

Calendar No. 185104TH CONGRESS
1ST SESSION**H. R. 2099****[Report No. 104-140]**

IN THE SENATE OF THE UNITED STATES

AUGUST 1 (legislative day, JULY 10), 1995

Received; read twice and referred to the Committee on Appropriations

SEPTEMBER 13 (legislative day, SEPTEMBER 5), 1995

Reported by Mr. BOND, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, 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 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Departments of Veterans Affairs and Housing and Urban
6 Development, and for sundry independent agencies,

1 boards, commissions, corporations, and offices for the fis-
2 cal year ending September 30, 1996, and for other pur-
3 poses, namely:

4 TITLE I

5 DEPARTMENT OF VETERANS AFFAIRS

6 VETERANS BENEFITS ADMINISTRATION

7 COMPENSATION AND PENSIONS

8 (INCLUDING TRANSFER OF FUNDS)

9 For the payment of compensation benefits to or on
10 behalf of veterans as authorized by law (38 U.S.C. 107,
11 chapters 11, 13, 51, 53, 55, and 61); pension benefits to
12 or on behalf of veterans as authorized by law (38 U.S.C.
13 chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and bur-
14 ial benefits, emergency and other officers' retirement pay,
15 adjusted-service credits and certificates, payment of pre-
16 miums due on commercial life insurance policies guaran-
17 teed under the provisions of Article IV of the Soldiers'
18 and Sailors' Civil Relief Act of 1940, as amended, and
19 for other benefits as authorized by law (38 U.S.C. 107,
20 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61;
21 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735;
22 76 Stat. 1198); \$17,649,972,000, to remain available
23 until expended: *Provided*, That not to exceed ~~\$25,180,000~~
24 *\$27,431,000* of the amount appropriated shall be reim-
25 bursed to "General operating expenses" and "Medical
26 care" for necessary expenses in implementing those provi-

1 sions authorized in the Omnibus Budget Reconciliation
2 Act of 1990, and in the Veterans' Benefits Act of 1992
3 (38 U.S.C. chapters 51, 53, and 55), the funding source
4 for which is specifically provided as the "Compensation
5 and pensions" appropriation: *Provided further*, That such
6 sums as may be earned on an actual qualifying patient
7 basis, shall be reimbursed to "Medical facilities revolving
8 fund" to augment the funding of individual medical facili-
9 ties for nursing home care provided to pensioners as au-
10 thorized by the Veterans' Benefits Act of 1992 (38 U.S.C.
11 chapter 55): *Provided further*, That \$12,000,000 pre-
12 viously transferred from "Compensation and pensions" to
13 "Medical facilities revolving fund" shall be transferred to
14 this heading.

15 READJUSTMENT BENEFITS

16 For the payment of readjustment and rehabilitation
17 benefits to or on behalf of veterans as authorized by law
18 (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53,
19 55, and 61), \$1,345,300,000, to remain available until ex-
20 pended: *Provided*, That funds shall be available to pay any
21 court order, court award or any compromise settlement
22 arising from litigation involving the vocational training
23 program authorized by section 18 of Public Law 98-77,
24 as amended.

1 VETERANS INSURANCE AND INDEMNITIES

2 For military and naval insurance, national service life
3 insurance, servicemen's indemnities, service-disabled vet-
4 erans insurance, and veterans mortgage life insurance as
5 authorized by law (38 U.S.C. chapter 19; 70 Stat. 887;
6 72 Stat. 487) \$24,890,000, to remain available until ex-
7 pended.

8 GUARANTY AND INDEMNITY PROGRAM ACCOUNT

9 (INCLUDING TRANSFER OF FUNDS)

10 For the cost of direct and guaranteed loans, such
11 sums as may be necessary to carry out the purpose of the
12 program, as authorized by 38 U.S.C. chapter 37, as
13 amended: *Provided*, That such costs, including the cost of
14 modifying such loans, shall be as defined in section 502
15 of the Congressional Budget Act of 1974, as amended.

16 In addition, for administrative expenses to carry out
17 the direct and guaranteed loan programs, \$65,226,000,
18 which may be transferred to and merged with the appro-
19 priation for "General operating expenses".

20 LOAN GUARANTY PROGRAM ACCOUNT

21 (INCLUDING TRANSFER OF FUNDS)

22 For the cost of direct and guaranteed loans, such
23 sums as may be necessary to carry out the purpose of the
24 program, as authorized by 38 U.S.C. chapter 37, as
25 amended: *Provided*, That such costs, including the cost of

1 modifying such loans, shall be as defined in section 502
2 of the Congressional Budget Act of 1974, as amended.

3 In addition, for administrative expenses to carry out
4 the direct and guaranteed loan programs, \$52,138,000,
5 which may be transferred to and merged with the appro-
6 priation for “General operating expenses”.

7 DIRECT LOAN PROGRAM ACCOUNT
8 (INCLUDING TRANSFER OF FUNDS)

9 For the cost of direct loans, such sums as may be
10 necessary to carry out the purpose of the program, as au-
11 thorized by 38 U.S.C. chapter 37, as amended: *Provided*,
12 That such costs, including the cost of modifying such
13 loans, shall be as defined in section 502 of the Congres-
14 sional Budget Act of 1974, as amended: *Provided further*,
15 That during 1996, within the resources available, not to
16 exceed \$300,000 in gross obligations for direct loans are
17 authorized for specially adapted housing loans (38 U.S.C.
18 chapter 37).

19 In addition, for administrative expenses to carry out
20 the direct loan program, \$459,000, which may be trans-
21 ferred to and merged with the appropriation for “General
22 operating expenses”.

23 EDUCATION LOAN FUND PROGRAM ACCOUNT
24 (INCLUDING TRANSFER OF FUNDS)

25 For the cost of direct loans, \$1,000, as authorized
26 by 38 U.S.C. 3698, as amended: *Provided*, That such

1 costs, including the cost of modifying such loans, shall be
2 as defined in section 502 of the Congressional Budget Act
3 of 1974, as amended: *Provided further*, That these funds
4 are available to subsidize gross obligations for the prin-
5 cipal amount of direct loans not to exceed \$4,000.

6 In addition, for administrative expenses necessary to
7 carry out the direct loan program, \$195,000, which may
8 be transferred to and merged with the appropriation for
9 “General operating expenses”.

10 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT
11 (INCLUDING TRANSFER OF FUNDS)

12 For the cost of direct loans, \$54,000, as authorized
13 by 38 U.S.C. chapter 31, as amended: *Provided*, That such
14 costs, including the cost of modifying such loans, shall be
15 as defined in section 502 of the Congressional Budget Act
16 of 1974, as amended: *Provided further*, That these funds
17 are available to subsidize gross obligations for the prin-
18 cipal amount of direct loans not to exceed \$1,964,000.

19 In addition, for administrative expenses necessary to
20 carry out the direct loan program, \$377,000, which may
21 be transferred to and merged with the appropriation for
22 “General operating expenses”.

1 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
2 ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 For administrative expenses to carry out the direct
5 loan program authorized by 38 U.S.C. chapter 37, sub-
6 chapter V, as amended, \$205,000, which may be trans-
7 ferred to and merged with the appropriation for “General
8 operating expenses”.

9 VETERANS HEALTH ADMINISTRATION
10 MEDICAL CARE

11 For necessary expenses for the maintenance and op-
12 eration of hospitals, nursing homes, and domiciliary facili-
13 ties; for furnishing, as authorized by law, inpatient and
14 outpatient care and treatment to beneficiaries of the De-
15 partment of Veterans Affairs, including care and treat-
16 ment in facilities not under the jurisdiction of the Depart-
17 ment of Veterans Affairs, and furnishing recreational fa-
18 cilities, supplies, and equipment; funeral, burial, and other
19 expenses incidental thereto for beneficiaries receiving care
20 in Department of Veterans Affairs facilities; administra-
21 tive expenses in support of planning, design, project man-
22 agement, real property acquisition and disposition, con-
23 struction and renovation of any facility under the jurisdic-
24 tion or for the use of the Department of Veterans Affairs;
25 oversight, engineering and architectural activities not
26 charged to project cost; repairing, altering, improving or

1 providing facilities in the several hospitals and homes
2 under the jurisdiction of the Department of Veterans Af-
3 fairs, not otherwise provided for, either by contract or by
4 the hire of temporary employees and purchase of mate-
5 rials; uniforms or allowances therefor, as authorized by
6 law (5 U.S.C. 5901–5902); aid to State homes as author-
7 ized by law (38 U.S.C. 1741); and not to exceed
8 \$8,000,000 to fund cost comparison studies as referred
9 to in 38 U.S.C. 8110(a)(5); ~~\$16,777,474,000~~
10 *\$16,450,000,000*, plus reimbursements: *Provided*, That of
11 the funds made available under this heading,
12 \$789,000,000 is for the equipment and land and struc-
13 tures object classifications only, which amount shall not
14 become available for obligation until August 1, 1996, and
15 shall remain available for obligation until September 30,
16 1997: *Provided further*, That notwithstanding any other
17 provision of law, any veteran eligible for hospital care or
18 medical services under section 1710 of title 38 may be treat-
19 ed in the most efficient manner.

20 MEDICAL AND PROSTHETIC RESEARCH

21 For necessary expenses in carrying out programs of
22 medical and prosthetic research and development as au-
23 thorized by law (38 U.S.C. chapter 73), to remain avail-
24 able until September 30, 1997, ~~\$251,743,000~~
25 *\$257,000,000*, plus reimbursements.

1 HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM

2 For payment of health professional scholarship pro-
3 gram grants, as authorized by law, to students who agree
4 to a service obligation with the Department of Veterans
5 Affairs at one of its medical facilities, \$10,386,000.

6 MEDICAL ADMINISTRATION AND MISCELLANEOUS

7 OPERATING EXPENSES

8 For necessary expenses in the administration of the
9 medical, hospital, nursing home, domiciliary, construction,
10 supply, and research activities, as authorized by law; ad-
11 ministrative expenses in support of planning, design,
12 project management, architectural, engineering, real prop-
13 erty acquisition and disposition, construction and renova-
14 tion of any facility under the jurisdiction or for the use
15 of the Department of Veterans Affairs, including site ac-
16 quisition; engineering and architectural activities not
17 charged to project cost; and research and development in
18 building construction technology; \$63,602,000, plus reim-
19 bursements.

20 TRANSITIONAL HOUSING LOAN PROGRAM

21 (INCLUDING TRANSFER OF FUNDS)

22 For the cost of direct loans, \$7,000, as authorized
23 by Public Law 102-54, section 8, which shall be trans-
24 ferred from the "General post fund": *Provided*, That such
25 costs, including the cost of modifying such loans, shall be
26 as defined in section 502 of the Congressional Budget Act

1 of 1974, as amended: *Provided further*, That these funds
2 are available to subsidize gross obligations for the prin-
3 cipal amount of direct loans not to exceed \$70,000. In ad-
4 dition, for administrative expenses to carry out the direct
5 loan program, \$54,000, which shall be transferred from
6 the “General post fund”, as authorized by Public Law
7 102–54, section 8.

8 DEPARTMENTAL ADMINISTRATION

9 GENERAL OPERATING EXPENSES

10 For necessary operating expenses of the Department
11 of Veterans Affairs, not otherwise provided for, including
12 uniforms or allowances therefor, as authorized by law; not
13 to exceed \$25,000 for official reception and representation
14 expenses; hire of passenger motor vehicles; and reimburse-
15 ment of the General Services Administration for security
16 guard services, and the Department of Defense for the
17 cost of overseas employee mail; ~~\$821,487,000~~
18 *\$880,000,000*: *Provided*, That funds under this heading
19 shall be available to administer the Service Members Occu-
20 pational Conversion and Training Act: *Provided further*,
21 That the \$25,500,000 earmarked in Public Law 103–327
22 for the acquisition of automated data processing equip-
23 ment and services to support the modernization program
24 of the Veterans Benefits Administration is available for
25 any expense authorized to be funded under this heading:

1 *Provided further*, That none of the funds under this head-
2 ing (including funds referred to in the preceding proviso)
3 may be obligated or expended for the acquisition of auto-
4 mated data processing equipment and services for Depart-
5 ment of Veterans Affairs regional offices to support Stage
6 III of the automated data equipment modernization pro-
7 gram of the Veterans Benefits Administration.

8 NATIONAL CEMETERY SYSTEM

9 For necessary expenses for the maintenance and op-
10 eration of the National Cemetery System not otherwise
11 provided for, including uniforms or allowances therefor, as
12 authorized by law; cemeterial expenses as authorized by
13 law; purchase of three passenger motor vehicles, for use
14 in cemeterial operations; and hire of passenger motor vehi-
15 cles, \$72,604,000.

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Act of 1978, as amended, \$30,900,000.

20 CONSTRUCTION, MAJOR PROJECTS

21 (INCLUDING TRANSFER OF FUNDS)

22 For constructing, altering, extending and improving
23 any of the facilities under the jurisdiction or for the use
24 of the Department of Veterans Affairs, or for any of the
25 purposes set forth in sections 316, 2404, 2406, 8102,
26 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, Unit-

1 ed States Code, including planning, architectural and en-
2 gineering services, maintenance or guarantee period serv-
3 ices costs associated with equipment guarantees provided
4 under the project, services of claims analysts, offsite utility
5 and storm drainage system construction costs, and site ac-
6 quisition, where the estimated cost of a project is
7 \$3,000,000 or more or where funds for a project were
8 made available in a previous major project appropriation,
9 ~~\$183,455,000~~ \$35,785,000, to remain available until ex-
10 pended: *Provided*, That except for advance planning of
11 projects funded through the advance planning fund and
12 the design of projects funded through the design fund,
13 none of these funds shall be used for any project which
14 has not been considered and approved by the Congress in
15 the budgetary process: *Provided further*, That funds pro-
16 vided in this appropriation for fiscal year 1996, for each
17 approved project shall be obligated (1) by the awarding
18 of a construction documents contract by September 30,
19 1996, and (2) by the awarding of a construction contract
20 by September 30, 1997: *Provided further*, That the Sec-
21 retary shall promptly report in writing to the Comptroller
22 General and to the Committees on Appropriations any ap-
23 proved major construction project in which obligations are
24 not incurred within the time limitations established above;
25 and the Comptroller General shall review the report in ac-

1 cordance with the procedures established by section 1015
2 of the Impoundment Control Act of 1974 (title X of Public
3 Law 93–344): *Provided further*, That no funds from any
4 other account except the “Parking revolving fund”, may
5 be obligated for constructing, altering, extending, or im-
6 proving a project which was approved in the budget proc-
7 ess and funded in this account until one year after sub-
8 stantial completion and beneficial occupancy by the De-
9 partment of Veterans Affairs of the project or any part
10 thereof with respect to that part only: *Provided further*,
11 That of the funds made available under this heading in
12 Public Law 103–327, \$7,000,000 shall be transferred to
13 the “Parking revolving fund”.

14 CONSTRUCTION, MINOR PROJECTS

15 For constructing, altering, extending, and improving
16 any of the facilities under the jurisdiction or for the use
17 of the Department of Veterans Affairs, including plan-
18 ning, architectural and engineering services, maintenance
19 or guarantee period services costs associated with equip-
20 ment guarantees provided under the project, services of
21 claims analysts, offsite utility and storm drainage system
22 construction costs, and site acquisition, or for any of the
23 purposes set forth in sections 316, 2404, 2406, 8102,
24 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, Unit-
25 ed States Code, where the estimated cost of a project is
26 less than \$3,000,000, ~~\$152,934,000~~ \$190,000,000, to re-

1 main available until expended, along with unobligated bal-
2 ances of previous "Construction, minor projects" appro-
3 priations which are hereby made available for any project
4 where the estimated cost is less than \$3,000,000: *Pro-*
5 *vided*, That funds in this account shall be available for
6 (1) repairs to any of the nonmedical facilities under the
7 jurisdiction or for the use of the Department of Veterans
8 Affairs which are necessary because of loss or damage
9 caused by any natural disaster or catastrophe, and (2)
10 temporary measures necessary to prevent or to minimize
11 further loss by such causes.

