103d CONGRESS 2d Session **H. R. 5245**

IN THE SENATE OF THE UNITED STATES

OCTOBER 7 (legislative day, SEPTEMBER 12), 1994 Received

OCTOBER 8 (legislative day, SEPTEMBER 12), 1994 Read twice and referred to the Committee on Banking, Housing, and Urban Affairs

AN ACT

- To provide for the extension of certain programs relating to housing and community development, 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 "Housing Programs Ex-
- 5 tension Act of 1994".

6 SEC. 2. HOUSING ASSISTANCE.

7 (a) EXPIRING SECTION 8 CONTRACTS.—

(1) REQUIREMENT.—Subject only to the avail-1 2 ability of budget authority to carry out this section, 3 not later than October 1, 1995, the Secretary of 4 Housing and Urban Development shall make an offer to the owner of each housing project assisted 5 6 under an expiring contract to extend the term of the 7 expiring contract for 24 months beyond the date of 8 the expiration of the contract.

9 (2) TERMS OF EXTENSION.—Except for terms 10 or conditions relating to the duration of the con-11 tract, the terms and conditions under the extension 12 provided pursuant to this subsection of any expiring 13 contract shall be identical to the terms and condi-14 tions under the expiring contract.

(3) DEFINITION OF EXPIRING CONTRACT.—For
purposes of this subsection, the term "expiring contract" means a contract for assistance pursuant to
section 8(b)(2) of the United States Housing Act of
1937 (as such section existed before October 1,
1983) having a term that expires before October 1,
1996.

(4) DISPLACEMENT ASSISTANCE.—The Secretary of Housing and Urban Development may
make available to tenants residing in units covered

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1	by an expiring contract that is not extended pursu-
2	ant to this subsection either—
3	(A) tenant-based assistance under section
4	8 of the United States Housing Act of 1937; or
5	(B) a unit with respect to which project-
6	based assistance is provided under section 8 of
7	the United States Housing Act of 1937.
8	(5) Authorization of appropriations.—
9	There are authorized to be appropriated such sums
10	as may be necessary to carry out this subsection.
11	(b) Determination of Median Income.—Section
12	3(b)(2) of the United States Housing Act of 1937 (42
13	U.S.C. 1437a(b)(2)) is amended—
14	(1) in the fourth sentence—
15	(A) by striking ''County'' and inserting
16	"and Rockland Counties"; and
17	(B) by inserting ''each'' before ''such
18	county''; and
19	(2) in the last sentence—
20	(A) by striking ''County'' the first place it
21	appears and inserting "or Rockland Counties";
22	and
23	(B) by striking ''County'' the second place
24	it appears and inserting "and Rockland Coun-
25	ties".

(c) ELIGIBLE USES OF EMERGENCY MODERNIZA TION FUNDS.—Section 14(k)(1) of the United States
 Housing Act of 1937 (42 U.S.C. 1437l(k)(1)) is amend ed—

5 (1) in the first sentence, by striking
6 "\$75,000,000" and inserting "\$50,000,000"; and

7 (2) by adding at the end the following new sentences: "Of the amounts reserved each year under 8 9 this paragraph, the Secretary shall make available to 10 the Inspector General of the Department of Housing 11 and Urban Development not more than \$5,000,000 12 for costs in connection with efforts to combat violent 13 crime in public housing. Using amounts made avail-14 able pursuant to the preceding sentence during fiscal 15 year 1995, the Secretary shall provide amounts in 16 such fiscal year for the continuation of the drug 17 elimination activities under Nos. Project 18 IA05PO98003004 and IA05DEP0980193.".

19 (d) Low-Income Housing Preservation and20 Resident Homeownership Act.—

(1) ACQUISITION GRANTS.—Section 234(b) of
the Housing and Community Development Act of
1987 (12 U.S.C. 4124(b)) is amended by striking
"1993," and all that follows through "1994," and
inserting "1995".

1 (2) TECHNICAL ASSISTANCE AND CAPACITY 2 BUILDING.—Section 257 of the Housing and Com-3 munity Development Act of 1987 (12 U.S.C. 4147) 4 is amended by striking "1993," and all that follows 5 through "1994," and inserting "1995".

6 (e) USE OF SECTION 236 RENTAL ASSISTANCE
7 FUND AMOUNTS FOR FLEXIBLE SUBSIDIES.—Section
8 236(f)(3) of the National Housing Act (12 U.S.C. 1715z9 1(f)(3)) is amended by striking "September 30, 1994"
10 and inserting "September 30, 1995".

11 (f) HOUSING COUNSELING.—

(1) EMERGENCY HOMEOWNERSHIP COUNSELING.—Section 106(c)(9) of the Housing and Urban
Development Act of 1968 (12 U.S.C. 1701x(c)(9)) is
amended by striking "September 30, 1994" and inserting "September 30, 1995".

