL SUPPORT FOR LOW-INCOME ELDERLY PERSONS DISPLACED BY HURRICANES KATRINA AND RITA.—

"(1) IN GENERAL.—In addition to any amounts authorized under subsection (m), for fiscal year 2009 there is authorized to be appropriated \$125,000,000 to the Secretary to provide assistance pursuant to this section to private nonprofit organizations and consumer cooperatives to expand the supply of supportive housing for low-income elderly persons—

"(A) who on August 28, 2005, for Hurricane Katrina and September 24, 2005, for Hurricane Rita, were residents in a designated disaster area;

"(B) whose primary residence—

"(i) was significantly damaged by Hurricane Katrina or Hurricane Rita or by flooding resulting from Hurricane Katrina or Hurricane Rita; or

"(ii) is uninhabitable as a result of damage or flooding resulting from Hurricane Katrina

or Hurricane Rita, including uninhabitability resulting from lack of electricity, water, or other services due to such damage or flooding; and

"(C) who cannot, in the discretion of the Secretary, afford to rebuild such residence.

"(2) ALLOCATION OF FUNDS.—Of the amounts authorized to be appropriated under paragraph (1), the Secretary shall allocate—

"(A) \$55,000,000 to the State of Louisiana;

"(B) \$50,000,000 to the State of Mississippi; and

"(C) \$20,000,000 to the State of Alabama.

"(3) DEFINITION.—As used in this subsection, the term 'designated disaster area' means any area in the States of Alabama, Mississippi, and Louisiana that was the subject of a disaster declaration by the President under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in response to Hurricanes Katrina and Rita of 2005."

SEC. 3. ADDITIONAL SUPPORT FOR LOW-INCOME PERSONS WITH DISABILITIES.

Section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) is amended by adding at the end the following:

"(o) ADDITIONAL SUPPORT FOR LOW-INCOME PERSONS WITH DISABILITIES DISPLACED BY HURRICANES KATRINA AND RITA.—

"(1) IN GENERAL.—In addition to any amounts authorized under subsection (m), for fiscal year 2009 there is authorized to be appropriated \$75,000,000 to the Secretary to provide assistance pursuant to this section to private, nonprofit organizations to expand the supply of supportive housing for persons with disabilities—

"(A) who on August 28, 2005, for Hurricane Katrina and September 24, 2005, for Hurricane Rita, were residents in a designated disaster area;

"(B) whose primary residence—

"(i) was significantly damaged by Hurricane Katrina or Hurricane Rita or by flooding resulting from Hurricane Katrina or Hurricane Rita; or

"(ii) is uninhabitable as a result of damage or flooding resulting from Hurricane Katrina or Hurricane Rita, including uninhabitability resulting from lack of electricity, water, or other services due to such damage or flooding; and

"(C) who cannot, in the discretion of the Secretary, afford to rebuild such residence.

"(2) ALLOCATION OF FUNDS.—Of the amounts authorized to be appropriated under paragraph (1), the Secretary shall allocate—

"(A) \$35,000,000 to the State of Louisiana;

"(B) \$25,000,000 to the State of Mississippi; and

"(C) \$15,000,000 to the State of Alabama.

"(3) DEFINITION.—As used in this subsection, the term 'designated disaster area' means any area in the States of Alabama, Mississippi, and Louisiana that was the subject of a disaster declaration by the President under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in response to Hurricanes Katrina and Rita of 2005."

SEC. 4. TARGETED HOUSING SUPPORT FOR LOW-INCOME ELDERLY PERSONS IN NEW ORLEANS AND ST. BERNARD PARISH.

There is authorized to be appropriated for the redevelopment (rebuilding or replacement) of housing authorized under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) which was damaged or destroyed as a result of Hurricane Katrina of 2005—

(1) \$2,500,000 to the City of New Orleans; and

(2) \$1,500,000 to the Parish of St. Bernard.

SEC. 5. USE OF BUDGET-BASED RENT INCREASES FOR SECTION 202 AND 811 PROJECTS IN A DESIGNATED DISASTER AREA.

(a) SECTION 202.—Section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as amended by section 2, is further amended by adding at the end the following:

"(o) APPROVAL OF RENT INCREASES.—

"(1) IN GENERAL.—The Secretary shall annually adjust the rent levels on a budget-based basis of eligible projects to support the increased cost of operating or rehabilitating such projects.