12 PARKING REVOLVING FUND

13 For the parking revolving fund as authorized by law
14 (38 U.S.C. 8109), income from fees collected, to remain
15 available until expended. Resources of this fund shall be
16 available for all expenses authorized by 38 U.S.C. 8109
17 except operations and maintenance costs which will be
18 funded from "Medical care".

19 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
20 FACILITIES

21 For grants to assist the several States to acquire or
22 construct State nursing home and domiciliary facilities
23 and to remodel, modify or alter existing hospital, nursing
24 home and domiciliary facilities in State homes, for furnish-
25 ing care to veterans as authorized by law (38 U.S.C.

1 8131–8137), \$47,397,000, to remain available until ex-
2 pended.

3 GRANTS FOR THE CONSTRUCTION OF STATE VETERANS
4 CEMETERIES

5 For grants to aid States in establishing, expanding,
6 or improving State veteran cemeteries as authorized by
7 law (38 U.S.C. 2408), \$1,000,000, to remain available
8 until September 30, 1998.

9 ADMINISTRATIVE PROVISIONS
10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 101. Any appropriation for 1996 for “Com-
12 pensation and pensions”, “Readjustment benefits”, and
13 “Veterans insurance and indemnities” may be transferred
14 to any other of the mentioned appropriations.

15 SEC. 102. Appropriations available to the Depart-
16 ment of Veterans Affairs for 1996 for salaries and ex-
17 penses shall be available for services as authorized by 5
18 U.S.C. 3109.

19 SEC. 103. No part of the appropriations in this Act
20 for the Department of Veterans Affairs (except the appro-
21 priations for “Construction, major projects”, “Construc-
22 tion, minor projects”, and the “Parking revolving fund”)
23 shall be available for the purchase of any site for or toward
24 the construction of any new hospital or home.

25 SEC. 104. No part of the foregoing appropriations
26 shall be available for hospitalization or examination of any

1 persons except beneficiaries entitled under the laws be-
2 stowing such benefits to veterans, unless reimbursement
3 of cost is made to the appropriation at such rates as may
4 be fixed by the Secretary of Veterans Affairs.

5 SEC. 105. Appropriations available to the Depart-
6 ment of Veterans Affairs for fiscal year 1996 for “Com-
7 pensation and pensions”, “Readjustment benefits”, and
8 “Veterans insurance and indemnities” shall be available
9 for payment of prior year accrued obligations required to
10 be recorded by law against the corresponding prior year
11 accounts within the last quarter of fiscal year 1995.

12 SEC. 106. Appropriations accounts available to the
13 Department of Veterans Affairs for fiscal year 1996 shall
14 be available to pay prior year obligations of corresponding
15 prior year appropriations accounts resulting from title X
16 of the Competitive Equality Banking Act, Public Law
17 100–86, except that if such obligations are from trust
18 fund accounts they shall be payable from “Compensation
19 and pensions”.

20 SEC. 107. (a) Effective October 1, 1995, section 5505
21 of title 38, United States Code, as in effect when repealed
22 by section 1201(g)(4)(A) of Public Law 103–446 (108
23 Stat. 4687), is hereby reenacted and, as so reenacted, is
24 amended by striking out “September 30, 1992” in sub-

1 section (c) and inserting in lieu thereof “September 30,
2 1996”.

3 (b) The table of sections at the beginning of chapter
4 55 of such title is amended by adding at the end the fol-
5 lowing new item:

“5505. Limitation on compensation payments for certain incompetent veter-
ans.”.

6 SEC. 108. Chapter 19 of title 38, United States Code,
7 is amended as follows:

8 (1) Section 1920 is amended—

9 (A) in subsection (a), by inserting “, and
10 for the reimbursement of administrative costs
11 under subsection (c)” before the period at the
12 end of the second sentence; and

13 (B) by adding at the end the following new
14 subsection:

15 “(c)(1) For each fiscal year for which this subsection
16 is in effect, the Secretary shall, from the National Service
17 Life Insurance Fund, reimburse the ‘General operating ex-
18 penses’ account of the Department for the amount of ad-
19 ministrative costs determined under paragraph (2) for
20 that fiscal year. Such reimbursement shall be made from
21 any surplus earnings for that fiscal year that are available
22 for dividends on such insurance after claims have been
23 paid and actuarially determined reserves have been set
24 aside. However, if the amount of such administrative costs

1 exceeds the amount of such surplus earnings, such reim-
2 bursement shall be made only to the extent of such surplus
3 earnings.

4 “(2) The Secretary shall determine the administra-
5 tive costs to the Department for a fiscal year for which
6 this subsection is in effect which, in the judgment of the
7 Secretary, are properly allocable to the provision of Na-
8 tional Service Life Insurance (and to the provision of any
9 total disability income insurance added to the provision
10 of such insurance).

11 “(3) This subsection shall be in effect only with re-
12 spect to fiscal year 1996.”.

13 (2) Section 1923 is amended—

14 (A) in subsection (a), by inserting “, and
15 for the reimbursement of administrative costs
16 under subsection (d)” before the period at the
17 end of the last sentence; and

18 (B) by adding at the end the following new
19 subsection:

20 “(d)(1) For each fiscal year for which this subsection
21 is in effect, the Secretary shall, from the Veterans’ Special
22 Life Insurance Fund, reimburse the ‘General operating ex-
23 penses’ account of the Department for the amount of ad-
24 ministrative costs determined under paragraph (2) for
25 that fiscal year. Such reimbursement shall be made from

1 any surplus earnings for that fiscal year that are available
2 for dividends on such insurance after claims have been
3 paid and actuarially determined reserves have been set
4 aside. However, if the amount of such administrative costs
5 exceeds the amount of such surplus earnings, such reim-
6 bursement shall be made only to the extent of such surplus
7 earnings.

8 “(2) The Secretary shall determine the administra-
9 tive costs to the Department for a fiscal year for which
10 this subsection is in effect which, in the judgment of the
11 Secretary, are properly allocable to the provision of Veter-
12 ans’ Special Life Insurance (and to the provision of any
13 total disability income insurance added to the provision
14 of such insurance).

15 “(3) This subsection shall be in effect only with re-
16 spect to fiscal year 1996.”.

17 (3) Section 1955 is amended—

18 (A) in subsection (a), by inserting “, and
19 for the reimbursement of administrative costs
20 under subsection (c)” before the period at the
21 end of the first sentence; and

22 (B) by adding at the end the following new
23 subsection:

24 “(c)(1) For each fiscal year for which this subsection
25 is in effect, the Secretary shall, from the United States

1 Government Life Insurance Fund, reimburse the ‘General
2 operating expenses’ account of the Department for the
3 amount of administrative costs determined under para-
4 graph (2) for that fiscal year. Such reimbursement shall
5 be made from any surplus earnings for that fiscal year
6 that are available for dividends on such insurance after
7 claims have been paid and actuarially determined reserves
8 have been set aside. However, if the amount of such ad-
9 ministrative costs exceeds the amount of such surplus
10 earnings, such reimbursement shall be made only to the
11 extent of such surplus earnings.

12 “(2) The Secretary shall determine the administra-
13 tive costs to the Department for a fiscal year for which
14 this subsection is in effect which, in the judgment of the
15 Secretary, are properly allocable to the provision of United
16 States Government Life Insurance (and to the provision
17 of any total disability income insurance added to the provi-
18 sion of such insurance).

19 “(3) This subsection shall be in effect only with re-
20 spect to fiscal year 1996.”.

21 (4) Section 1982 is amended by striking out
22 “The United States” and inserting in lieu thereof
23 “Except as provided in sections 1920(c), 1923(d),
24 and 1955(c) of this title, the United States”.

1 *SEC. 109. Notwithstanding any other provision of law,*
2 *the Secretary of Veterans Affairs is authorized to transfer,*
3 *without compensation or reimbursement, the jurisdiction*
4 *and control of a parcel of land consisting of approximately*
5 *6.3 acres, located on the south edge of the Department of*
6 *Veterans Affairs Medical and Regional Office Center, Wich-*
7 *ita, Kansas, including buildings Nos. 8 and 30 and other*
8 *improvements thereon, to the Secretary of Transportation*
9 *for the purpose of expanding and modernizing United*
10 *States Highway 54: Provided, That if necessary, the exact*
11 *acreage and legal description of the real property trans-*
12 *ferred shall be determined by a survey satisfactory to the*
13 *Secretary of Veterans Affairs and the Secretary of Trans-*
14 *portation shall bear the cost of such survey: Provided fur-*
15 *ther, That the Secretary of Transportation shall be respon-*
16 *sible for all costs associated with the transferred land and*
17 *improvements thereon, and compliance with all existing*
18 *statutes and regulations: Provided further, That the Sec-*
19 *retary of Veterans Affairs and the Secretary of Transpor-*
20 *tation may require such additional terms and conditions*
21 *as each Secretary considers appropriate to effectuate this*
22 *transfer of land.*

23 *SEC. 110. Funds available to the Department of Veter-*
24 *ans Affairs Revolving Supply Fund shall be available until*
25 *September 30, 1997, for expenses necessary to establish a*

1 *Department wide program to develop and implement a*
2 *Federal acquisition computer network required by section*
3 *9001 of the Federal Acquisition Streamlining Act of 1994*
4 *(Public Law 103-355).*

5 TITLE II

6 DEPARTMENT OF HOUSING AND URBAN

7 DEVELOPMENT

8 HOUSING PROGRAMS

9 ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

10 For assistance under the United States Housing Act
11 of 1937, as amended (“the Act” herein) (42 U.S.C. 1437),
12 not otherwise provided for, \$10,182,359,000, to remain
13 available until expended: *Provided*, That none of the funds
14 made available under the head “Annual contributions for
15 assisted housing” in this Act or any prior Act shall be
16 expended if such expenditure would cause total fiscal year
17 1996 expenditures to exceed \$19,939,311,000: *Provided*
18 *further*, That the Secretary shall report to the Committees
19 on Appropriations every 90 days on the implementation
20 of the spending limitation in the preceding proviso: *Pro-*
21 *vided further*, That of the total amount provided under
22 this head, \$100,000,000 shall be for the development or
23 acquisition cost of public housing for Indian families, in-
24 cluding amounts for housing under the mutual help home-
25 ownership opportunity program under section 202 of the

1 Act (42 U.S.C. 1437bb): *Provided further*, That of the
2 total amount provided under this head, \$2,500,000,000
3 shall be for modernization of existing public housing
4 projects pursuant to section 14 of the Act (42 U.S.C.
5 1437l): *Provided further*, That during fiscal year 1996, the
6 Secretary may direct any public housing agency that re-
7 ceives any part of the foregoing amount, to use such
8 amount, or any other amount that has been made avail-
9 able in this or any other prior Act for public housing under
10 this head or for the HOPE VI/Urban Revitalization Dem-
11 onstration Program, and that has not been obligated by
12 the agency, to demolish, reconfigure, or reduce the density
13 of any public housing project owned by the agency: *Pro-*
14 *vided further*, That of the amounts earmarked under this
15 head for modernization of existing public housing projects,
16 \$15,000,000 shall be used for the Tenant Opportunity
17 Program: *Provided further*, That of the total amount pro-
18 vided under this head, \$862,125,000 shall be available for
19 non-incremental rental assistance under the section 8
20 housing voucher program under section 8(o) of the Act
21 (42 U.S.C. 1437f(o)): *Provided further*, That notwith-
22 standing any other provision of law, voucher assistance
23 provided under the preceding proviso may be used in con-
24 nection with legislation enacted after the effective date of
25 this Act that authorizes assistance for such purpose, as

1 determined by the Secretary: *Provided further*, That of the
2 total amount provided under this head, \$1,440,770,000
3 shall be for special needs housing: *Provided further*, That
4 the amount earmarked under the preceding proviso shall
5 be for capital advances, including amendments to capital
6 advance contracts, for housing for the elderly, as author-
7 ized by section 202 of the Housing Act of 1959, as amend-
8 ed, and for project rental assistance, and amendments to
9 contracts for project rental assistance, for supportive
10 housing for the elderly under section 202(c)(2) of the
11 Housing Act of 1959, as amended; capital advances, in-
12 cluding amendments to capital advance contracts, and
13 project rental assistance, including amendments to con-
14 tracts for project rental assistance, for supportive housing
15 for persons with disabilities, as authorized by section 811
16 of the Cranston-Gonzalez National Affordable Housing
17 Act; and housing opportunities for persons with AIDS
18 under title VIII, subtitle D of the Cranston-Gonzalez Na-
19 tional Affordable Housing Act: *Provided further*, That of
20 the funds earmarked in this appropriations Act for special
21 needs housing, the Secretary may waive any provision of
22 section 202 of the Housing Act of 1959 and section 811
23 of the National Affordable Housing Act (including the
24 provisions governing the terms and conditions of project
25 rental assistance) that the Secretary determines is not

1 necessary to achieve the objectives of these programs, or
2 that otherwise impedes the ability to develop, operate or
3 administer projects assisted under these programs, and
4 may make provision for alternative conditions or terms
5 where appropriate: *Provided further*, That the Secretary
6 may use up to \$200,000,000 from unobligated carryover
7 balances under this heading as of September 30, 1995,
8 for assistance for State or local units of government, ten-
9 ant and nonprofit organizations to purchase projects
10 where owners have indicated an intention to prepay mort-
11 gages and for assistance to be used as an incentive to pre-
12 vent prepayment or for vouchers to aid eligible tenants ad-
13 versely affected by mortgage prepayment, as authorized
14 under preservation legislation enacted subsequent to this
15 Act: *Provided further*, That of the total amount provided
16 under this head, \$10,000,000 shall be for the lead-based
17 paint hazard reduction program as authorized under sec-
18 tion 1053 of the Residential Lead-Based Paint Hazard
19 Reduction Act of 1992: *Provided further*, That of the total
20 amount provided under this head, \$17,300,000 shall be
21 available for fees for coordinators under section 23(h)(1)
22 for the Family Self-sufficiency Program (42 U.S.C.
23 1437u): *Provided further*, That of the total amount pro-
24 vided under this head, \$4,641,589,000 shall be for assist-
25 ance under the United States Housing Act of 1937 (42

1 U.S.C. 1437) for use in connection with expiring or termi-
2 nating section 8 subsidy contracts: *Provided further*, That
3 such amounts shall be merged with funds referenced in
4 section 204 of this title: *Provided further*, That the Sec-
5 retary of Housing and Urban Development may reserve
6 amounts available for the renewal of assistance under sec-
7 tion 8 of the United States Housing Act of 1937 and may
8 use such amounts, upon the termination or expiration of
9 a contract for assistance under section 8 of the United
10 States Housing Act of 1937 (other than a contract for
11 tenant-based assistance and notwithstanding section 8(v)
12 of such Act for loan management assistance), to provide
13 voucher assistance under section 8(o) of such Act in the
14 market area for a number of eligible families equal to the
15 number of units covered by the terminated or expired con-
16 tract, which assistance shall be in accordance with terms
17 and conditions prescribed by the Secretary: *Provided fur-*
18 *ther*, That notwithstanding any other provision of law, as-
19 sistance reserved under the preceding proviso may be used
20 in connection with any provision of Federal law enacted
21 after the enactment of this Act that authorizes the use
22 of rental assistance amounts in connection with such ter-
23 minated or expired contracts: *Provided further*, That of the
24 total amount provided under this head, \$610,575,000
25 shall be for amendments to section 8 contracts other than

1 contracts for projects developed under section 202 of the
2 Housing Act of 1959, as amended.

