

103^D CONGRESS
2^D 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 (1) REQUIREMENT.—Subject only to the avail-
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
5 offer to the owner of each housing project assisted
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.

15 (3) DEFINITION OF EXPIRING CONTRACT.—For
16 purposes of this subsection, the term “expiring con-
17 tract” means a contract for assistance pursuant to
18 section 8(b)(2) of the United States Housing Act of
19 1937 (as such section existed before October 1,
20 1983) having a term that expires before October 1,
21 1996.

22 (4) DISPLACEMENT ASSISTANCE.—The Sec-
23 retary of Housing and Urban Development may
24 make available to tenants residing in units covered

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”.

1 (c) ELIGIBLE USES OF EMERGENCY MODERNIZA-
2 TION FUNDS.—Section 14(k)(1) of the United States
3 Housing Act of 1937 (42 U.S.C. 1437l(k)(1)) is amend-
4 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 sen-
8 tences: “Of the amounts reserved each year under
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 Project Nos.
18 IA05PO98003004 and IA05DEP0980193.”.

19 (d) LOW-INCOME HOUSING PRESERVATION AND
20 RESIDENT HOMEOWNERSHIP ACT.—

21 (1) ACQUISITION GRANTS.—Section 234(b) of
22 the Housing and Community Development Act of
23 1987 (12 U.S.C. 4124(b)) is amended by striking
24 “1993,” and all that follows through “1994,” and
25 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. 1715z-
9 1(f)(3)) is amended by striking “September 30, 1994”
10 and inserting “September 30, 1995”.

11 (f) HOUSING COUNSELING.—

12 (1) EMERGENCY HOMEOWNERSHIP COUNSEL-
13 ING.—Section 106(c)(9) of the Housing and Urban
14 Development Act of 1968 (12 U.S.C. 1701x(c)(9)) is
15 amended by striking “September 30, 1994” and in-
16 serting “September 30, 1995”.

17 (2) PREPURCHASE AND FORECLOSURE PREVEN-
18 TION COUNSELING DEMONSTRATION.—Section
19 106(d)(13) of the Housing and Urban Development
20 Act of 1968 (12 U.S.C. 1701x(d)(13)) is amended
21 by striking “fiscal year 1994” and inserting “fiscal
22 year 1995”.

23 (g) MAJOR RECONSTRUCTION OF PUBLIC HOUSING
24 FOR DISABLED FAMILIES.—Section 5(j)(2)(G)(i) of the
25 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
10 Tamaqua Highrise project in the Borough of
11 Tamaqua, Pennsylvania, from a leased housing con-
12 tract under section 23 of the United States Housing
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.

22 (2) COMPLIANCE WITH REHABILITATION RE-
23 QUIREMENT.—Rehabilitation activities undertaken
24 by E.T.C. Enterprises in connection with 16 scat-
25 tered-site dwelling units that were rehabilitated to

1 provide housing for low-income families and are lo-
2 cated in Perth Amboy, New Jersey, and rehabilita-
3 tion activities undertaken by Pennrose Properties in
4 connection with 40 dwelling units for senior citizens
5 in the Providence Square development located in
6 New Brunswick, New Jersey, are hereby deemed to
7 have been conducted pursuant to the approval of
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,
18 Edgar Ward Place, at 3901 Holystone, Elmer Scott
19 Place, at 2600 Morris, in Dallas, Texas, or”.

20 (4) SECTION 23 CONVERSION.—

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

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

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

16 **SEC. 3. RURAL HOUSING.**

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”.

1 (b) RURAL MULTIFAMILY RENTAL HOUSING.—Sec-
2 tion 515(b) of the Housing Act of 1949 (42 U.S.C.
3 1485(b)) is amended—

4 (1) by striking paragraphs (2) and (4);

5 (2) by redesignating paragraph (3) as para-
6 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;”.

18 (c) RURAL RENTAL HOUSING FUNDS FOR NON-
19 PROFIT ENTITIES.—The first sentence of section
20 515(w)(1) of the Housing Act of 1949 (42 U.S.C.
21 1485(w)(1)) is amended by striking “fiscal years 1993
22 and 1994” and inserting “fiscal year 1995”.

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

1 3838 (103d Congress), as passed by the House of Rep-
2 resentatives on July 22, 1994, is hereby enacted into law.

3 (e) ELIGIBILITY OF AREA FOR RURAL HOMEOWNER-
4 SHIP LOANS.—Section 502 of the Housing Act of 1949
5 (42 U.S.C. 1472) is amended by adding at the end the
6 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 Caro-
10 lina, in the same manner as provided under this section
11 for properties in rural areas.”.

12 (f) DEFINITION OF RURAL AREA.—The last sentence
13 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”.

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

18 (a) MULTIFAMILY HOUSING FINANCE.—Section
19 542(b)(5) of the Housing and Community Development
20 Act of 1992 (12 U.S.C. 1707 note) is amended by striking
21 “and 1994” and inserting “, 1994, and 1995”.