"(2) CONDITIONS.—Rent adjustments pursuant to this section shall—

"(A) be subject to adjustment by the Secretary based on differences between estimated and actual costs of operating or rehabilitating such projects; and

"(B) not exceed the rent for comparable unassisted units in the area.

"(3) DEFINITIONS.—As used in this section—

"(A) the term 'eligible project' means a project that is—

"(i) assisted under subsection (c)(2); and

"(ii) located in a designated disaster area; and

"(B) the term 'designated disaster area' means any area in the States of Alabama, Mississippi, and Louisiana that was the subject of a disaster declaration by the President under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in response to Hurricanes Katrina and Rita of 2005."

(b) SECTION 811.—Section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), as amended by section 2, is further amended by adding at the end the following:

"(p) APPROVAL OF RENT INCREASES.—

"(1) IN GENERAL.—The Secretary shall annually adjust the rent levels on a budget-based basis of eligible projects to support the increased cost of operating or rehabilitating such projects.

"(2) CONDITIONS.—Rent adjustments pursuant to this section shall—

"(A) be subject to adjustment by the Secretary based on differences between estimated and actual costs of operating or rehabilitating such projects; and

"(B) not exceed the rent for comparable unassisted units in the area.

"(3) DEFINITIONS.—As used in this section—

"(A) the term 'eligible project' means a project that is—

"(i) assisted under subsection (d)(2); and

"(ii) located in a designated disaster area; and

"(B) the term 'designated disaster area' means any area in the States of Alabama, Mississippi, and Louisiana that was the subject of a disaster declaration by the President under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in response to Hurricanes Katrina and Rita of 2005."

SEC. 6. PRESERVATION AND PROVISION OF PROJECT-BASED HOUSING FOR AFFORDABLE HOUSING UNITS DAMAGED OR DESTROYED BY HURRICANES KATRINA OR RITA.

(a) REPORT ON TERMINATED PROJECT-BASED CONTRACTS IN DESIGNATED DISASTER AREA.—Not later than 45 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall provide a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives detailing—

(1) information on the number of project-based assistance contracts and units which were terminated in the designated disaster area after September 30, 2005;

(2) information on the specific developer, project name, location, number of units, and

project description for each project-based assistance contract which was terminated in the designated disaster area after September 2005; and

(3) such additional information as the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives shall reasonably require.

(b) TOLLING OF CONTRACT TERM.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a project-based assistance payments contract for a covered assisted multifamily housing project shall not expire or be terminated because of the damage or destruction of dwelling units in the project as a result of Hurricane Katrina or Hurricane Rita.

(2) EXPIRATION DATE.—The expiration date of the contract for a covered assisted multifamily housing project described under paragraph (1) shall be deemed to be the later of—

(A) the date specified in the contract; or

(B) the date that is not less than 3 months after the dwelling units in such project, or in a replacement project, are first made habitable.

(c) OWNER PROPOSALS FOR REUSE OR RESITING OF AFFORDABLE UNITS.—Pursuant to section 215 of title II of division K of Public Law 110-161 (121 Stat. 2433), the Secretary of Housing and Urban Development shall, not later than October 1, 2009, promptly review and approve—

(1) any feasible proposal made by the owner of a covered assisted multifamily housing project submitted to the Secretary that provides for the rehabilitation of such project and the resumption of use of the project-based assistance under the contract for such project; or

(2) the transfer, subject to the conditions established under section 215(b) of title II of division K of Public Law 110-161, of the contract for such covered assisted multifamily housing project, or in the case of a covered assisted multifamily housing project with an interest reduction payments contract, of the remaining budget authority under the contract, to a receiving project or projects.

(d) DEFINITIONS.—For purposes of this section—

(1) the term “covered assisted multifamily housing project” means housing that—

(A) meets one of the conditions established in section 215(c)(2) of title II of division K of Public Law 110-161;

(B) was damaged or destroyed by Hurricane Katrina or Hurricane Rita of 2005; and

(C) is located in an area in the States of Alabama, Mississippi, and Louisiana that was the subject of a disaster declaration by the President under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in response to Hurricane Katrina or Hurricane Rita of 2005;

(2) the term “designated disaster area” means any area in the States of Alabama, Mississippi, and Louisiana that was the subject of a disaster declaration by the President under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in response to Hurricanes Katrina and Rita of 2005;

(3) the term “project-based assistance” has the same meaning as in section 215(c)(3) of title II of division K of Public Law 110-161; and

(4) the term “receiving project or projects” has the same meaning as in section 215(c)(4) of title II of division K of Public Law 110-161.

SEC. 7. HOUSING DISASTER PLAN.