3 *For assistance under the United States Housing Act*
4 *of 1937, as amended (“the Act” herein) (42 U.S.C. 1437),*
5 *not otherwise provided for, \$5,594,358,000, to remain avail-*
6 *able until expended: Provided, That of the total amount*
7 *provided under this head, \$200,000,000 shall be for the de-*
8 *velopment or acquisition cost of public housing for Indian*
9 *families, including amounts for housing under the mutual*
10 *help homeownership opportunity program under section*
11 *202 of the Act (42 U.S.C. 1437bb): Provided further, That*
12 *of the total amount provided under this head,*
13 *\$2,510,000,000 shall be for modernization of existing public*
14 *housing projects pursuant to section 14 of the Act (42*
15 *U.S.C. 1437l), including up to \$30,000,000 for the inspec-*
16 *tion of public housing units, contract expertise, and train-*
17 *ing and technical assistance, directly or indirectly, under*
18 *grants, contracts, or cooperative agreements, to assist in the*
19 *oversight and management of public and Indian housing*
20 *(whether or not the housing is being modernized with assist-*
21 *ance under this proviso) or tenant-based assistance, includ-*
22 *ing, but not limited to, an annual resident survey, data*
23 *collection and analysis training and technical assistance by*
24 *or to officials and employees of the Department and of pub-*
25 *lic housing agencies and to residents in connection with the*

1 public and Indian housing program and support of a pub-
2 lic housing institution to provide such training, technical
3 assistance, and education, and training and technical as-
4 sistance to assist public housing agencies in avoiding des-
5 ignation as troubled agencies and in qualifying for removal
6 of such designation: Provided further, That of the total
7 amount provided under this head, \$240,000,000 shall be for
8 new incremental rental subsidy contracts under the section
9 8 existing housing certificate program and the housing
10 voucher program under section 8 of the Act, except that such
11 amounts shall be used only for units necessary to provide
12 housing assistance for residents to be relocated from existing
13 federally subsidized or assisted housing, for replacement
14 housing for units demolished or disposed of (including units
15 to be disposed of pursuant to a homeownership program
16 under section 5(h) or title III of the United States Housing
17 Act of 1937) from the public housing inventory, for funds
18 related to litigation settlements or court orders, for the con-
19 version of section 23 projects to assistance under section 8,
20 and for public housing agencies to implement allocation
21 plans approved by the Secretary for designated housing,
22 and for funds to carry out the family unification program:
23 Provided further, That of the total amount provided under
24 this head, \$500,000,000 shall be for amendments to section
25 8 contracts other than contracts for projects developed under

1 *section 202 of the Housing Act of 1959, as amended;*
2 *\$261,000,000 shall be for section 8 assistance and rehabili-*
3 *tation grants for property disposition; and \$624,000,000*
4 *shall be for assistance for State or local units of government*
5 *(including public housing authorities), tenant and non-*
6 *profit organizations to purchase projects where owners have*
7 *indicated an intention to prepay mortgages and for assist-*
8 *ance to be used as an incentive to prevent prepayment or*
9 *for vouchers (not to exceed \$74,000,000) to aid eligible ten-*
10 *ants adversely affected by mortgage prepayment, as author-*
11 *ized in the Emergency Low-Income Housing Preservation*
12 *Act of 1987, as amended: Provided further, That of the fore-*
13 *going amount, up to \$20,000,000 shall be available for pres-*
14 *ervation technical assistance grants pursuant to section 253*
15 *of the Housing and Community Development Act of 1987,*
16 *as amended, and that the Secretary may designate funding*
17 *to carry out plan of actions approved prior to October 1,*
18 *1995, to permit purchases of projects by non-profit organi-*
19 *zations or tenant organizations, which are awaiting fund-*
20 *ing, and which, to the Secretary's satisfaction, will be un-*
21 *able to be closed without immediate obligation of funding*
22 *heretofore applied for and approved: Provided further, That*
23 *with respect to the \$624,000,000 appropriated in the pre-*
24 *ceding proviso, if the Secretary determines that the demand*
25 *for funding may exceed amounts available for such funding,*

1 *the Secretary (1) may determine priorities for distributing*
2 *available funds, including the discretion to give priority*
3 *funding to tenants displaced due to mortgage prepayment*
4 *and to projects that have not yet been funded but to which*
5 *funding has been committed; and (2) may impose a tem-*
6 *porary moratorium on applications by potential recipients*
7 *of such funding: Provided further, That during fiscal year*
8 *1996, the Secretary of Housing and Urban Development*
9 *may manage and dispose of multifamily properties owned*
10 *by the Secretary and multifamily mortgages held by the*
11 *Secretary as of October 1, 1995 without regard to any other*
12 *proviso of law: Provided further, That 50 per centum of*
13 *the amounts of budget authority, or in lieu thereof 50 per*
14 *centum of the cash amounts associated with such budget au-*
15 *thority, that are recaptured from projects described in sec-*
16 *tion 1012(a) of the Stewart B. McKinney Homeless Assist-*
17 *ance Amendments Act of 1988 (Public Law 100-628, 102*
18 *Stat. 3224, 3268) shall be rescinded, or in the case of cash,*
19 *shall be remitted to the Treasury, and such amounts of*
20 *budget authority or cash recaptured and not rescinded or*
21 *remitted to the Treasury shall be used by State housing fi-*
22 *nance agencies or local governments or local housing agen-*
23 *cies with projects approved by the Secretary of Housing and*
24 *Urban Development for which settlement occurred after*
25 *January 1, 1992, in accordance with such section: Provided*

1 further, That of the total amount provided under this head,
2 \$171,000,000 shall be for housing opportunities for persons
3 with AIDS under title VIII, subtitle D of the Cranston-Gon-
4 zalez National Affordable Housing Act; and \$75,000,000
5 shall be for the lead-based paint hazard reduction program
6 as authorized under sections 1011 and 1053 of the Residen-
7 tial Lead-Based Hazard Reduction Act of 1992.

8 Of the total amount provided under this head,
9 \$780,190,000 shall be for capital advances, including
10 amendments to capital advance contracts, for housing for
11 the elderly, as authorized by section 202 of the Housing Act
12 of 1959, as amended, and for project rental assistance, and
13 amendments to contracts for project rental assistance, for
14 supportive housing for the elderly under section 202(c)(2)
15 of the Housing Act of 1959; and \$233,168,000 shall be for
16 capital advances, including amendments to capital advance
17 contracts, for supportive housing for persons with disabil-
18 ities, as authorized by section 811 of the Cranston-Gonzalez
19 National Affordable Housing Act; and for project rental as-
20 sistance, and amendments to contracts for project rental as-
21 sistance, for supportive housing for persons with disabilities
22 as authorized by section 811 of the Cranston-Gonzalez Na-
23 tional Affordable Housing Act: Provided, That the Sec-
24 retary may waive any provision of section 202 of the Hous-
25 ing Act of 1959 and section 811 of the National Affordable

1 *Housing Act (including the provisions governing the terms*
2 *and conditions of project rental assistance) that the Sec-*
3 *retary determines is not necessary to achieve the objectives*
4 *of these programs, or that otherwise impedes the ability to*
5 *develop, operate or administer projects assisted under these*
6 *programs, and may make provision for alternative condi-*
7 *tions or terms where appropriate.*

8 *PUBLIC HOUSING DEMOLITION, SITE REVITALIZATION, AND*
9 *REPLACEMENT HOUSING GRANTS*

10 *For grants to public housing agencies for the purpose*
11 *of enabling the demolition of obsolete public housing projects*
12 *or portions thereof, the revitalization (where appropriate)*
13 *of sites (including remaining public housing units) on*
14 *which such projects are located, replacement housing which*
15 *will avoid or lessen concentrations of very low-income fami-*
16 *lies, and tenant-based assistance in accordance with section*
17 *8 of the United States Housing Act of 1937 for the purpose*
18 *of providing replacement housing and assisting tenants to*
19 *be displaced by the demolition, \$500,000,000, to remain*
20 *available until expended: Provided, That the Secretary shall*
21 *award such funds to public housing agencies by a competi-*
22 *tion which includes among other relevant criteria the local*
23 *and national impact of the proposed demolition and revi-*
24 *talization activities and the extent to which the public hous-*
25 *ing agency could undertake such activities without the addi-*
26 *tional assistance to be provided hereunder: Provided fur-*

1 *ther, That eligible expenditures hereunder shall be those ex-*
2 *penditures eligible under section 8 and section 14 of the*
3 *United States Housing Act of 1937 (42 U.S.C. 1437f and*
4 *l): Provided further, That the Secretary may impose such*
5 *conditions and requirements as the Secretary deems appro-*
6 *priate to effectuate the purpose of this paragraph: Provided*
7 *further, That the Secretary may require an agency selected*
8 *to receive funding to make arrangements satisfactory to the*
9 *Secretary for use of an entity other than the agency to carry*
10 *out this program where the Secretary determined that such*
11 *action will help to effectuate the purpose of this paragraph:*
12 *Provided further, That in the event an agency selected to*
13 *receive funding does not proceed expeditiously as deter-*
14 *mined by the Secretary, the Secretary shall withdraw any*
15 *unobligated balances of funding made available pursuant*
16 *to this paragraph and distribute such funds to one or more*
17 *other eligible agencies: Provided further, That of the fore-*
18 *going \$500,000,000, the Secretary may use up to .67 per*
19 *centum for technical assistance, to be provided directly or*
20 *indirectly by grants, contracts or cooperative agreements,*
21 *including training and cost of necessary travel for partici-*
22 *pants in such training, by or to officials and employees of*
23 *the Department and of public housing agencies and resi-*
24 *dents: Provided further, That any replacement housing pro-*
25 *vided with assistance under this head shall be subject to*

1 *section 18(f) of the United States Housing Act of 1937, as*
2 *amended by section 201(b)(2) of this Act.*

3 *ASSISTANCE FOR THE RENEWAL OF EXPIRING SECTION 8*

4 *SUBSIDY CONTRACTS*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For assistance under the United States Housing Act*
7 *of 1937 (42 U.S.C. 1437) not otherwise provided for, for*
8 *use in connection with expiring section 8 subsidy contracts,*
9 *\$4,350,862,000, to remain available until expended: Pro-*
10 *vided, That to the extent the amount in this appropriation*
11 *is insufficient to fund all expiring section 8 contracts, the*
12 *Secretary may transfer to and merge with this appropria-*
13 *tion such amounts from the "Annual contributions for as-*
14 *sisted housing" appropriation as the Secretary shall deter-*
15 *mine, and amounts earmarked in the foregoing account*
16 *may be reduced accordingly, at the Secretary's discretion:*
17 *Provided further, That the Secretary may maintain consoli-*
18 *dated accounting data for funds disbursed at the public*
19 *housing agency or Indian housing authority or project level*
20 *for subsidy assistance regardless of the source of the dis-*
21 *bursement so as to minimize the administrative burden of*
22 *multiple accounts: Provided further, That the Secretary*
23 *may determine not to apply section 8(o)(6)(B) of the Act*
24 *to renewals of housing vouchers during fiscal year 1996.*

1 FLEXIBLE SUBSIDY FUND
2 (INCLUDING TRANSFER OF FUNDS)

3 From the fund established by section 236(g) of the
4 National Housing Act, as amended, all uncommitted bal-
5 ances of excess rental charges as of September 30, 1995,
6 and any collections during fiscal year 1996 shall be trans-
7 ferred, as authorized under such section, to the fund au-
8 thorized under section 201 (j) of the Housing and Com-
9 munity Development Amendments of 1978, as amended.

10 RENTAL HOUSING ASSISTANCE
11 (RESCISSION)

12 The limitation otherwise applicable to the maximum
13 payments that may be required in any fiscal year by all
14 contracts entered into under section 236 of the National
15 Housing Act (12 U.S.C. 1715z-1) is reduced in fiscal year
16 1996 by not more than \$2,000,000 in uncommitted bal-
17 ances of authorizations provided for this purpose in appro-
18 priations Acts: *Provided*, That up to \$163,000,000 of re-
19 captured section 236 budget authority resulting from the
20 prepayment of mortgages subsidized under section 236 of
21 the National Housing Act (12 U.S.C. 1715z-1) shall be
22 rescinded in fiscal year 1996.

23 PAYMENTS FOR OPERATION OF LOW-INCOME HOUSING
24 PROJECTS

25 For payments to public housing agencies and Indian
26 housing authorities for operating subsidies for low-income

1 housing projects as authorized by section 9 of the United
2 States Housing Act of 1937, as amended (42 U.S.C.
3 1437g), ~~\$2,500,000,000~~ \$2,800,000,000.

4 *DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING*

5 *For grants to public and Indian housing agencies for*
6 *use in eliminating crime in public housing projects author-*
7 *ized by 42 U.S.C. 11901–11908, and for drug information*
8 *clearinghouse services authorized by 42 U.S.C. 11921–*
9 *11925, \$290,000,000, to remain available until expended,*
10 *of which \$10,000,000 shall be for grants, technical assist-*
11 *ance, contracts and other assistance training, program as-*
12 *essment, and execution for or on behalf of public housing*
13 *agencies and resident organizations (including the cost of*
14 *necessary travel for participants in such training): Pro-*
15 *vided, That after setting aside amounts in 42 U.S.C.*
16 *11909(b) for grants for federally assisted low-income hous-*
17 *ing, the Secretary, notwithstanding 42 U.S.C. 11904, may*
18 *provide grants through a formula taking into account the*
19 *needs of public housing agencies for anti-crime funding,*
20 *and the amount of funding public housing agencies have*
21 *received under this heading during fiscal years 1993, 1994,*
22 *and 1995, but which does not exclude an eligible agency*
23 *that has not received funding during that period: Provided*
24 *further, That the term “drug-related crime”, as defined in*
25 *42 U.S.C. 11905(2), shall also include other types of crime*
26 *as determined by the Secretary.*

1 HOME INVESTMENT PARTNERSHIPS PROGRAM

2 For the HOME investment partnerships program, as
3 authorized under title II of the Cranston-Gonzalez Na-
4 tional Affordable Housing Act (Public Law 101-625), as
5 amended, \$1,400,000,000, to remain available until ex-
6 pended.

7 HOUSING COUNSELING ASSISTANCE

8 ~~For contracts, grants, and other assistance, other~~
9 ~~than loans, not otherwise provided for, for providing coun-~~
10 ~~seling and advice to tenants and homeowners—both cur-~~
11 ~~rent and prospective—with respect to property mainte-~~
12 ~~nance, financial management, and such other matters as~~
13 ~~may be appropriate to assist them in improving their hous-~~
14 ~~ing conditions and meeting the responsibilities of tenancy~~
15 ~~or homeownership, including provisions for training and~~
16 ~~for support of voluntary agencies and services as author-~~
17 ~~ized by section 106 of the Housing and Urban Develop-~~
18 ~~ment Act of 1968, as amended, \$12,000,000, notwith-~~
19 ~~standing section 106(c)(9) and section 106(d)(13), of such~~
20 ~~Act.~~

21 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

22 ACCOUNT

23 For the cost of guaranteed loans, \$3,000,000, as au-
24 thorized by section 184 of the Housing and Community
25 Development Act of 1992 (106 Stat. 3739): *Provided,*
26 That such costs, including the costs of modifying such

1 loans, shall be as defined in section 502 of the Congres-
2 sional Budget Act of 1974, as amended: *Provided further,*
3 That these funds are available to subsidize total loan prin-
4 cipal, any part of which is to be guaranteed, not to exceed
5 \$36,900,000.