22 (b) ASSESSMENT COLLECTION DATES FOR OFFICE
23 OF FEDERAL HOUSING ENTERPRISE OVERSIGHT.—Sec-
24 tion 1316(b) of the Housing and Community Development

1 Act of 1992 (12 U.S.C. 4516(b)) is amended by striking
2 paragraph (2) and inserting the following new paragraph:

3 “(2) TIMING OF PAYMENT.—The annual assess-
4 ment shall be payable in installments on October 1
5 and April 1 of each fiscal year.”.

6 **SEC. 5. COMMUNITY DEVELOPMENT.**

7 (a) CERTAIN CDBG ASSISTANCE.—Section 916(f) of
8 the Cranston-Gonzalez National Affordable Housing Act
9 (42 U.S.C. 5306 note) is amended by striking “Act shall
10 apply only with respect to fiscal years 1991, 1992, 1993,
11 and 1994” and inserting “section shall not apply to fiscal
12 years after fiscal year 1995”.

13 (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,”;

18 (2) by striking “fiscal year 1994” and inserting
19 “fiscal years 1994 and 1995”; and

20 (3) by inserting before the semicolon at the end
21 the following: “, and except that of any amount of
22 assistance under this title (including program in-
23 come) to the Cities of Fairfield, Vallejo, Napa, and
24 Vacaville, in California, such cities may use not

1 more than 20 percent in fiscal year 1995 for activi-
2 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
8 for Project No. B-86-AA-42-0275 and use such
9 funds for the Central Pittsburgh Plaza project, if
10 such project is commenced not later than 6 months
11 after the date of the enactment of this Act.

12 (2) WILKES-BARRE, PENNSYLVANIA.—Notwith-
13 standing any other provision of law, the city of
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.

21 (3) RICHMOND, VIRGINIA.—The Secretary of
22 Housing and Urban Development shall cancel the in-
23 debtedness of the city of Richmond, Virginia, relat-
24 ing to the categorical program settlement grant pro-
25 vided to the city to settle four urban renewal pro-

1 grams (Project No. B-78-UR-51-0019). The city
2 of Richmond, Virginia, is hereby relieved of all liabil-
3 ity to the Federal Government for such grant and
4 any fees and charges payable in connection with
5 such grant.

6 (4) LOCKPORT TOWNSHIP, ILLINOIS.—The Sec-
7 retary of Housing and Urban Development shall
8 cancel the indebtedness of Lockport Township, Illi-
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
14 loan, and any other fees and charges payable in con-
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.—

21 (1) INSURANCE AUTHORITY.—The first sen-
22 tence of section 1104(d) of the Housing and Com-
23 munity Development Act of 1992 (42 U.S.C. 5318
24 note) is amended to read as follows: “To the extent
25 provided in appropriation Acts, the Secretary shall

1 use any authority provided pursuant to section
2 531(b) of the National Housing Act to enter into
3 commitments to insure loans and mortgages under
4 this section in fiscal year 1995 with an aggregate
5 principal amount not exceeding such sums as may
6 be necessary to carry out the demonstration under
7 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 pro-
15 viding assistance under this section.”.

16 (3) COMMUNITY DEVELOPMENT ASSISTANCE.—
17 Section 1106(h) of the Housing and Community De-
18 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 assist-
23 ance under this section.”.

24 (e) ECONOMIC DEVELOPMENT GRANTS.—Section
25 108(q) of the Housing and Community Development Act

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

3 “(5) AUTHORIZATION OF APPROPRIATIONS.—
4 Using any amounts appropriated for grants under
5 this subsection for fiscal year 1995, the Secretary
6 shall make a grant in the amount of \$3,650,000 in
7 such fiscal year to the Earth Conservancy in
8 Luzerne County, Pennsylvania, which shall be used
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 activi-
13 ties.”.

14 **SEC. 6. MISCELLANEOUS PROVISIONS.**

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

18 “(c) STATE AGENCIES.—A State agency, including
19 any financing authority established by any State, which
20 meets the requirements of paragraphs (2) and (3) of sub-
21 section (a) may be treated as a surety corporation for pur-
22 poses of this chapter. Notwithstanding any other provision
23 of law, user fees collected by the Financial Management
24 Services incident to sections 9304 through 9309 of this
25 title shall be credited to the appropriation of that agency

1 and may be retained without fiscal year limitation to carry
2 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.—

10 “(1) IN GENERAL.—Except as provided in para-
11 graph (2), the amendment made by subsection (a)
12 shall take effect as of the date of the enactment of
13 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 accord-
17 ance with section 24 of the Federal Deposit Insur-
18 ance Act, insured State banks before the effective
19 date of final regulations prescribed by the Comptrol-
20 ler of the Currency pursuant to subsection (c).”.

Passed the House of Representatives October 7,
1994.

Attest: DONNALD K. ANDERSON,
Clerk.