Not later than June 1, 2008, the Secretary of Housing and Urban Development shall—

(1) develop a written disaster response plan for federally-assisted properties, including

for properties that receive assistance pursuant to—

(A) section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); and

(B) section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013); and

(2) submit such plan to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

TWO YEARS AFTER THE STORM: HOUSING NEEDS IN THE GULF COAST

(By Mr. Alan Brown)

INTRODUCTION

Chairman Dodd, Ranking Member Shelby and members of the Committee, I want to thank you for the opportunity to testify today. I am Alan Brown, the Vice President of Operations and Chief Operating Officer of Mississippi Methodist Senior Services (MMSS). Mississippi Methodist Senior Services has 11 campuses across the state of Mississippi and we serve 1,800 seniors on a daily basis. Our organization was one of the first in Mississippi to provide HUD housing for seniors and have been for 40 years. Currently, seven of our campuses have HUD subsidized housing communities, serving very low-income seniors.

Our organization is a member of the American Association of Homes and Services for the Aging (AAHSA), a 5,700 member association representing not-for-profit providers throughout the continuum of senior care: adult day services, home health, community services, senior housing, assisted living residences, continuing care retirement communities, and nursing homes. AAHSA members serve as many as two million people every day through mission-driven, not-for-profit organizations dedicated to providing the services people need, when they need them, in the place they call home.

DEMOGRAPHICS AND NEED OF SENIORS IN THE GULF

A Congressional Research Service report from November 2005 found that the “the aged may have been especially affected by Katrina” and estimated that 88,000 persons age 65 or older were displaced by the storm and of those, 45,000 were 75 and older. Almost 15% of all displaced seniors had incomes below the poverty line. Approximately 48% of the displaced seniors reported having at least one disability, and 26% reported two or more types of disabilities, including those that require an array of supportive and health services.

An estimated 70% of seniors throughout the Gulf owned their own homes and most had lived in their homes for 20 or more years. Among the elderly renters that were living in unsubsidized housing, 55% had lived in their rental properties over 20 years. According to HUD there are 1,054 assisted properties, over 47,000 units, in the areas affected by the hurricanes. Of the assisted properties, 228 are Section 202 elderly housing communities with almost 11,000 units. Among those, one hundred properties, with 12,559 units suffered severe damage. Seniors need these affordable, supportive housing communities to be restored and functional before they can return to the Gulf.

MISSISSIPPI METHODIST SENIOR SERVICES’ EXPERIENCE

On August 29, 2005, five of our campuses were damaged by Hurricane Katrina. Our Seashore Retirement Community campus in Biloxi, MS received the most damage. Seashore was located on Beach Blvd. (Hwy 90) and consisted of 124 market rate apartments, 42 assisted living units and a 65 unit HUD 202 project with project based Section 8 rental

subsidies. All of the buildings had substantial damage but none more so than the HUD building, Gulf Oaks Manor. In addition to significant wind damage, Gulf Oaks had 2 feet of gulf water on the first floor. Fifty-five of our residents refused to leave the campus and rode out the storm with the campus Executive Director who refused to leave them. We were able to evacuate them on August 31, 2005 and provided housing on our other campuses in North Mississippi.

MMSS had what we considered to be good, comprehensive insurance coverage, including flood coverage. We immediately began the process of restoring the campus. We deployed resources from across the state and within three weeks had a complete damage assessment of the property. We were able to restore the market rate buildings and assisted living units by mid October. Little did we know that our challenges with our HUD 202 project were just beginning.

Inspections of the HUD building revealed that there was water damage on the upper floors in addition to the flood damage on the first floor. The heat and humidity following the hurricane coupled with days of no utilities and air flow had created a major mold problem. After weeks of inspections and professional opinions, our insurance carrier determined that the damage on the upper floors was pre-existing, not related to the hurricane and would not be a covered loss. Our insurance coverage would only cover the repairs to the first floor. MMSS was left with an uninhabitable building and a \$1-million dollar gap between what the insurance covered and what it would take to repair the building. In our initial conversations with HUD representatives about how we could solve this problem, we were told that:

HUD would not loan MMSS the money to cover the insurance gap;

MMSS would not be permitted to borrow money from any other source;

HUD would not forgive any of the debt in our original Section 202 loan;

HUD would not allow MMSS to prepay the mortgage.

In spite of these restrictions, HUD informed us that they did not want to lose the assisted housing units. The Department recommended that MMSS find a buyer for the damaged property and stated that any new buyer must continue the property as a 202 project.