6 HOMELESS ASSISTANCE

7 HOMELESS ASSISTANCE GRANTS

8 For *grants awarded or allocated by the Secretary of*
9 *Housing and Urban Development, through a competition*
10 *or by formula, for the purpose of providing housing and*
11 *services for homeless individuals and families to be deliv-*
12 *ered by entities eligible to receive assistance under, and to*
13 *fund eligible activities described in, the emergency shelter*
14 *grants program (as authorized under subtitle B of title*
15 *IV of the Stewart B. McKinney Homeless Assistance Act*
16 *(Public Law 100–77), as amended); the supportive hous-*
17 *ing program (as authorized under subtitle C of title IV*
18 *of such Act); the section 8 moderate rehabilitation single*
19 *room occupancy program (as authorized under the United*
20 *States Housing Act of 1937, as amended) to assist home-*
21 *less individuals pursuant to section 441 of the Stewart B.*
22 *McKinney Homeless Assistance Act; and the shelter plus*
23 *care program (as authorized under subtitle F of title IV*
24 *of such Act); and the innovative homeless initiatives dem-*
25 *onstration program (as described in sections 2(a)–2(f) of*

1 the HUD Demonstration Act of 1993 (~~Public Law 103-~~
2 ~~120~~)), ~~\$676,000,000~~ \$760,000,000, to remain available
3 until expended. *To the extent the Secretary determines to*
4 *use a formula under this heading, the Secretary shall use*
5 *the existing formula as provided under the Emergency Shel-*
6 *ter Grants program under section 413 of the Stewart B.*
7 *McKinney Homeless Assistance Act and promulgate any*
8 *rules under the rulemaking procedures under section 553*
9 *of title 5, United States Code. The Secretary shall report,*
10 *within one year of the date of enactment, on ways to merge*
11 *the homeless assistance programs under the Stewart B.*
12 *McKinney Homeless Assistance Act with the HOME pro-*
13 *gram under title II of the Cranston-Gonzalez National Af-*
14 *fordable Housing Act.*

15 COMMUNITY PLANNING AND DEVELOPMENT

16 COMMUNITY DEVELOPMENT GRANTS

17 (INCLUDING TRANSFER OF FUNDS)

18 For grants to States and units of general local gov-
19 ernment and for related expenses, not otherwise provided
20 for, necessary for carrying out a community development
21 grants program as authorized by title I of the Housing
22 and Community Development Act of 1974, as amended
23 (42 U.S.C. 5301), \$4,600,000,000, to remain available
24 until September 30, 1998: *Provided, That* ~~\$46,000,000~~
25 ~~\$60,000,000~~ shall be available for grants to Indian tribes
26 pursuant to section 106(a)(1) of the Housing and Commu-

1 nity Development Act of 1974, as amended (42 U.S.C.
2 5301), \$2,000,000 shall be available as a grant to the Hous-
3 ing Assistance Council, \$1,000,000 shall be available as a
4 grant to the National American Indian Housing Council,
5 and ~~\$19,500,000~~ \$27,000,000 shall be available for “spe-
6 cial purpose grants” pursuant to section 107 of such Act:
7 *Provided further, That not to exceed 20 per centum of any*
8 *grant made with funds appropriated herein (other than*
9 *a grant using funds under section 107(b)(3) of such Act*
10 *shall be expended for “Planning and Management Devel-*
11 *opment” and “Administration” as defined in regulations*
12 *promulgated by the Department of Housing and Urban*
13 *Development: Provided further, That section 105(a)(25) of*
14 *such Act, as added by section 907(b)(1) of the Cranston-*
15 *Gonzalez National Affordable Housing Act, shall continue*
16 *to be effective after September 30, 1995, notwithstanding*
17 *section 907(b)(2) of such Act.*

18 *Of the amount provided under this heading, the Sec-*
19 *retary of Housing and Urban Development may use up to*
20 *\$80,000,000 for grants to public and Indian housing agen-*
21 *cies for a supportive services program to assist residents*
22 *of public and assisted housing and former residents of such*
23 *housing receiving tenant-based assistance under section 8*
24 *of such Act (42 U.S.C. 1437f) become self-sufficient: Pro-*
25 *vided, That the program shall provide supportive services*

1 to the elderly and the disabled and to families with children
2 where the head of household would benefit from the receipt
3 of supportive services and is working, seeking work, or is
4 preparing for work by participating in job training or edu-
5 cational programs: Provided, That the supportive services
6 shall include coordinated educational, training, and other
7 supportive services, including academic skills training, job
8 search assistance, assistance related to retaining employ-
9 ment, vocational and entrepreneurship development and
10 support programs, transportation, and child care: Provided
11 further, That the Secretary shall require applicants to dem-
12 onstrate firm commitments of funding or services from other
13 sources: Provided further, That the Secretary shall select
14 public and Indian housing agencies to receive assistance
15 under this head on a competitive basis, taking into account
16 the quality of the proposed program (including any innova-
17 tive approaches), the extent of the proposed coordination of
18 supportive services, the extent of commitments of funding
19 or services from other sources, the extent to which the pro-
20 posed program includes reasonably achievable, quantifiable
21 goals for measuring performance under the program over
22 a three-year program, the extent of success an agency has
23 had in carrying out other comparable initiatives, and other
24 appropriate criteria established by the Secretary: Provided
25 further, That of the amount made available under this

1 paragraph, \$12,000,000 shall be available for contracts,
2 grants, and other assistance, other than loans, not otherwise
3 provided for, for providing counseling and advice to tenants
4 and homeowners both current and prospective, with respect
5 to property maintenance, financial management, and such
6 other matters as may be appropriate to assist them in im-
7 proving their housing conditions and meeting the respon-
8 sibilities of tenancy or homeownership, including provisions
9 for training and for support of voluntary agencies and serv-
10 ices as authorized by section 106 of the Housing and Urban
11 Development Act of 1968, as amended, notwithstanding sec-
12 tion 106(c)(9) and section 106(d)(13) of such Act. Of the
13 amount provided under this heading, notwithstanding any
14 other provision of law, \$40,000,000 shall be available for
15 youthbuild program activities authorized by subtitle D of
16 title IV of the Cranston-Gonzalez National Affordable Hous-
17 ing Act, as amended, and shall be an eligible activity with
18 respect to any funds made available under this heading.
19 Of the amount provided under this heading, notwithstand-
20 ing any other provision of law, \$80,000,000 shall be avail-
21 able for Economic Development Initiative grants as author-
22 ized by section 232 of the Multifamily Housing Property
23 Disposition Reform Act of 1994, Public Law 103-233, on
24 a competitive basis as required by section 102 of the HUD
25 Reform Act.

1 For the cost of guaranteed loans, ~~\$10,500,000~~
2 ~~\$15,750,000~~, as authorized by section 108 of the Housing
3 and Community Development Act of 1974: *Provided*, That
4 such costs, including the cost of modifying such loans,
5 shall be as defined in section 502 of the Congressional
6 Budget Act of 1974, as amended: *Provided further*, That
7 these funds are available to subsidize total loan principal,
8 any part of which is to be guaranteed, not to exceed
9 ~~\$1,000,000,000~~ ~~\$1,500,000,000~~. In addition, for adminis-
10 trative expenses to carry out the guaranteed loan program,
11 ~~\$225,000~~ ~~\$675,000~~ which shall be transferred to and
12 merged with the appropriation for departmental salaries
13 and expenses.

14 POLICY DEVELOPMENT AND RESEARCH

15 RESEARCH AND TECHNOLOGY

16 For contracts, grants, and necessary expenses of pro-
17 grams of research and studies relating to housing and
18 urban problems, not otherwise provided for, as authorized
19 by title V of the Housing and Urban Development Act
20 of 1970, as amended (12 U.S.C. 1701z-1 et seq.), includ-
21 ing carrying out the functions of the Secretary under sec-
22 tion 1(a)(1)(i) of Reorganization Plan No. 2 of 1968,
23 \$34,000,000, to remain available until September 30,
24 1997.

1 FAIR HOUSING AND EQUAL OPPORTUNITY

2 FAIR HOUSING ACTIVITIES

3 For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil
4 Rights Act of 1968, as amended by the Fair Housing
5 Amendments Act of 1988, ~~\$30,000,000~~, to remain available until September 30, 1997.

8 MANAGEMENT AND ADMINISTRATION

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFERS OF FUNDS)

11 For necessary administrative and nonadministrative
12 expenses of the Department of Housing and Urban Development, not otherwise provided for, including not to exceed \$7,000 for official reception and representation expenses, ~~\$951,988,000~~ *\$980,777,000*, of which
16 ~~\$505,745,000~~ *\$532,782,000* shall be provided from the
17 various funds of the Federal Housing Administration, and
18 ~~\$8,824,000~~ *\$9,101,000* shall be provided from funds of the
19 Government National Mortgage Association, and
20 ~~\$225,000~~ *\$675,000* shall be provided from the Community
21 Development Grants Program account.

22 OFFICE OF INSPECTOR GENERAL

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses of the Office of Inspector
25 General in carrying out the provisions of the Inspector
26 General Act of 1978, as amended, ~~\$47,388,000~~

1 \$48,251,000, of which ~~\$10,961,000~~ *\$11,283,000* shall be
 2 transferred from the various funds of the Federal Housing
 3 Administration.

4 OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT
 5 SALARIES AND EXPENSES
 6 (INCLUDING TRANSFER OF FUNDS)

7 For carrying out the Federal Housing Enterprise Fi-
 8 nancial Safety and Soundness Act of 1992, ~~\$14,895,000,~~
 9 to remain available until expended, from the Federal
 10 Housing Enterprise Oversight Fund: *Provided, That such*
 11 amounts shall be collected by the Director as authorized
 12 by section 1316 (a) and (b) of such Act, and deposited
 13 in the Fund under section 1316(f) of such Act.

14 FEDERAL HOUSING ADMINISTRATION
 15 FHA—MUTUAL MORTGAGE INSURANCE PROGRAM
 16 ACCOUNT
 17 (INCLUDING TRANSFERS OF FUNDS)

18 During fiscal year 1996, commitments to guarantee
 19 loans to carry out the purposes of section 203(b) of the
 20 National Housing Act, as amended, shall not exceed a loan
 21 principal of \$110,000,000,000: *Provided, That during fis-*
 22 *cal year 1996, the Secretary shall sell assigned mortgage*
 23 *notes having an unpaid principal balance of up to*
 24 *\$4,000,000,000, which notes were orginally insured under*
 25 *section 203(b) of the National Housing Act: Provided fur-*
 26 *ther, That an amount equal to any negative subsidies re-*

1 *sulting from the sale of such assigned mortgage notes during*
2 *fiscal year 1996 may be added to and merged with funds*
3 *otherwise provided relating to the disposition of properties*
4 *or notes under this heading, as may be allocated by the Sec-*
5 *retary of Housing and Urban Development.*

6 During fiscal year 1996, obligations to make direct
7 loans to carry out the purposes of section 204(g) of the
8 National Housing Act, as amended, shall not exceed
9 \$200,000,000: *Provided*, That the foregoing amount shall
10 be for loans to nonprofit and governmental entities in con-
11 nection with sales of single family real properties owned
12 by the Secretary and formerly insured under section 203
13 of such Act.

14 For administrative expenses necessary to carry out
15 the guaranteed and direct loan program, ~~\$308,846,000~~
16 *\$341,595,000*, to be derived from the FHA-mutual mort-
17 gage insurance guaranteed loans receipt account, of which
18 not to exceed ~~\$308,290,000~~ *\$334,483,000* shall be trans-
19 ferred to the appropriation for departmental salaries and
20 expenses; and of which not to exceed ~~\$6,790,000~~
21 *\$7,112,000* shall be transferred to the appropriation for
22 the Office of Inspector General.

1 FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT
2 (INCLUDING TRANSFERS OF FUNDS)

3 ~~Total~~ *For the cost of guaranteed loans, as authorized*
4 *by sections 238 and 519 of the National Housing Act (12*
5 *U.S.C. 1715z-3 and 1735c), including the cost of modifying*
6 *such loans, \$100,000,000, to remain available until ex-*
7 *pended: Provided, That such costs shall be as defined in*
8 *section 502 of the Congressional Budget Act of 1974: Pro-*
9 *vided further, That these funds are available to subsidize*
10 *total loan principal any part of which is to be guaranteed*
11 ~~shall not~~ *of not to exceed \$15,000,000,000*
12 *\$17,400,000,000: ~~Provided,~~ Provided further, That during*
13 *fiscal year 1996, the Secretary shall sell assigned notes hav-*
14 *ing an unpaid principal balance of up to \$4,000,000,000,*
15 *which notes were originally obligations of the funds estab-*
16 *lished under sections 238 and 519 of the National Housing*
17 *Act: Provided further, That an amount equal to any nega-*
18 *tive subsidies resulting from the sale of such assigned notes*
19 *during fiscal year 1996 may be added to and merged with*
20 *funds otherwise provided relating to the disposition of prop-*
21 *erties or notes under this heading, including the credit sub-*
22 *sidies associated with the sale of such properties or notes*
23 *with loan guarantees and amounts otherwise available for*
24 *credit subsidies under this heading, as may be allocated by*
25 *the Secretary of Housing and Urban Development: Pro-*

1 *vided further*, That any amounts made available in any
2 prior appropriation Act for the cost (as such term is de-
3 fined in section 502 of the Congressional Budget Act of
4 1974) of guaranteed loans that are obligations of the
5 funds established under section 238 or 519 of the National
6 Housing Act that have not been ~~made available for obliga-~~
7 ~~tion obligated~~ or that are deobligated shall be available to
8 the Secretary of Housing and Urban Development in con-
9 nection with the making of such guarantees and shall re-
10 main available until expended, notwithstanding the expira-
11 tion of any period of availability otherwise applicable to
12 such amounts: ~~*Provided further*, That any amounts of~~
13 ~~negative subsidy resulting in fiscal year 1996 from the~~
14 ~~sales of assigned mortgage notes or insurance actions that~~
15 ~~exceed the amounts of negative subsidy determined to be~~
16 ~~generated during such fiscal year, based on the assump-~~
17 ~~tions specified in the President's Budget for such fiscal~~
18 ~~year, shall be available to the Secretary for the costs of~~
19 ~~any note sales or insurance actions, without regard to~~
20 ~~whether the source of the negative subsidy amount is a~~
21 ~~note sale or insurance action, and the last proviso of this~~
22 ~~paragraph shall not apply to such amounts so used in con-~~
23 ~~nection with insurance actions: *Provided further*, That dur-~~
24 ~~ing fiscal year 1996, the Secretary shall sell assigned~~
25 ~~mortgage notes having an unpaid principal balance of up~~

1 to \$2,600,000,000, which notes were originally obligations
2 of the funds established under sections 238 and 519 of
3 the National Housing Act: *Provided further*, That of the
4 amount appropriated herein, an amount equal to the lesser
5 of \$52,000,000 or the excess of net proceeds above the
6 value of holding the loans to maturity, such value estab-
7 lished using assumptions specified in the President's fiscal
8 year 1996 Budget adjusted for interest rates at the time
9 of the sale, shall become available only after such sale has
10 been completed.

11 In addition, for the cost of guarantees for loans, as
12 authorized by sections 238 and 519 of the National Hous-
13 ing Act (12 U.S.C. 1715z-3 and 1735c), \$69,620,000,
14 *Provided*, That such costs, including the cost of modifying
15 such loans, shall be as defined in section 502 of the Con-
16 gressional Budget Act of 1974.

17 Gross obligations for the principal amount of direct
18 loans, as authorized by sections 204(g), 207(l), 238(a),
19 and 519(a) of the National Housing Act, shall not exceed
20 \$120,000,000; of which not to exceed \$100,000,000 shall
21 be for bridge financing in connection with the sale of mul-
22 tifamily real properties owned by the Secretary and for-
23 merly insured under such Act; and of which not to exceed
24 \$20,000,000 shall be for loans to nonprofit and govern-
25 mental entities in connection with the sale of single-family

1 real properties owned by the Secretary and formerly in-
 2 sured under such Act.

3 In addition, for administrative expenses necessary to
 4 carry out the guaranteed and direct loan programs,
 5 ~~\$197,470,000~~ *\$202,470,000*, of which ~~\$197,455,000~~
 6 *\$198,299,000* shall be transferred to the appropriation for
 7 departmental salaries and expenses; and of which
 8 \$4,171,000 shall be transferred to the appropriation for
 9 the Office of Inspector General.