(2) PREPURCHASE AND FORECLOSURE PREVENTION COUNSELING DEMONSTRATION.—Section
106(d)(13) of the Housing and Urban Development
Act of 1968 (12 U.S.C. 1701x(d)(13)) is amended
by striking "fiscal year 1994" and inserting "fiscal
year 1995".

(g) MAJOR RECONSTRUCTION OF PUBLIC HOUSING
FOR DISABLED FAMILIES.—Section 5(j)(2)(G)(i) of the
United States Housing Act of 1937 (42 U.S.C.

1 1437e(j)(2)(G)(i)) is amended by striking "fiscal years
 2 1993 and 1994" and inserting "fiscal year 1995".

3 (h) NATIONAL HOMEOWNERSHIP FUND.—Section
4 172 of the bill, H.R. 3838 (103d Congress), as passed by
5 the House of Representatives on July 22, 1994, is hereby
6 enacted into law.

7 (i) TREATMENT OF CERTAIN PROJECTS.—

8 (1) CONVERSION OF SECTION 23 PROJECT.— 9 From amounts available for the conversion of the Tamagua Highrise project in the Borough of 10 11 Tamagua, Pennsylvania, from a leased housing contract under section 23 of the United States Housing 12 13 Act of 1937 to tenant-based assistance under section 14 8 of such Act, the Secretary of Housing and Urban 15 Development shall, to the extent such amounts are 16 made available in appropriation Acts, enter into an 17 obligation for the conversion of the project to a 18 project-based rental assistance contract under sec-19 tion 8 of such Act, notwithstanding the requirement 20 for rehabilitation or the percentage limitations under 21 section 8(d)(2) of such Act.

(2) COMPLIANCE WITH REHABILITATION REQUIREMENT.—Rehabilitation activities undertaken
by E.T.C. Enterprises in connection with 16 scattered-site dwelling units that were rehabilitated to

provide housing for low-income families and are lo-1 2 cated in Perth Amboy, New Jersey, and rehabilitation activities undertaken by Pennrose Properties in 3 4 connection with 40 dwelling units for senior citizens in the Providence Square development located in 5 New Brunswick, New Jersey, are hereby deemed to 6 have been conducted pursuant to the approval of 7 8 and an agreement with the Secretary of Housing 9 and Urban Development under clauses (i) and (ii) of 10 the third sentence of section 8(d)(2)(A) of the Unit-11 ed States Housing Act of 1937.

12 (3) ELIGIBILITY OF PUBLIC HOUSING FOR DEM-13 OLITION.—Section 415 of the Department of Hous-14 ing and Urban Development—Independent Agencies 15 Appropriations Act, 1988 (Public Law 100–202; 16 101 Stat. 1329–213), is amended by striking 17 "George Loving Place, at 3320 Rupert Street, Edgar Ward Place, at 3901 Holystone, Elmer Scott 18 19 Place, at 2600 Morris, in Dallas, Texas, or".

20 (4) SECTION 23 CONVERSION.—

(A) AUTHORIZATION.—Notwithstanding
contracts entered into pursuant to section 14(b)
of the United States Housing Act of 1937, the
Secretary is authorized to enter into obligations
for the conversion of the Pine Tower Apart-

ments in Bay City, Michigan, from a leased housing contract under section 23 of such Act to a project-based rental assistance contract under section 8 of such Act.

(B) REPAYMENT REQUIRED.—The author-5 ization made in subparagraph (A) is condi-6 7 tioned on the repayment to the Secretary of all amounts received by the public housing agency 8 9 under the comprehensive improvement assistance program under section 14 of the United 10 11 States Housing Act of 1937 for the Pine Tower 12 Apartment project and the amounts, as determined by the Secretary, received by the public 13 14 housing agency under the formula in section 15 14(k) of such Act by reason of the project.

16 SEC. 3. RURAL HOUSING.

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17 (a) UNDERSERVED AREAS SET-ASIDE.—Section
18 509(f)(4)(A) of the Housing Act of 1949 (42 U.S.C.
19 1479(f)(4)(A)) is amended—

20 (1) in the first sentence, by striking "fiscal
21 years 1993 and 1994" and inserting "fiscal year
22 1995"; and

23 (2) in the second sentence, by striking "each".