In addition, to our discussions with HUD to save the property, MMSS researched additional resources to meet the funding gap to repair the property. Our FEMA request for help was denied because we were classified as a “non-essential service.” With that status, we were advised to seek a Small Business Administration loan, an option that was not available to us because of our HUD financing. Essentially, we had no options.

Eventually, we contacted the American Association of Homes and Services for the Aging (AAHSA) and asked for help. AAHSA immediately contacted senior HUD officials who made us aware of a provision in the FY2006 appropriations legislation, Section 318, which allowed for the relocation of project based Section 8 contracts from non-viable, obsolete HUD projects that had been damaged to new buildings. It seemed to us that the provision was tailor made for our situation and many other hurricane damaged properties. In March 2006, I met with Hank Williams, Deputy Assistant Secretary for Multifamily Housing and he encouraged us to apply for a Section 318 transfer.

On March 31, 2006, we notified our Mississippi HUD office that we would be requesting a Section 318 transfer of the project-based Section 8 contract and provided our

initial responses to the Section 318 requirements. About this time, we received an unsolicited offer from a local developer to purchase the entire campus. We accepted, contingent upon our being able to obtain a relocation or release for the property from HUD. We believed it was in the best interest of our residents to build a new campus further inland that would not be affected by future hurricanes. This offer would also give us the opportunity to rebuild the HUD building in a safer location at no additional cost to HUD. We planned to have a new campus with a new HUD building and we could restore 65 subsidized apartments for seniors on the Gulf Coast which had been in existence since 1984.

On July 5, 2006, we submitted our formal Section 318 request to HUD headquarters, outlining our plan and asked HUD for dialogue on how we could make this happen. Weeks passed and we heard nothing from HUD. On August 8, 2006, we once again contacted AAHSA staff and asked for their help. On August 17, 2006 AAHSA had a series of conversations with a senior HUD staff member who assured them they were going to make this happen. On August 29, 2006, after no contact from HUD, we contacted Senator Thad Cochran's office and asked for help. Our business interruption insurance coverage was ending and financially we were fading fast. We needed to complete this process to save the HUD project as well as the entire campus. Senator Cochran's staff responded immediately and HUD assured them that we were a priority. Weeks passed with no response from HUD. At times when MMSS would request an update from HUD, we were told that they were not sure what desk it was on. On one occasion we were told they were waiting because we did not send a hard copy of our paperwork and they only had an electronic copy. We had submitted a hard copy and it was electronically elevated by HUD staff according to their own protocol. Senator Cochran's staff intervened again in mid-September. They were assured our application was in process.

On October 2, 2007, more than six months after our notification of intent to pursue a Section 318 project based Section 8 transfer and almost three months after our formal request was submitted to HUD headquarters, we received a letter from HUD notifying us that our Section 318 request had been denied. I have attached correspondence outlining things that would have to be done for the request to be reconsidered. The items had not been communicated to us previously and were either economically infeasible or incapable of being completed for many months. At this point our request had been denied, our insurance coverage was exhausted and we were in jeopardy of losing the sale of the entire property.

Throughout this process the Jackson, Mississippi HUD office was very helpful. Thanks to that office we learned that our contract, a pre-1984 HUD 202 contract, could actually be pre-paid with 30 days notice and without HUD approval. After much consideration, we felt this was our only option to continue providing senior housing on the Gulf Coast. However, we wanted to make one last effort to save the 65 Section 8 rent subsidies and transfer them to a new building. We notified HUD of our intent to pay-off the 202 mortgage and they gave us the process to follow, including the notification letter that we needed to send former residents to notify them of the sale. In numerous phone conversations with HUD officials in Washington, D.C., we repeatedly asked for permission to transfer the Section 8 rental subsidies to a new building so we could preserve those subsidies and continue serving low-income residents at the new property. HUD informed us that it had never been done before and de-

spite having the legal authority, they would have to get a legal opinion and call us back. The next day they called back and told us the Section 8 subsidies could be moved and they would let us know the process. We were ecstatic that this would allow us to restore the low income units on the Gulf Coast and most importantly, offer our previous residents a chance to return to MMSS on the new campus.