10 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
 11 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
 12 GUARANTEE PROGRAM ACCOUNT
 13 (INCLUDES TRANSFER OF FUNDS)

14 During fiscal year 1996, new commitments to issue
 15 guarantees to carry out the purposes of section 306 of the
 16 National Housing Act, as amended (12 U.S.C. 1721(g)),
 17 shall not exceed \$110,000,000,000.

18 For administrative expenses necessary to carry out
 19 the guaranteed mortgage-backed securities program,
 20 ~~\$8,824,000~~ *\$9,101,000*, to be derived from the GNMA—
 21 guarantees of mortgage-backed securities guaranteed loan
 22 receipt account, of which not to exceed ~~\$8,824,000~~
 23 *\$9,101,000* shall be transferred to the appropriation for
 24 departmental salaries and expenses.

1 ADMINISTRATIVE PROVISIONS

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 201. PUBLIC HOUSING. (a) CEILING RENTS.—

4 Notwithstanding section 3(a) of the United States Housing Act of 1937, as amended, public housing agencies shall
5 provide that the amount of rent paid by a family occupying a dwelling unit in public housing during fiscal year
6 1996 does not exceed the maximum monthly rental amount, which shall be established for the dwelling unit
7 by the public housing agency that owns or administers the
8 unit and may not exceed an amount determined by the
9 agency based upon—

13 (1) the average, for dwelling units of similar
14 size in public housing developments owned and operated by such agency, of any monthly amount of debt
15 service and operating expenses attributable to such
16 units;

18 (2) the reasonable rental value of the unit; or

19 (3) the local market rent for comparable units
20 of similar size.

21 (b) DEMOLITION AND DISPOSITION.—

22 (1) INAPPLICABILITY OF REPLACEMENT
23 RULE.—With respect to any application under section 18 of the United States Housing Act of 1937,
24 as amended, for the demolition or disposition of public housing, including an application submitted under
25 public housing, including an application submitted under
26

1 paragraph (3), that is approved during fiscal year
2 1996, the provisions of subsection (b)(3) of such sec-
3 tion shall not apply with respect to—

4 (A) the approval of such application; or

5 (B) the demolition or disposition of any
6 public housing pursuant to such application.

7 (2) CONFORMING PROVISION.—The requirement
8 under section 18(d) of such Act that a public hous-
9 ing agency satisfy the conditions specified in section
10 18(b)(3) of such Act as a condition of taking action
11 to demolish or dispose of public housing shall not
12 apply with respect to any application under such sec-
13 tion 18 approved during such fiscal year.

14 (3) AUTHORITY TO RESUBMIT APPLICATIONS.—
15 Any public housing agency that, before fiscal year
16 1996, submitted to the Secretary an application
17 under section 18 of such Act for demolition or dis-
18 position of public housing may (regardless of wheth-
19 er such application has been approved) at any time
20 during fiscal year 1996 submit an application sub-
21 ject to the provisions of this subsection that covers
22 some or all of the property covered by such previous
23 application and, to the extent the same property is
24 covered by both applications, the Secretary shall

1 treat the latter application as replacing the previous
2 application.

3 ~~(c) APPLICABILITY.~~—In accordance with section
4 201(b)(2) of the United States Housing Act of 1937, as
5 amended, the provisions of this section shall apply to pub-
6 lic housing developed or operated pursuant to a contract
7 between the Secretary of Housing and Urban Develop-
8 ment and an Indian housing authority.

9 ~~SEC. 202. RENTAL ASSISTANCE UNDER SECTION 8~~
10 ~~OF UNITED STATES HOUSING ACT OF 1937. (a) IN-~~
11 ~~CREASE OF FAMILY RENTAL PAYMENT.~~—Notwithstand-
12 ing sections 3(a) and 8(o)(2) of the United States Housing
13 Act of 1937, as amended, effective for fiscal year 1996—

14 (1) public housing agencies shall increase to 32
15 percent the percentage of the family's monthly ad-
16 justed income used in determining—

17 (A) the amount of monthly rent required
18 to be paid by each family who is assisted under
19 the certificate or moderate rehabilitation pro-
20 gram under section 8 of such Act; and

21 (B) the amount of the monthly assistance
22 payment for each family who is assisted under
23 the voucher program under section 8 of such
24 Act; and

1 (2) owners of housing assisted under other pro-
2 grams for rental assistance under section 8 of such
3 Act shall increase to 32 percent the percentage of a
4 family's adjusted monthly income used in determin-
5 ing the rent required to be paid by each family as-
6 sisted under any such program.

7 (b) ~~MINIMUM RENTS.~~—Notwithstanding subsection
8 (a) of this section or sections 3(a) and 8(o)(2) of the Unit-
9 ed States Housing Act of 1937, as amended, effective for
10 fiscal year 1996 and no later than October 30, 1995—

11 (1) public housing agencies shall require each
12 family who is assisted under the certificate or mod-
13 erate rehabilitation program under section 8 of such
14 Act to pay for monthly rent an amount that is not
15 less than the sum of \$50 for the unit;

16 (2) public housing agencies shall reduce the
17 monthly assistance payment on behalf of each family
18 who is assisted under the voucher program under
19 section 8 of such Act so that the family pays for
20 monthly rent an amount that is not less than the
21 sum of \$50 for the unit; and

22 (3) owners of housing assisted under other pro-
23 grams for rental assistance under section 8 of such
24 Act shall require each family who is assisted under

1 such program to pay for monthly rent an amount
2 that is not less than the sum of \$50 for the unit.

3 (c) FAIR MARKET RENTALS.—The Secretary shall
4 establish fair market rentals for purposes of section
5 8(c)(1) of the United States Housing Act of 1937, as
6 amended, that shall be effective for fiscal year 1996 and
7 shall be based on the 40th percentile rent of rental dis-
8 tributions of standard quality rental housing units. In es-
9 tablishing such fair market rentals, the Secretary shall
10 consider only the rents for dwelling units occupied by re-
11 cent movers and may not consider the rents for public
12 housing dwelling units or newly constructed rental dwell-
13 ing units.

14 (d) ANNUAL ADJUSTMENTS.—Section 8(c)(2)(A) of
15 the United States Housing Act of 1937, as amended (42
16 U.S.C. q437f(c)(2)(A)) is further amended—

17 (1) in the third sentence by inserting “and fis-
18 cal year 1996” after “1995”; and

19 (2) in the last sentence by inserting “and fiscal
20 year 1996” after “1995”.

21 (e) ADMINISTRATIVE FEES.—Notwithstanding the
22 second sentence of section 8(q)(1) of the United States
23 Housing Act of 1937, as amended, for fiscal year 1996,
24 the portions of the fees for costs incurred by public hous-
25 ing agencies in administering the certificate, voucher, and

1 moderate rehabilitation programs under section 8 shall not
2 exceed 7.0 percent of the fair market rental established
3 for a 2-bedroom existing rental dwelling unit in the market
4 area of the public housing agency.

5 (f) DELAY OF ISSUANCE AND REISSUANCE OF
6 VOUCHERS AND CERTIFICATES.—Notwithstanding any
7 other provision of law, a public housing agency administer-
8 ing certificate or voucher assistance provided under sub-
9 section (b) or (c) of section 8 of the United States Hous-
10 ing Act of 1937, as amended, shall delay—

11 (1) until October 1, 1996, the initial issuance
12 of any such tenant-based assistance representing in-
13 cremental assistance allocated in fiscal year 1996;
14 and

15 (2) for 6 months, the use of any amounts of
16 such assistance (or the certificate or voucher rep-
17 resenting assistance amounts) made available by the
18 termination during fiscal year 1996 of such assist-
19 ance on behalf of any family for any reason, but not
20 later than October 1, 1996.

21 SEC. 203. PREFERENCES FOR HOUSING ASSIST-
22 ANCE. (a) PUBLIC HOUSING.—

23 (1) IN GENERAL.—During fiscal year 1996,
24 dwelling units in public housing that are available
25 for occupancy shall be made available—

1 (A) without regard to the requirements re-
2 garding preferences set forth in section
3 6(c)(4)(A) of the United States Housing Act of
4 1937, as amended; and

5 (B) subject to a system of preferences that
6 the public housing agency for the public hous-
7 ing may establish, which shall be based upon
8 local housing needs and priorities, as deter-
9 mined by the agency.

10 (2) APPLICABILITY.—Paragraph (1)(B) shall
11 not apply to projects or portions of projects des-
12 ignated for occupancy pursuant to section 7(a) of
13 the United States Housing Act of 1937, as amend-
14 ed, for which the Secretary has determined that ap-
15 plication of such paragraph would result in excessive
16 delays in meeting the housing need of such families.
17 In accordance with section 201(b)(2) of the United
18 States Housing Act of 1937, as amended, the provi-
19 sions of this subsection shall apply to public housing
20 developed or operated pursuant to a contract be-
21 tween the Secretary of Housing and Urban Develop-
22 ment and an Indian housing authority.

23 (b) SECTION 8 ASSISTANCE.—During fiscal year
24 1996, the selection of families for assistance under section

1 8 of the United States Housing Act of 1937, as amend-
2 ed—

3 (1) shall not be subject to the requirements re-
4 garding preferences set forth in sections 8(d)(1)(A)
5 and 8(o)(3)(B) of the United States Housing Act of
6 1937, as amended; and

7 (2) shall be subject to a system of preferences
8 that may be established by the public housing agen-
9 cy administering such assistance, which shall be
10 based upon local housing needs and priorities, as de-
11 termined by the agency.

12 (c) CONFORMING PROVISIONS.—Each reference in
13 sections 6(o), 7(a)(2), 7(a)(3), 8(d)(2)(A), 8(d)(2)(H),
14 16(e), and 24(e)(2) of the United States Housing Act of
15 1937, as amended, sections 212(a)(3), 217(c)(2)(B),
16 225(d)(3), 455(a)(2)(D)(iii), 522(f)(6)(B), and
17 522(j)(2)(A) of the Cranston-Gonzalez National Afford-
18 able Housing Act, section 226(b)(6)(B) of the Low-In-
19 come Housing Preservation and Resident Homeownership
20 Act of 1990, section r03(g)(2) of the Housing and Com-
21 munity Development Amendments of 1978, and section
22 655 of the Housing and Community Development Act of
23 1992, to the preferences under section 6(c)(4)(A),
24 8(d)(1)(A), or 8(o)(3)(B) of the United States Housing
25 Act of 1937, as amended, shall be considered, during fiscal

1 year 1996, to refer to the applicable preferences estab-
2 lished (if any) under the subsections (a)(1)(B) and (b)(2).

3 (d) ~~NEW CONSTRUCTION/SUBSTANTIAL REHABILITA-~~
4 ~~TION HOUSING.~~—During fiscal year 1996, dwelling units
5 in housing constructed or substantially rehabilitated pur-
6 suant to assistance provided under section 8(b)(2) of the
7 United States Housing Act of 1937, as amended (as such
8 section existed before October 1, 1983) and projects fi-
9 nanced under section 202 of the Housing Act of 1959 (as
10 such section existed before the enactment of the Cranston-
11 Gonzalez National Affordable Housing Act) shall be made
12 available for occupancy without regard to section 545(c)
13 of the Cranston-Gonzalez National Affordable Housing
14 Act and no other provision of law relating to Federal ten-
15 ant selection preferences shall apply to such housing.

16 (e) ~~RENT SUPPLEMENTS.~~—During fiscal year 1996,
17 section 101(k) of the Housing and Urban Development
18 Act of 1965 shall not be effective.

19 SEC. 204. ~~MERGER LANGUAGE FOR ASSISTANCE FOR~~
20 ~~THE RENEWAL OF EXPIRING SECTION 8 OF SUBSIDY~~
21 ~~CONTRACTS AND ANNUAL CONTRIBUTIONS FOR ASSISTED~~
22 ~~HOUSING.~~—All remaining obligated and unobligated bal-
23 ances in the Renewal of Expiring Section 8 Subsidy Con-
24 tracts account on September 30, 1995, shall immediately
25 thereafter be transferred to and merged with the obligated

1 and unobligated balances, respectively, of the Annual Con-
2 tributions for Assisted Housing account.

3 SEC. 205. EXTENSION OF HOME EQUITY CONVER-
4 SION MORTGAGE PROGRAM.—Section 255(g) of the Na-
5 tional Housing Act (12 U.S.C. 1715z-20(g)) is amend-
6 ed—

7 (1) in the first sentence, by striking “Septem-
8 ber 30, 1995” and inserting “September 30, 1996”;
9 and

10 (2) in the second sentence, by striking
11 “25,000” and inserting “30,000”.

12 SEC. 206. DEBT FORGIVENESS.—(a) The Secretary
13 of Housing and Urban Development shall cancel the in-
14 debtedness of the Hubbard Hospital Authority of Hub-
15 bard, Texas, relating to the public facilities loan for
16 Project Number PFL-TEX-215, issued under title II of
17 the Housing Amendments of 1955. Such hospital author-
18 ity is relieved of all liability to the Government for the
19 outstanding principal balance on such loan, for the
20 amount of accrued interest on such loan, and for any fees
21 and charges payable in connection with such loan.

22 (b) The Secretary of Housing and Urban Develop-
23 ment shall cancel the indebtedness of the Groveton Texas
24 Hospital Authority relating to the public facilities loan for
25 Project Number TEX-41-PFL0162, issued under title II

1 of the Housing Amendments of 1955. Such hospital au-
2 thority is relieved of all liability to the Government for
3 the outstanding principal balance on such loan, for the
4 amount of accrued interest on such loan, and for any fees
5 and charges payable in connection with such loan.

6 SEC. 207. DELAYING OUTLAYS FOR PUBLIC HOUS-
7 ING DEVELOPMENT.—During fiscal year 1996, a public
8 housing agency or Indian housing authority may slow the
9 rate at which it develops a project that the Secretary has
10 approved under 24 C.F.R. Part 941 in order to slow the
11 rate at which such agency or authority takes actions re-
12 sulting in outlays of amounts appropriated under the head
13 “Annual contributions for assisted housing” in this title
14 or any prior appropriation Act, and the Secretary may
15 allow such agency or authority to develop a project at such
16 a slow rate, notwithstanding 24 C.F.R. Sec. 941.405(d).

17 SEC. 208. ASSESSMENT COLLECTION DATES FOR
18 OFFICE OF FEDERAL HOUSING ENTERPRISE OVER-
19 SIGHT.—Section 1316(b) of the Housing and Community
20 Development Act of 1992 (12 U.S.C. 4516(b)) is amended
21 by striking paragraph (2) and inserting the following new
22 paragraph:

23 “(2) TIMING OF PAYMENT.—The annual assess-
24 ment shall be payable semiannually for each fiscal
25 year, on October 1st and April 1st.”.

1 SEC. 209. SPENDING LIMITATIONS.—(a) None of the
2 funds provided in this Act may be used during fiscal year
3 1996 to sign, promulgate, implement, or enforce any re-
4 quirement or regulation relating to the application of the
5 Fair Housing Act (42 U.S.C. 3601, et seq.) to the busi-
6 ness of property insurance, or for any activity pertaining
7 to property insurance.

8 (b) None of the funds appropriated by this Act may
9 be expended by the Department for the purpose of finaliz-
10 ing the Department's proposed rule dated July 21, 1994
11 regarding amendments to Regulation X, the Real Estate
12 Settlement Procedures Regulation, or for the purpose of
13 developing or issuing any interpretive rule with respect to
14 any of the four issues denominated in the preamble to the
15 proposed rule.

16 (c) None of the funds provided in this Act may be
17 used in fiscal year 1996 for the remuneration of more than
18 seven Assistant Secretaries at the Department of Housing
19 and Urban Development, notwithstanding section 4(a) of
20 the Department of Housing and Urban Development Act.

21 (d) None of the funds provided in this Act may be
22 used in fiscal year 1996 for the remuneration of more than
23 94 schedule C and non-career senior executive service em-
24 ployees at the Department of Housing and Urban Devel-
25 opment.