(b) RURAL MULTIFAMILY RENTAL HOUSING.—Sec tion 515(b) of the Housing Act of 1949 (42 U.S.C.
 1485(b)) is amended—
 (1) by striking paragraphs (2) and (4);
 (2) by redesignating paragraph (3) as para graph (4); and

7 (3) by inserting after paragraph (1) the follow-8 ing new paragraphs:

9 "(2) such a loan may be made for a period of 10 up to 50 years from the making of the loan;

11 "(3) the terms and conditions of such a loan 12 shall provide for periodic payments, during the term 13 of the loan, based upon a schedule for complete am-14 ortization of the loan over a 50-year period and for 15 payment of any outstanding amounts due under the 16 loan not later than the expiration of the term of the 17 loan;".

(c) RURAL RENTAL HOUSING FUNDS FOR NONPROFIT ENTITIES.—The first sentence of section
515(w)(1) of the Housing Act of 1949 (42 U.S.C.
1485(w)(1)) is amended by striking "fiscal years 1993
and 1994" and inserting "fiscal year 1995".

23 (d) LOAN GUARANTEES FOR RURAL MULTIFAMILY24 RENTAL HOUSING LOANS.—Section 517 of the bill, H.R.

3838 (103d Congress), as passed by the House of Rep resentatives on July 22, 1994, is hereby enacted into law.
 (e) ELIGIBILITY OF AREA FOR RURAL HOMEOWNER SHIP LOANS.—Section 502 of the Housing Act of 1949
 (42 U.S.C. 1472) is amended by adding at the end the
 following new subsection:

7 ''(i) Notwithstanding section 520, the Secretary may
8 make loans under this section for properties in the Pine
9 View West Subdivision, located in Gibsonville, North Caro10 lina, in the same manner as provided under this section
11 for properties in rural areas.''.

(f) DEFINITION OF RURAL AREA.—The last sentence
of section 520 of the Housing Act of 1949 (42 U.S.C.
14 1490) is amended by striking "city of" and inserting
15 "cities of South Tucson, Arizona, and".

16SEC. 4. MORTGAGE INSURANCE AND SECONDARY MORT-17GAGE MARKET PROGRAMS.

(a) MULTIFAMILY HOUSING FINANCE.—Section
542(b)(5) of the Housing and Community Development
Act of 1992 (12 U.S.C. 1707 note) is amended by striking
"and 1994" and inserting ", 1994, and 1995".

(b) ASSESSMENT COLLECTION DATES FOR OFFICE
OF FEDERAL HOUSING ENTERPRISE OVERSIGHT.—Section 1316(b) of the Housing and Community Development

Act of 1992 (12 U.S.C. 4516(b)) is amended by striking
 paragraph (2) and inserting the following new paragraph:
 "(2) TIMING OF PAYMENT.—The annual assess ment shall be payable in installments on October 1
 and April 1 of each fiscal year.".

6 SEC. 5. COMMUNITY DEVELOPMENT.

(a) CERTAIN CDBG ASSISTANCE.—Section 916(f) of
the Cranston-Gonzalez National Affordable Housing Act
(42 U.S.C. 5306 note) is amended by striking "Act shall
apply only with respect to fiscal years 1991, 1992, 1993,
and 1994" and inserting "section shall not apply to fiscal
years after fiscal year 1995".

(b) CDBG PUBLIC SERVICES LIMITATIONS.—Section
14 105(a)(8) of the Housing and Community Development
15 Act of 1974 (42 U.S.C. 5305(a)(8)) is amended—

16 (1) by striking "and" after "under this para-17 graph,";

(2) by striking "fiscal year 1994" and inserting
"fiscal years 1994 and 1995"; and

(3) by inserting before the semicolon at the end
the following: ", and except that of any amount of
assistance under this title (including program income) to the Cities of Fairfield, Vallejo, Napa, and
Vacaville, in California, such cities may use not

more than 20 percent in fiscal year 1995 for activi ties under this paragraph'';

3 (c) Use of Grant Amounts.—

4 (1)PITTSBURGH, PENNSYLVANIA.—Notwith-5 standing any other provision of law, the city of 6 Pittsburgh, Pennsylvania, may retain any amounts 7 provided under an urban development action grant for Project No. B-86-AA-42-0275 and use such 8 9 funds for the Central Pittsburgh Plaza project, if such project is commenced not later than 6 months 10 11 after the date of the enactment of this Act.

(2) WILKES-BARRE, PENNSYLVANIA.—Notwith-12 standing any other provision of law, the city of 13 14 Wilkes-Barre, Pennsylvania, may retain any 15 amounts provided under an urban development ac-16 tion grant for Project No. B-87-AA-42-1211 and 17 use such funds for the Northeastern Pennsylvania 18 Economic Development project, if such project is 19 commenced not later than 6 months after the date 20 of enactment of this Act.