As we got closer to closing on the sale, HUD notified us that the letter used to notify residents of the property sale did not use the correct language. We reminded HUD that we had used the exact letter that they had provided. Just before closing, we inquired again about the process for moving the Section 8 subsidies to a new building as HUD had said we could do. We were told that HUD never agreed to that and that the subsidies had to stay with the damaged building. In the end, despite their insistence that HUD was committed to preserving units and having the authority to transfer the contract to a new, safer building, HUD essentially forced USSM to give up project based Section 8 contract to complete the sale of the campus. More disturbing, HUD had done what the hurricane had not even been able to do, permanently displace those residents that rode out the storm in their homes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 549—EX-PRESSING THE SENSE OF THE SENATE WITH RESPECT TO CHILDHOOD STROKE AND DESIGNATING MAY 3, 2008, AS “NATIONAL CHILDHOOD STROKE AWARENESS DAY”

Mr. CASEY (for himself, Mr. CHAMBLISS, Mr. BINGAMAN, and Mr. ISAKSON) submitted the following resolution; which was considered and agreed to:

S. RES. 549

Whereas a stroke, also known as a “cerebrovascular accident”, is an acute neurologic injury that occurs when the blood supply to a part of the brain is interrupted by a clot in the artery or a burst of the artery;

Whereas a stroke is a medical emergency that can cause permanent neurologic damage or even death if not promptly diagnosed and treated;

Whereas 26 out of every 100,000 newborns and almost 3 out of every 100,000 children have a stroke each year;

Whereas an individual can have a stroke before birth;

Whereas stroke is among the top 10 causes of death for children in the United States;

Whereas 12 percent of all children who experience a stroke die as a result;

Whereas stroke recurs in 20 percent of children who have experienced a prior stroke;

Whereas the death rate for children who experience a stroke before the age of 1 year is the highest out of all age groups;

Whereas the average time from onset of symptoms to diagnosis of stroke is 24 hours, putting many affected children outside the window of 3 hours for the most successful treatment;

Whereas many children who experience a stroke will suffer serious, long-term neurological disabilities, including—

- (1) hemiplegia, which is paralysis of 1 side of the body;
- (2) seizures;
- (3) speech and vision problems; and
- (4) learning difficulties;

Whereas those disabilities may require ongoing physical therapy and surgeries;

Whereas the permanent health concerns and treatments resulting from strokes that occur during childhood and young adulthood have a considerable impact on children, families, and society;

Whereas very little is known about the cause, treatment, and prevention of childhood stroke;

Whereas medical research is the only means by which the citizens of the United States can identify and develop effective treatment and prevention strategies for childhood stroke;

Whereas early diagnosis and treatment of childhood stroke greatly improves the chances that the affected child will recover and not experience a recurrence; and

Whereas The Children's Hospital of Philadelphia should be commended for its initiative in creating the Nation's first program dedicated to pediatric stroke patients: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 3, 2008 as “National Childhood Stroke Awareness Day”; and

(2) urges the people of the United States to support the efforts, programs, services, and advocacy of organizations that work to enhance public awareness of childhood stroke.

SENATE RESOLUTION 550—EX-PRESSING THE SENSE OF THE SENATE REGARDING PROVOCATIVE AND DANGEROUS STATEMENTS MADE BY THE GOVERNMENT OF THE RUSSIAN FEDERATION THAT UNDERMINE THE TERRITORIAL INTEGRITY OF THE REPUBLIC OF GEORGIA

Mr. BIDEN (for himself, Mr. LUGAR, and Mr. MARTINEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 550

Whereas, since 1993, the territorial integrity of the Republic of Georgia has been reaffirmed by the international community and 32 United Nations Security Council resolutions;

Whereas the Government of the Republic of Georgia has pursued with good faith the peaceful resolution of territorial conflicts in the regions of Abkhazia and South Ossetia since the end of hostilities in 1993;

Whereas President of Georgia Mikheil Saakashvili has offered a clear plan for resolving the conflict in Abkhazia and securing legitimate interests of the Abkhaz and South Ossetian people within a unified Georgia;

Whereas, for several years, the Government of Russia has engaged in an ongoing process of usurping the sovereignty of Georgia in Abkhazia and South Ossetia by awarding subsidies, the right to vote in elections in Russia, and Russian passports to people living in those regions;

Whereas the announcement of the Government of the Russian Federation that it will establish “official ties” with the breakaway regions of Abkhazia and South Ossetia and further involve itself in aspects of their government appears to be a thinly veiled attempt at annexation;

Whereas the statements and counter-productive behavior of the Government of the Russian Federation in these regions has undermined the peace and security of those regions, the Republic of Georgia, and the region as a whole; and

Whereas the consistent effort to undermine the sovereignty of a neighbor is incompatible with the role of the Russian Federation