1 (e) None of the funds made available in this Act may
2 be used by the Secretary to take, impose, or enforce, or
3 to investigate taking, imposing, or enforcing any action,
4 sanction, or penalty against any State or unit of general
5 local government (or any entity or agency thereof) because
6 of the enactment, enforcement, or effectiveness of any
7 State or local law or regulation requiring the spoken or
8 written use of the English language or declaring English
9 as the official language.

10 (f) No part of any appropriation contained in this Act
11 shall be used for publicity or propaganda purposes not au-
12 thorized by the Congress.

13 SEC. 210. CLARIFICATIONS.—For purposes of Fed-
14 eral law, the Paul Mirabile Center in San Diego, Califor-
15 nia, including areas within such Center that are devoted
16 to the delivery of supportive services, has been determined
17 to satisfy the “continuum of care” requirements of the De-
18 partment of Housing and Urban Development, and shall
19 be treated as:

20 (a) consisting solely of residential units that (i)
21 contain sleeping accommodations and kitchen and
22 bathroom facilities, (ii) are located in a building that
23 is used exclusively to facilitate the transition of
24 homeless individuals (within the meaning of section
25 103 of the Stewart B. McKinney Homeless Assist-

1 ance Act (42 U.S.C. 11302)) to independent living
2 within 24 months, (iii) are suitable for occupancy,
3 with each cubicle constituting a separate bedroom
4 and residential unit, (iv) are used on other than a
5 transient basis, and (v) shall be originally placed in
6 service on August 1, 1995; and

7 (b) property that is entirely residential rental
8 property, namely, a project for residential rental
9 property.

10 SEC. 211. EXTENSION OF MULTIFAMILY HOUSING
11 FINANCE PROGRAMS.—(a) Section 542(b)(5) of the Hous-
12 ing and Community Development Act of 1992 (12 U.S.C.
13 1707 note) is amended by striking “on not more than
14 15,000 units over fiscal years 1993 and 1994” and insert-
15 ing “on not more than 7,500 units during fiscal year
16 1996”.

17 (b) Section 542(c)(4) of the Housing and Community
18 Development Act of 1992 (12 U.S.C. 1707 note) is
19 amended by striking “on not to exceed 30,000 units over
20 fiscal years 1993, 1994, and 1995” and inserting “on not
21 more than 10,000 units during fiscal year 1996”.

22 SEC. 212. DOCUMENTATION OF MULTIFAMILY
23 REFINANCINGS.—Notwithstanding the 16th paragraph
24 under the item relating to “ADMINISTRATIVE PROVI-
25 SIONS” in title II of the Departments of Veterans Affairs

1 and Housing and Urban Development, and Independent
2 Agencies Appropriations Act, 1995 (Public Law 103–327;
3 108 Stat. 2316), the amendments to section 223(a)(7) of
4 the National Housing Act made by the 15th paragraph
5 of such Act shall be effective during fiscal years 1996 and
6 thereafter.

7 **SEC. 201. EXTEND ADMINISTRATIVE PROVISIONS FROM**
8 **THE RESCISSION ACT.**

9 (a) *PUBLIC AND INDIAN HOUSING MODERNIZATION.*—

10 (1) *EXPANSION OF USE OF MODERNIZATION*
11 *FUNDING.*—*Subsection 14(q) of the United States*
12 *Housing Act of 1937 is amended to read as follows:*

13 “(q)(1) *In addition to the purposes enumerated in sec-*
14 *tions 14(a), 14(b), and 5(a), a public housing agency may*
15 *use modernization assistance provided under section 14,*
16 *and development assistance provided under section 5(a), for*
17 *any eligible activity authorized by either of those sections*
18 *or by applicable Appropriations Acts, including the demoli-*
19 *tion, rehabilitation, revitalization, and replacement of ex-*
20 *isting units and projects and, for up to 10 percent of its*
21 *allocation of such funds in any fiscal year, for any operat-*
22 *ing subsidy purpose authorized in section 9. Units and*
23 *projects assisted hereunder shall be for low-income families*
24 *and shall be eligible for operating subsidies subject to the*
25 *availability of appropriated funds.*”

1 “(2) A public housing agency may provide assistance
2 to developments that include units for other than low-in-
3 come families, hereinafter called “mixed income develop-
4 ments”, in the form of a grant, loan, or other form of invest-
5 ment which may be made to: (A) the public housing agency
6 or an affiliate controlled by it; (B) a partnership, a limited
7 liability company, or other legal entity in which the public
8 housing agency or its affiliate is a general partner, manag-
9 ing member, or otherwise significantly directs the activities
10 of such entity; or (C) any entity which grants to the public
11 housing agency the option to purchase the development
12 within 20 years after initial occupancy in accordance with
13 section 42(l)(7) of the Internal Revenue Code of 1986, as
14 amended: Provided, That units shall be made available in
15 such developments for periods of not less than 20 years, by
16 master contract or by individual lease, for occupancy by
17 low-income families referred from time to time by the public
18 housing agency; the number of such units shall be either:
19 (i) in the same proportion to the total number of units in
20 such development that the financial assistance provided by
21 the public housing agency bears to the total equity invest-
22 ment in the development, or (ii) not be less than the number
23 of units that could have been developed under the conven-
24 tional public housing program with the assistance involved,
25 or (iii) as may otherwise be approved by the Secretary.

1 “(3) A mixed income development may elect to have
2 all units subject only to the applicable local real estate
3 taxes, notwithstanding that the low-income units assisted
4 by public housing funds would otherwise be subject to sec-
5 tion 6(d) of the Housing Act of 1937.”.

6 (2) *EXTENSION OF AUTHORITY.*—Section 1001(b)
7 of the Emergency Supplemental Appropriations for
8 Additional Disaster Assistance, for Antiterrorism Ini-
9 tiatives, for Assistance in the Recovery from the Trag-
10 edy that Occurred at Oklahoma City, and Rescissions
11 Act, 1995 (109 Stat. 235), is amended to read as fol-
12 lows:

13 “(b) *APPLICABILITY.*—Section 14(q) of the United
14 States Housing Act of 1937, as added by subsection (a) of
15 this section, shall be effective only with respect to assistance
16 provided from funds made available for fiscal year 1996
17 or any preceding fiscal year.”.

18 (3) *APPLICABILITY.*—In accordance with section
19 201(b)(2) of the United States Housing Act of 1937,
20 the amendment made by subsection (a) shall apply to
21 public housing developed or operated pursuant to a
22 contract between the Secretary of Housing and Urban
23 Development and an Indian housing authority.”.

24 (b) *ONE-FOR-ONE REPLACEMENT OF PUBLIC AND IN-*
25 *DIAN HOUSING.*—

1 (1) *PERMANENT AUTHORITY.*—Section 1002 of
2 Public Law 104–19 is amended to read as follows:

3 “(d) Subsections (a), (b), and (c) shall be effective for
4 applications for the demolition, disposition, or conversion
5 to homeownership of public housing approved by the Sec-
6 retary, and other consolidation and relocation activities of
7 public housing agencies undertaken on, before, or after Sep-
8 tember 30, 1995 and before September 30, 1996.”.

9 (2) Section 18(f) of the United States Housing
10 Act of 1937 is amended by adding at the end the fol-
11 lowing new sentence: “No one may rely on the preced-
12 ing sentence as the basis for reconsidering a final
13 order of a court issued, or a settlement approved by,
14 a court.”.

15 (3) *APPLICABILITY.*—In accordance with section
16 201(b)(2) of the United States Housing Act of 1937,
17 the amendments made by this section and by sections
18 1002 (a), (b), and (c) of Public Law 104–19 shall
19 apply to public housing developed or operated pursu-
20 ant to a contract between the Secretary of Housing
21 and Urban Development and an Indian housing au-
22 thority.

1 **SEC. 202. PUBLIC HOUSING RENTS AND INCOME**
2 **TARGETING.**

3 (a) *MINIMUM RENTS.*—Section 3(a)(1) of the United
4 States Housing Act of 1937 is amended by inserting at the
5 end the following new sentence: “Notwithstanding the pre-
6 vious sentence, the Secretary shall permit a public housing
7 agency to charge a family residing in public housing up
8 to \$25 as rent.”.

9 (b) *ESTABLISHMENT OF CEILING RENTS.*—Section
10 3(a)(2) of the United States Housing Act of 1937 is amend-
11 ed to read as follows:

12 “(2) Notwithstanding paragraph (1), a public
13 housing agency may—

14 “(A) adopt ceiling rents that reflect the rea-
15 sonable market value of the housing, but that are
16 not less than the monthly costs—

17 “(i) to operate the housing of the agen-
18 cy; and

19 “(ii) to make a deposit to a replace-
20 ment reserve (in the sole discretion of the
21 public housing agency); and

22 “(B) allow families to pay ceiling rents re-
23 ferred to in subparagraph (A), unless, with re-
24 spect to any family, the ceiling rent established
25 under this paragraph would exceed the amount

1 *payable as rent by that family under paragraph*
2 *(1).”.*

3 (c) *DEFINITION OF ADJUSTED INCOME.*—Section
4 *3(b)(5) of the United States Housing Act of 1937 is amend-*
5 *ed—*

6 (1) *at the end of subparagraph (F), by striking*
7 *“and”;*

8 (2) *at the end of subparagraph (G), by striking*
9 *the period and inserting “; and ”; and*

10 (3) *by inserting after subparagraph (G) the fol-*
11 *lowing:*

12 *“(H) for public housing, and other adjust-*
13 *ments to earned income established by the public*
14 *housing agency.*

15 *If a public housing agency adopts other adjustments*
16 *to income pursuant to subparagraph (H), the Sec-*
17 *retary (i) shall not take into account any reduction*
18 *of or increase in the public housing agency’s per unit*
19 *dwelling rental income resulting from those adjust-*
20 *ments when calculating the contributions under sec-*
21 *tion 9 for the public housing agency for the operation*
22 *of the public housing.”.*

23 (d) *REPEAL OF FEDERAL PREFERENCES.*—

24 (1) *PUBLIC HOUSING.*—

1 (A) *IN GENERAL.*—Section 6(c)(4)(A) of the
2 *United States Housing Act of 1937 (42 U.S.C.*
3 *1437d(c)(4)(A)) is amended to read as follows:*

4 “(A) *the establishment, after public notice*
5 *and an opportunity for public comment, of writ-*
6 *ten system of preferences for admission to public*
7 *housing, if any, that is not inconsistent with the*
8 *comprehensive housing affordability strategy*
9 *under title I of the Cranston-Gonzalez National*
10 *Affordable Housing Act;”.*

11 (B) *APPLICABILITY.*—*In accordance with*
12 *section 201(b)(2) of the United States Housing*
13 *Act of 1937, section 6(c)(4)(A) of the United*
14 *States Housing Act of 1937, as amended by*
15 *paragraph (1), shall apply to public housing de-*
16 *veloped or operated pursuant to a contract be-*
17 *tween the Secretary and an Indian housing au-*
18 *thority.*

19 (2) *SECTION 8 EXISTING AND MODERATE REHA-*
20 *BILITATION.*—*Section 8(d)(1)(A) of the United States*
21 *Housing Act of 1937 (42 U.S.C. 1437f(d)(1)(A)) is*
22 *amended to read as follows:*

23 “(A) *the selection of tenants shall be the*
24 *function of the owner, subject to the provisions of*
25 *the annual contributions contract between the*

1 *Secretary and the agency, except that for the cer-*
2 *tificate and moderate rehabilitation programs*
3 *only, for the purpose of selecting families to be*
4 *assisted, the public housing agency may estab-*
5 *lish, after public notice and an opportunity for*
6 *public comment, written system of preferences for*
7 *selection that are not inconsistent with the com-*
8 *prehensive housing affordability strategy under*
9 *title I of the Cranston-Gonzalez National Afford-*
10 *able Housing Act;”.*

11 (3) *SECTION 8 VOUCHER PROGRAM.—Section*
12 *8(o)(3)(B) of the United States Housing Act of 1937*
13 *(42 U.S.C. 1437f(o)(3)(B)) is amended to read as fol-*
14 *lows:*

15 *“(B) For the purpose of selecting families to*
16 *be assisted under this subsection, the public hous-*
17 *ing agency may establish, after public notice and*
18 *an opportunity for public comment, written sys-*
19 *tem of preferences for selection that are not in-*
20 *consistent with the comprehensive housing af-*
21 *fordability strategy under title I of the Cranston-*
22 *Gonzalez National Affordable Housing Act.”.*

23 (4) *SECTION 8 NEW CONSTRUCTION AND SUB-*
24 *STANTIAL REHABILITATION.—*

1 (A) *REPEAL.*—Section 545(c) of the Cran-
2 ston-Gonzalez National Affordable Housing Act
3 (42 U.S.C. 1437f note) is amended to read as fol-
4 lows:

5 “(c) [Reserved.]”.

6 (B) *PROHIBITION.*—Notwithstanding any
7 other provision of law, no Federal tenant selec-
8 tion preferences shall apply with respect to—

9 (i) housing constructed or substantially
10 rehabilitated pursuant to assistance pro-
11 vided under section 8(b)(2) of the United
12 States Housing Act of 1937 (as such section
13 existed on the day before October 1, 1983);
14 or

15 (ii) projects financed under section 202
16 of the Housing Act of 1959 (as such section
17 existed on the day before the date of enact-
18 ment of the Cranston-Gonzalez National Af-
19 fordable Housing Act).

20 (5) *RENT SUPPLEMENTS.*—Section 101(k) of the
21 Housing and Urban Development Act of 1965 (12
22 U.S.C. 1701s(k)) is amended to read as follows:

23 “(k) [Reserved.]”.