(3) RICHMOND, VIRGINIA.—The Secretary of
Housing and Urban Development shall cancel the indebtedness of the city of Richmond, Virginia, relating to the categorical program settlement grant provided to the city to settle four urban renewal pro-

grams (Project No. B–78–UR–51–0019). The city of Richmond, Virginia, is hereby relieved of all liability to the Federal Government for such grant and any fees and charges payable in connection with such grant.

6 (4) LOCKPORT TOWNSHIP, ILLINOIS.—The Sec-7 retary of Housing and Urban Development shall cancel the indebtedness of Lockport Township, Illi-8 9 nois, relating to the public facilities loan for Project 10 No. ILL-11-PFL0112. Lockport Township, Illinois, 11 is hereby relieved of all liability to the Federal Gov-12 ernment for the outstanding principal balance on 13 such loan, the amount of accrued interest on such loan, and any other fees and charges payable in con-14 15 nection with such loan.

16 (5) BUDGET COMPLIANCE.—Paragraphs (3) 17 and (4) of this subsection shall be effective only to 18 the extent, or in such amounts, as are provided in 19 appropriation Acts.

20 (d) New Towns Demonstration Program.—

(1) INSURANCE AUTHORITY.—The first sentence of section 1104(d) of the Housing and Community Development Act of 1992 (42 U.S.C. 5318
note) is amended to read as follows: "To the extent
provided in appropriation Acts, the Secretary shall

use any authority provided pursuant to section
531(b) of the National Housing Act to enter into
commitments to insure loans and mortgages under
this section in fiscal year 1995 with an aggregate
principal amount not exceeding such sums as may
be necessary to carry out the demonstration under
this title.".

8 (2) SECOND MORTGAGE ASSISTANCE.—Section 9 1105(e) of the Housing and Community Develop-10 ment Act of 1992 (42 U.S.C. 5318 note) is amended 11 to read as follows:

12 "(5) AUTHORIZATION OF APPROPRIATIONS.—
13 There are authorized to be appropriated for fiscal
14 year 1995 such sums as may be necessary for pro15 viding assistance under this section.".

16 (3) COMMUNITY DEVELOPMENT ASSISTANCE.—
17 Section 1106(h) of the Housing and Community De18 velopment Act of 1992 (42 U.S.C. 5318 note) is
19 amended to read as follows:

20 "(8) AUTHORIZATION OF APPROPRIATIONS.—
21 There are authorized to be appropriated for fiscal
22 year 1995 such sums as may be necessary for assist23 ance under this section.".

24 (e) ECONOMIC DEVELOPMENT GRANTS.—Section25 108(q) of the Housing and Community Development Act

1 of 1974 is amended by adding at the end the following2 new paragraph:

"(5) AUTHORIZATION OF APPROPRIATIONS.— 3 Using any amounts appropriated for grants under 4 5 this subsection for fiscal year 1995, the Secretary 6 shall make a grant in the amount of \$3,650,000 in such fiscal year to the Earth Conservancy in 7 Luzerne County, Pennsylvania, which shall be used 8 9 for carrying out a demonstration of using innovative 10 environmental technologies to reclaim land used for 11 community and economic development purposes that 12 has been damaged by anthracite coal mining activities.". 13

14 SEC. 6. MISCELLANEOUS PROVISIONS.

(a) STATE AGENCIES AS SURETIES.—Section 9304
of title 31, United States Code, is amended by adding at
the end the following new subsection:

18 "(c) STATE AGENCIES.—A State agency, including any financing authority established by any State, which 19 meets the requirements of paragraphs (2) and (3) of sub-20 section (a) may be treated as a surety corporation for pur-21 22 poses of this chapter. Notwithstanding any other provision of law, user fees collected by the Financial Management 23 24 Services incident to sections 9304 through 9309 of this 25 title shall be credited to the appropriation of that agency and may be retained without fiscal year limitation to carry
 out the provisions of such sections.".

3 (b) CLARIFICATION OF EFFECTIVE DATE FOR 4 AMENDMENT RELATING TO COMMERCIAL MORTGAGE RE-5 LATED SECURITIES.—Section 347(d) of the Riegle Com-6 munity Development and Regulatory Improvement Act of 7 1994 (Public Law 103–325; 108 Stat. 2241) is amended 8 to read as follows:

9 "(d) Effective Date.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the amendment made by subsection (a)
shall take effect as of the date of the enactment of
the Housing Programs Extension Act of 1994.

14 "(2) NATIONAL AND INSURED STATE BANKS.—
15 The amendment made by subsection (a) shall not
16 apply with respect to national banks or, in accord17 ance with section 24 of the Federal Deposit Insur18 ance Act, insured State banks before the effective
19 date of final regulations prescribed by the Comptrol20 ler of the Currency pursuant to subsection (c).".

Passed the House of Representatives October 7, 1994.

Attest: DONNALD K. ANDERSON, Clerk.