24 (6) *CONFORMING AMENDMENTS.*—

1 (A) UNITED STATES HOUSING ACT OF
2 1937.—The United States Housing Act of 1937
3 (42 U.S.C. 1437 et seq.) is amended—

4 (i) in section 6(o), by striking “pref-
5 erence rules specified in” and inserting
6 “written selection criteria established pursu-
7 ant to”;

8 (ii) in section 7(a)(2), by striking “ac-
9 cording to the preferences for occupancy
10 under” and inserting “in accordance with
11 the written selection criteria established
12 pursuant to”;

13 (iii) in section 7(a)(3), by striking
14 “who qualify for preferences for occupancy
15 under” and inserting “who meet the written
16 selection criteria established pursuant to”;

17 (iv) in section 8(d)(2)(A), by striking
18 the last sentence;

19 (v) in section 8(d)(2)(H), by striking
20 “notwithstanding subsection (d)(1)(A)(i),
21 an” and inserting “An”;

22 (vi) in section 16(c), in the second sen-
23 tence, by striking “the system of preferences
24 established by the agency pursuant to sec-
25 tion 6(c)(4)(A)(ii)” and inserting “the writ-

1 *ten selection criteria established by the pub-*
2 *lic housing agency pursuant to section*
3 *6(c)(4)(A)”; and*

4 *(vii) in section 24(e)—*

5 *(I) by striking “(e) EXCEPTIONS.”*
6 *and all that follows through “The Sec-*
7 *retary may” and inserting the follow-*
8 *ing:*

9 *“(e) EXCEPTION TO GENERAL PROGRAM REQUIRE-*
10 *MENTS.—The Secretary may”; and*

11 *(II) by striking paragraph (2).*

12 *(B) CRANSTON-GONZALEZ NATIONAL AF-*
13 *FORDABLE HOUSING ACT.—The Cranston-Gon-*
14 *zalez National Affordable Housing Act (42*
15 *U.S.C. 12704 et seq.) is amended—*

16 *(i) in section 455(a)(2)(D)(iii), by*
17 *striking “would qualify for a preference*
18 *under” and inserting “meet the written se-*
19 *lection criteria established pursuant to”;*

20 *(ii) in section 522(f)(6)(B), by striking*
21 *“any preferences for such assistance under*
22 *section 8(d)(1)(A)(i)” and inserting “the*
23 *written selection criteria established pursu-*
24 *ant to section 8(d)(1)(A)”; and*

1 (C) *LOW-INCOME HOUSING PRESERVATION*
2 *AND RESIDENT HOMEOWNERSHIP ACT OF 1990.*—
3 *The second sentence of section 226(b)(6)(B) of the*
4 *Low-Income Housing Preservation and Resident*
5 *Homeownership Act of 1990 (12 U.S.C.*
6 *4116(b)(6)(B)) is amended by striking “require-*
7 *ment for giving preferences to certain categories*
8 *of eligible families under” and inserting “written*
9 *selection criteria established pursuant to”.*

10 (D) *HOUSING AND COMMUNITY DEVELOP-*
11 *MENT ACT OF 1992.*—*Section 655 of the Housing*
12 *and Community Development Act of 1992 (42*
13 *U.S.C. 13615) is amended by striking “pref-*
14 *erences for occupancy” and all that follows*
15 *through the period at the end and inserting “se-*
16 *lection criteria established by the owner to elder-*
17 *ly families according to such written selection*
18 *criteria, and to near-elderly families according*
19 *to such written selection criteria, respectively.”.*

20 (E) *REFERENCES IN OTHER LAW.*—*Any ref-*
21 *erence in any Federal law other than any provi-*
22 *sion of any law amended by paragraphs (1)*
23 *through (5) of this subsection to the preferences*
24 *for assistance under section 6(c)(4)(A)(i),*
25 *8(d)(1)(A)(i), or 8(o)(3)(B) of the United States*

1 *Housing Act of 1937 (as such sections existed on*
2 *the day before the date of enactment of this Act)*
3 *shall be considered to refer to the written selec-*
4 *tion criteria established pursuant to section*
5 *6(c)(4)(A), 8(d)(1)(A), or 8(o)(3)(B), respec-*
6 *tively, of the United States Housing Act of 1937,*
7 *as amended by this section.*

8 (e) *APPLICABILITY.*—*In accordance with section*
9 *201(b)(2) of the United States Housing Act of 1937, the*
10 *amendments made by subsections (a), (b), (c), and (d) of*
11 *this section shall also apply to public housing developed or*
12 *operated pursuant to a contract between the Secretary of*
13 *Housing and Urban Development and an Indian housing*
14 *authority.*

15 ***SEC. 203. CONVERSION OF CERTAIN PUBLIC HOUSING TO***
16 ***VOUCHERS.***

17 (a) *IDENTIFICATION OF UNITS.*—

18 (1) *Each public housing agency shall identify*
19 *any public housing developments—*

20 (A) *that are on the same or contiguous sites;*

21 (B) *that total more than—*

22 (i) *600 dwelling units; or*

23 (ii) *in the case of high-rise family*
24 *buildings or substantially vacant buildings,*

25 *300 dwelling units;*

1 (C) that have a vacancy rate of at least 10
2 percent for dwelling units not in funded on-
3 schedule modernization programs;

4 (D) identified as distressed housing that the
5 public housing agency cannot assure the long-
6 term viability as public housing through revital-
7 ization, density reduction, or achievement of a
8 broader range of household income; and

9 (E) for which the estimated cost of contin-
10 ued operation and modernization of the develop-
11 ments as public housing exceeds the cost of pro-
12 viding tenant-based assistance under section 8 of
13 the United States Housing Act of 1937 for all
14 families in occupancy, based on appropriate in-
15 dicators of cost (such as the percentage of total
16 development cost required for modernization).

17 (b) IMPLEMENTATION AND ENFORCEMENT.—

18 (1) STANDARDS FOR IMPLEMENTATION.—The
19 Secretary shall establish standards to permit imple-
20 mentation of this section in fiscal year 1996.

21 (2) CONSULTATION.—Each public housing agen-
22 cy shall consult with the applicable public housing
23 tenants and the unit of general local government in
24 identifying any public housing developments under
25 subsection (a).

1 (3) *FAILURE OF PHAS TO COMPLY WITH SUB-*
2 *SECTION (a).—Where the Secretary determines that—*

3 (A) *a public housing agency has failed*
4 *under subsection (a) to identify public housing*
5 *developments for removal from the inventory of*
6 *the agency in a timely manner;*

7 (B) *a public housing agency has failed to*
8 *identify one or more public housing develop-*
9 *ments which the Secretary determines should*
10 *have been identified under subsection (a); or*

11 (C) *one or more of the developments identi-*
12 *fied by the public housing agency pursuant to*
13 *subsection (a) should not, in the determination of*
14 *the Secretary, have been identified under that*
15 *subsection;*

16 *the Secretary may designate the developments to be*
17 *removed from the inventory of the public housing*
18 *agency pursuant to this section.*

19 (c) *REMOVAL OF UNITS FROM THE INVENTORIES OF*
20 *PUBLIC HOUSING AGENCIES.—*

21 (1) *Each public housing agency shall develop*
22 *and carry out a plan in conjunction with the Sec-*
23 *retary for the removal of public housing units identi-*
24 *fied under subsection (a) or subsection (b)(3), over a*
25 *period of up to five years, from the inventory of the*

1 *public housing agency and the annual contributions*
2 *contract. The plan shall be approved by the relevant*
3 *local official as consistent with the Comprehensive*
4 *Housing Affordability Strategy under title I of the*
5 *Housing and Community Development Act of 1992,*
6 *including a description of any disposition and demo-*
7 *lition plan for the public housing units.*

8 *(2) The Secretary may extend the deadline in*
9 *paragraph (1) for up to an additional five years*
10 *where the Secretary makes a determination that the*
11 *deadline is impracticable.*

12 *(3) The Secretary shall take appropriate actions*
13 *to ensure removal of developments identified under*
14 *subsection (a) from the inventory of a public housing*
15 *agency, if the public housing agency fails to ade-*
16 *quately develop a plan under paragraph (1), or fails*
17 *to adequately implement such plan in accordance*
18 *with the terms of the plan.*

19 *(4) To the extent approved in appropriations,*
20 *the Secretary may establish requirements and provide*
21 *funding under the Urban Revitalization Demonstra-*
22 *tion program for demolition and disposition of public*
23 *housing under this section.*

24 *(5) Notwithstanding any other provision of law,*
25 *if a development is removed from the inventory of a*

1 *public housing agency and the annual contributions*
2 *contract pursuant to paragraph (1), the Secretary*
3 *may authorize or direct the transfer of—*

4 *(A) in the case of an agency receiving as-*
5 *stance under the comprehensive improvement*
6 *assistance program, any amounts obligated by*
7 *the Secretary for the modernization of such de-*
8 *velopment pursuant to section 14 of the United*
9 *States Housing Act of 1937;*

10 *(B) in the case of an agency receiving pub-*
11 *lic and Indian housing modernization assistance*
12 *by formula pursuant to section 14 of the United*
13 *States Housing Act of 1937, any amounts pro-*
14 *vided to the agency which are attributable pur-*
15 *suant to the formula for allocating such assist-*
16 *ance to the development removed from the inven-*
17 *tory of that agency; and*

18 *(C) in the case of an agency receiving as-*
19 *stance for the major reconstruction of obsolete*
20 *projects, any amounts obligated by the Secretary*
21 *for the major reconstruction of the development*
22 *pursuant to section 5 of such Act,*
23 *to the tenant-based assistance program of such*
24 *agency.*

25 *(d) CONVERSION TO TENANT-BASED ASSISTANCE.—*

1 (1) *The Secretary shall make authority available*
2 *to a public housing agency to provide tenant-based*
3 *assistance pursuant to section 8 to families residing*
4 *in any development that is removed from the inven-*
5 *tory of the public housing agency and the annual con-*
6 *tributions contract pursuant to subsection (b).*

7 (2) *Each conversion plan under subsection (c)*
8 *shall—*

9 (A) *require the agency to notify families re-*
10 *siding in the development, consistent with any*
11 *guidelines issued by the Secretary governing such*
12 *notifications, that the development shall be re-*
13 *moved from the inventory of the public housing*
14 *agency and the families shall receive tenant-*
15 *based or project-based assistance, and to provide*
16 *any necessary counseling for families; and*

17 (B) *ensure that all tenants affected by a de-*
18 *termination under this section that a develop-*
19 *ment shall be removed from the inventory of a*
20 *public housing agency shall be offered tenant-*
21 *based or project-based assistance and shall be re-*
22 *located, as necessary, to other decent, safe, sani-*
23 *tary, and affordable housing which is, to the*
24 *maximum extent practicable, housing of their*
25 *choice.*

1 (e) *IN GENERAL.*—

2 (1) *The Secretary may require a public housing*
3 *agency to provide such information as the Secretary*
4 *considers necessary for the administration of this sec-*
5 *tion.*

6 (2) *As used in this section, the term “develop-*
7 *ment” shall refer to a project or projects, or to por-*
8 *tions of a project or projects, as appropriate.*

9 (3) *Section 18 of the United States Housing Act*
10 *of 1937 shall not apply to the demolition of develop-*
11 *ments removed from the inventory of the public hous-*
12 *ing agency under this section.*

13 **SEC. 204. STREAMLINING SECTION 8 TENANT-BASED AS-**
14 **SISTANCE.**

15 (a) *“TAKE-ONE, TAKE-ALL”.*—*Section 8(t) of the*
16 *United States Housing Act of 1937 is hereby repealed.*

17 (b) *EXEMPTION FROM NOTICE REQUIREMENTS FOR*
18 *THE CERTIFICATE AND VOUCHER PROGRAMS.*—*Section*
19 *8(c) of such Act is amended—*

20 (1) *in paragraph (8), by inserting after “sec-*
21 *tion” the following: “(other than a contract for assist-*
22 *ance under the certificate or voucher program)”*; and

23 (2) *in the first sentence of paragraph (9), by*
24 *striking “(but not less than 90 days in the case of*
25 *housing certificates or vouchers under subsection (b)*

1 or (o))” and inserting “, other than a contract under
2 the certificate or voucher program”.

3 (c) *ENDLESS LEASE*.—Section 8(d)(1)(B) of such Act
4 is amended—

5 (1) in clause (ii), by inserting “during the term
6 of the lease,” after “(ii)”; and

7 (2) in clause (iii), by striking “provide that”
8 and inserting “during the term of the lease,”.

9 SEC. 205. (a) *FAIR MARKET RENTALS*.—The Sec-
10 retary shall establish fair market rentals for purposes of sec-
11 tion 8(c)(1) of the United States Housing Act of 1937, as
12 amended, that shall be effective for fiscal year 1996 and
13 shall be based on the 40th percentile rent of rental distribu-
14 tions of standard quality rental housing units. In establish-
15 ing such fair market rentals, the Secretary shall consider
16 only the rents for dwelling units occupied by recent movers
17 and may not consider the rents for public housing dwelling
18 units or newly constructed rental dwelling units.

19 (b) *ANNUAL ADJUSTMENTS*.—Section 8(c)(2)(A) of the
20 United States Housing Act of 1937, as amended (42 U.S.C.
21 1437f(c)(2)(A)) is further amended—

22 (1) in the third sentence by inserting “and fiscal
23 year 1996” after “1995”;

1 (2) *in the fourth sentence, strike “For” and in-*
2 *sert: “Except for assistance under the certificate pro-*
3 *gram, for”;*

4 (3) *after the fourth sentence, insert:*

5 *“In the case of assistance under the certificate pro-*
6 *gram, 0.01 shall be subtracted from the amount of the*
7 *annual adjustment factor (except that the factor shall*
8 *not be reduced to less than 1.0), and the adjusted rent*
9 *shall not exceed the rent for a comparable unassisted*
10 *unit of similar quality, type, and age in the same*
11 *market area.”; and*

12 (4) *in the last sentence, by*

13 (A) *striking “sentence” and inserting “two*
14 *sentences” and*

15 (B) *inserting “and fiscal year 1996” after*
16 *“1995”.*

17 (c) *ADMINISTRATIVE FEES.—Notwithstanding the sec-*
18 *ond sentence of section 8(q)(1) of the United States Housing*
19 *Act of 1937, as amended, for fiscal year 1996, the portions*
20 *of the fees for costs incurred by public housing agencies in*
21 *administering the certificate, voucher, and moderate reha-*
22 *bilitation programs under section 8 shall not exceed 7.0 per-*
23 *cent of the fair market rental established for a 2-bedroom*
24 *existing rental dwelling unit in the market area of the pub-*
25 *lic housing agency.*

1 (d) *DELAY OF ISSUANCE AND REISSUANCE OF VOUCH-*
2 *ERS AND CERTIFICATES.*—Notwithstanding any other pro-
3 *vision of law, a public housing agency administering cer-*
4 *tificate or voucher assistance provided under subsection (b)*
5 *or (o) of section 8 of the United States Housing Act of 1937,*
6 *as amended, shall delay for 6 months, the use of any*
7 *amounts of such assistance (or the certificate or voucher*
8 *representing assistance amounts) made available by the ter-*
9 *mination during fiscal year 1996 of such assistance on be-*
10 *half of any family for any reason, but not later than Octo-*
11 *ber 1, 1996; with the exception of any certificates assigned*
12 *or committed to project based assistance as permitted other-*
13 *wise by the Act, accomplished prior to the effective date of*
14 *this Act.*

15 **SEC. 206. PUBLIC HOUSING/SECTION 8 MOVING TO WORK**
16 **DEMONSTRATION.**

17 (a) *PURPOSE.*—The purpose of this demonstration is
18 *to give public housing agencies and the Secretary of Hous-*
19 *ing and Urban Development the flexibility to design and*
20 *test various approaches for providing and administering*
21 *housing assistance that: reduce cost and achieve greater cost*
22 *effectiveness in Federal expenditures; give incentives to fam-*
23 *ilies with children where the head of household is working,*
24 *seeking work, or is preparing for work by participating in*
25 *job training, educational programs, or programs that assist*

1 *people to obtain employment and become economically self-*
2 *sufficient; and increase housing choices for lower-income*
3 *families.*

4 **(b) PROGRAM AUTHORITY.**—*The Secretary of Housing*
5 *and Urban Development shall conduct a demonstration pro-*
6 *gram under this section beginning in fiscal year 1996 under*
7 *which up to 30 public housing agencies (including Indian*
8 *housing authorities) administering the public or Indian*
9 *housing program and the section 8 housing assistance pay-*
10 *ments program may be selected by the Secretary to partici-*
11 *pate. The Secretary shall provide training and technical as-*
12 *sistance during the demonstration and conduct detailed*
13 *evaluations of such agencies in an effort to identify*
14 *replicable program models promoting the purpose of the*
15 *demonstration. Under the demonstration, notwithstanding*
16 *any provision of the United States Housing Act of 1937*
17 *except as provided in subsection (d), an agency may com-*
18 *bine operating assistance provided under section 9 of the*
19 *United States Housing Act of 1937, modernization assist-*
20 *ance provided under section 14 of such Act, and assistance*
21 *provided under section 8 of such Act for the certificate and*
22 *voucher programs, to provide housing assistance for low-*
23 *income families, as defined in section 3(b)(2) of the United*
24 *States Housing Act of 1937, and services to facilitate the*

1 *transition to work on such terms and conditions as the*
2 *agency may propose and the Secretary may approve.*

3 (c) *APPLICATION.—An application to participate in*
4 *the demonstration—*

5 (1) *shall request authority to combine assistance*
6 *under sections 8, 9, and 14 of the United States*
7 *Housing Act of 1937;*

8 (2) *shall be submitted only after the public hous-*
9 *ing agency provides for citizen participation through*
10 *a public hearing and, if appropriate, other means;*

11 (3) *shall include a plan developed by the agency*
12 *that takes into account comments from the public*
13 *hearing and any other public comments on the pro-*
14 *posed program, and comments from current and pro-*
15 *spective residents who would be affected, and that in-*
16 *cludes criteria for—*

17 (A) *selecting families to be assisted, which*
18 *shall require that at least 75 percent of the fami-*
19 *lies selected to participate in the demonstration*
20 *shall be very low-income families, as defined in*
21 *section 3(b)(2) of the United States Housing Act*
22 *of 1937, and at least 50 percent of the families*
23 *selected shall have incomes that do not exceed 30*
24 *percent of the median family income for the*
25 *area, as determined by the Secretary with ad-*

1 *justments for smaller and larger families, except*
2 *that the Secretary may establish income ceilings*
3 *higher or lower than 30 percent of the median*
4 *for the area on the basis of the Secretary's find-*
5 *ings that such variations are necessary because*
6 *of unusually high or low family income;*

7 *(B) setting reasonable rents payable by fam-*
8 *ilies, which shall be designed to encourage em-*
9 *ployment and self-sufficiency by participating*
10 *families, consistent with the purpose of this dem-*
11 *onstration, such as by excluding some or all of*
12 *a family's earned income for purposes of deter-*
13 *mining rent;*

14 *(C) continuing to assist substantially the*
15 *same total number of eligible low-income families*
16 *as would have been served had the amounts not*
17 *been combined;*

18 *(D) maintaining a comparable mix of fami-*
19 *lies (by family size) as would have been provided*
20 *had the amounts not been used under the dem-*
21 *onstration;*

22 *(E) assuring that housing assisted under*
23 *the demonstration program meets housing qual-*
24 *ity standards established or approved by the Sec-*
25 *retary; and*

1 (F) other program design features required
2 by the Secretary.

3 (4) may request assistance for training and tech-
4 nical assistance to assist with design of the dem-
5 onstration and to agree to cooperate with detailed
6 evaluation.

7 (d) *SELECTION.*—In selecting among applications, the
8 Secretary shall take into account the potential of each agen-
9 cy to plan and carry out a program under the demonstra-
10 tion, the relative performance by an agency under the pub-
11 lic housing management assessment program under section
12 6(j) of the United States Housing Act of 1937, and other
13 appropriate factors as determined by the Secretary.

14 (e) *APPLICABILITY OF 1937 ACT PROVISIONS.*—

15 (1) Section 18 of the United States Housing Act
16 of 1937 shall continue to apply to public housing not-
17 withstanding any use of the housing under this dem-
18 onstration.

19 (2) Section 12 of such Act shall apply to housing
20 assisted under the demonstration, other than housing
21 occupied by families receiving tenant-based assist-
22 ance.

23 (f) *EFFECT ON SECTION 8, OPERATING SUBSIDIES,*
24 *AND COMPREHENSIVE GRANT PROGRAM ALLOCATIONS.*—
25 The amount of assistance received under section 8, section

1 9, or pursuant to section 14 by a public housing agency
2 participating in the demonstration under this part shall
3 not be affected by its participation.

4 (g) *RECORDS, REPORTS, AND AUDITS.*—

5 (1) *KEEPING OF RECORDS.*—Each agency shall
6 keep such records as the Secretary may prescribe as
7 reasonably necessary to disclose the amounts and the
8 disposition of amounts under this demonstration, to
9 ensure compliance with the requirements of this sec-
10 tion, and to measure performance.

11 (2) *REPORTS.*—Each agency shall submit to the
12 Secretary a report, or series of reports, in a form and
13 at a time specified by the Secretary. Each report
14 shall—

15 (A) document the use of funds made avail-
16 able under this section;

17 (B) provide such data as the Secretary may
18 request to assist the Secretary in assessing the
19 demonstration; and

20 (C) describe and analyze the effect of as-
21 sisted activities in addressing the objectives of
22 this part.

23 (3) *ACCESS TO DOCUMENTS BY THE SEC-*
24 *RETARY.*—The Secretary shall have access for the pur-
25 pose of audit and examination to any books, docu-

1 *ments, papers, and records that are pertinent to as-*
2 *sistance in connection with, and the requirements of,*
3 *this section.*

4 (4) *ACCESS TO DOCUMENTS BY THE COMPTROL-*
5 *LER GENERAL.—The Comptroller General of the Unit-*
6 *ed States, or any of the duly authorized representatives*
7 *of the Comptroller General, shall have access for the*
8 *purpose of audit and examination to any books, docu-*
9 *ments, papers, and records that are pertinent to as-*
10 *sistance in connection with, and the requirements of,*
11 *this section.*

12 (h) *EVALUATION AND REPORT.—*

13 (1) *CONSULTATION WITH PHA AND FAMILY REP-*
14 *RESENTATIVES.—In making assessments throughout*
15 *the demonstration, the Secretary shall consult with*
16 *representatives of public housing agencies and resi-*
17 *dents.*

18 (2) *REPORT TO CONGRESS.—Not later than 180*
19 *days after the end of the third year of the demonstra-*
20 *tion, the Secretary shall submit to the Congress a*
21 *final report evaluating the programs carried out*
22 *under the demonstration. The report shall also in-*
23 *clude findings and recommendations for any appro-*
24 *priate legislative action.*

1 (i) *FUNDING FOR TECHNICAL ASSISTANCE AND EVAL-*
2 *UATION.*—From amounts appropriated for assistance under
3 *section 14 of the United States Housing Act of 1937 for*
4 *fiscal years 1996, 1997, and 1998, the Secretary may use*
5 *up to a total of \$5,000,000—*

6 (1) *to provide, directly or by contract, training*
7 *and technical assistance—*

8 (A) *to public housing agencies that express*
9 *an interest to apply for training and technical*
10 *assistance pursuant to subsection (c)(4), to assist*
11 *them in designing programs to be proposed for*
12 *the demonstration; and*

13 (B) *to up to 10 agencies selected to receive*
14 *training and technical assistance pursuant to*
15 *subsection (c)(4), to assist them in implementing*
16 *the approved program; and*

17 (2) *to conduct detailed evaluations of the activi-*
18 *ties of the public housing agencies under paragraph*
19 *(1)(B), directly or by contract.*

20 **SEC. 207. REPEAL OF PROVISIONS REGARDING INCOME DIS-**
21 **REGARDS.**

22 (a) *MAXIMUM ANNUAL LIMITATION ON RENT IN-*
23 *CREASES RESULTING FROM EMPLOYMENT.*—Section 957 of
24 *the Cranston-Gonzalez National Affordable Housing Act is*

1 *hereby repealed, retroactive to November 28, 1990, and shall*
2 *be of no effect.*

3 (b) *ECONOMIC INDEPENDENCE.*—Section 923 of the
4 *Housing and Community Development Act of 1992 is here-*
5 *by repealed, retroactive to October 28, 1992, and shall be*
6 *of no effect.*

7 **SEC. 208. EXTENSION OF MULTIFAMILY HOUSING FINANCE**
8 **PROGRAMS.**

9 (a) *The first sentence of section 542(b)(5) of the Hous-*
10 *ing and Community Development Act of 1992 (12 U.S.C.*
11 *1707 note) is amended by striking “on not more than*
12 *15,000 units over fiscal years 1993 and 1994” and inserting*
13 *“on not more than 7,500 units during fiscal year 1996”.*

14 (b) *The first sentence of section 542(c)(4) of the Hous-*
15 *ing and Community Development Act of 1992 (12 U.S.C.*
16 *1707 note) is amended by striking “on not to exceed 30,000*
17 *units over fiscal years 1993, 1994, and 1995” and inserting*
18 *“on not more than 10,000 units during fiscal year 1996”.*

19 **SEC. 209. FORECLOSURE OF HUD-HELD MORTGAGES**
20 **THROUGH THIRD PARTIES.**

21 *During fiscal year 1996, the Secretary of Housing and*
22 *Urban Development may delegate to one or more entities*
23 *the authority to carry out some or all of the functions and*
24 *responsibilities of the Secretary in connection with the fore-*

1 *closure of mortgages held by the Secretary under the Na-*
2 *tional Housing Act.*

3 **SEC. 210. RESTRUCTURING OF THE HUD MULTIFAMILY**
4 **MORTGAGE PORTFOLIO THROUGH STATE**
5 **HOUSING FINANCE AGENCIES.**

6 *During fiscal year 1996, the Secretary of Housing and*
7 *Urban Development may sell or otherwise transfer multi-*
8 *family mortgages held by the Secretary under the National*
9 *Housing Act to a State housing finance agency without re-*
10 *gard to the unit limitations in section 542(b)(5) or*
11 *542(c)(4) of the Housing and Community Development Act*
12 *of 1992.*

13 **SEC. 211. TRANSFER OF SECTION 8 AUTHORITY.**

14 *(a) Section 8 of the United States Housing Act of 1937*
15 *is amended by adding the following new subsection at the*
16 *end:*

17 *“(bb) TRANSFER OF BUDGET AUTHORITY.—If a*
18 *project-based assistance contract under this section is termi-*
19 *nated or is not renewed, or if the contract expires, the Sec-*
20 *retary shall, in order to provide continued assistance to eli-*
21 *gible families, including eligible families receiving the bene-*
22 *fit of the project-based assistance at the time of the termi-*
23 *nation, transfer any budget authority remaining in the con-*
24 *tract to another contract. The transfer shall be under such*
25 *terms as the Secretary may prescribe.”.*

1 **SEC. 212. DOCUMENTATION OF MULTIFAMILY**
2 **REFINANCINGS.**

3 *Notwithstanding the 16th paragraph under the item*
4 *relating to “ADMINISTRATIVE PROVISIONS” in title II of the*
5 *Departments of Veterans Affairs and Housing and Urban*
6 *Development, and Independent Agencies Appropriations*
7 *Act, 1995 (Public Law 103–327; 108 Stat. 2316), the*
8 *amendments to section 223(a)(7) of the National Housing*
9 *Act made by the 15th paragraph of such Act shall be effec-*
10 *tive during fiscal years 1996 and thereafter.*

11 **SEC. 213. DEMONSTRATION AUTHORITY.**

12 *(a) On and after October 1, 1995, the Secretary of*
13 *Housing and Urban Development shall carry out a dem-*
14 *onstration program with respect to multifamily projects*
15 *whose mortgages are insured under the National Housing*
16 *Act and that are assisted under section 8 of the United*
17 *States Housing Act of 1937 and whose present section 8*
18 *rents are, in the aggregate, in excess of 110 percent of the*
19 *fair market rent of the locality in which the project is lo-*
20 *cated, including projects whose section 8 contracts expire*
21 *on or after October 1, 1996. These programs shall be de-*
22 *signed to test the feasibility and desirability of the goal of*
23 *ensuring, to the maximum extent practicable, that the debt*
24 *service and operating expenses, including adequate reserves,*
25 *attributable to such multifamily projects whose mortgages*
26 *are insured under the National Housing Act and that are*

1 *assisted under section 8 of the United States Housing Act*
2 *of 1937 and whose present section 8 contract rents are in*
3 *excess of the fair market rent of the locality in which the*
4 *project is located can be supported with and without mort-*
5 *gage insurance under the National Housing Act and with*
6 *and without above-market rents and utilizing project based*
7 *assistance or, with the consent of the property owner and*
8 *the residents, tenant based assistance, while taking into ac-*
9 *count the need for assistance of low and very low income*
10 *families in such projects. In carrying out this demonstra-*
11 *tion, the Secretary may use arrangements with third par-*
12 *ties, under which the Secretary may provide for the as-*
13 *sumption by the third parties (by delegation, contract, or*
14 *otherwise) of some or all of the functions, obligations, and*
15 *benefits of the Secretary.*

16 (1) *GOALS.—The Secretary of Housing and*
17 *Urban Development shall carry out the demonstration*
18 *programs under this section in a manner that—*

19 (A) *will protect the financial interests of the*
20 *Federal Government;*

21 (B) *will result in significant discretionary*
22 *cost savings through debt restructuring and sub-*
23 *sidy reduction; and*

24 (C) *will, in the least costly fashion, address*
25 *the goals of—*

- 1 (i) maintaining existing housing stock
2 in a decent, safe, and sanitary condition;
3 (ii) minimizing the involuntary dis-
4 placement of tenants;
5 (iii) restructuring the mortgages of
6 such projects in a manner that is consistent
7 with local housing market conditions;
8 (iv) supporting fair housing strategies;
9 (v) minimizing any adverse income
10 tax impact on property owners; and
11 (vi) minimizing any adverse impact
12 on residential neighborhoods.

13 *In determining the manner in which a mortgage is*
14 *to be restructured or the subsidy reduced, the Sec-*
15 *retary may balance competing goals relating to indi-*
16 *vidual projects in a manner that will further the pur-*
17 *poses of this section.*

18 (2) *DEMONSTRATION APPROACHES.*—*In carrying*
19 *out the demonstration programs, the Secretary may*
20 *use one or more of the following approaches:*

21 (A) *Joint venture arrangements with third*
22 *parties, under which the Secretary may provide*
23 *for the assumption by the third parties (by dele-*
24 *gation, contract, or otherwise) of some or all of*

1 *the functions, obligations, and benefits of the Sec-*
2 *retary.*

3 *(B) Subsidization of the debt service of the*
4 *project to a level that can be paid by an owner*
5 *receiving an unsubsidized market rent.*

6 *(C) Renewal of existing project-based assist-*
7 *ance contracts where the Secretary shall approve*
8 *proposed initial rent levels that do not exceed the*
9 *greater of 120 percent of fair market rents or*
10 *comparable market rents for the relevant metro-*
11 *politan market area or at rent levels under a*
12 *budget-based approach.*

13 *(D) Nonrenewal of expiring existing project-*
14 *based assistance contracts and providing tenant-*
15 *based assistance to previously assisted house-*
16 *holds.*

17 *(b) For purposes of carrying out demonstration pro-*
18 *grams under subsection (a)—*

19 *(1) the Secretary may manage and dispose of*
20 *multifamily properties owned by the Secretary as of*
21 *October 1, 1995 and multifamily mortgages held by*
22 *the Secretary as of October 1, 1995 for properties as-*
23 *sisted under section 8 with rents above 110 percent of*
24 *fair market rents without regard to any other provi-*
25 *sion of law; and*

1 (2) *the Secretary may delegate to one or more*
2 *entities the authority to carry out some or all of the*
3 *functions and responsibilities of the Secretary in con-*
4 *nection with the foreclosure of mortgages held by the*
5 *Secretary under the National Housing Act.*

6 (c) *For purposes of carrying out demonstration pro-*
7 *grams under subsection (a), subject to such third party con-*
8 *sents (if any) as are necessary including but not limited*
9 *to (i) consent by the Government National Mortgage Asso-*
10 *ciation where it owns a mortgage insured by the Secretary;*
11 *(ii) consent by an issuer under the mortgage-backed securi-*
12 *ties program of the Association, subject to the responsibil-*
13 *ities of the issuer to its security holders and the Association*
14 *under such program; and (iii) parties to any contractual*
15 *agreement which the Secretary proposes to modify or dis-*
16 *continue, the Secretary or one or more third parties des-*
17 *ignated by the Secretary may take the following actions:*

18 (1) *Notwithstanding any other provision of law,*
19 *the Secretary or third party may remove, relinquish,*
20 *extinguish, modify, or agree to the removal of any*
21 *mortgage, regulatory agreement, project-based assist-*
22 *ance contract, use agreement, or restriction that had*
23 *been imposed or required by the Secretary, including*
24 *restrictions on distributions of income which the Sec-*
25 *retary or third party determines would interfere with*

1 *the ability of the project to operate without above*
2 *market rents. The Secretary or third party may re-*
3 *quire an owner of a property assisted under the sec-*
4 *tion 8 new construction/substantial rehabilitation*
5 *program to apply any accumulated residual receipts*
6 *toward effecting the purposes of this section.*

7 *(2) Notwithstanding any other provision of law,*
8 *the Secretary of Housing and Urban Development*
9 *may enter into contracts to purchase reinsurance, or*
10 *enter into participations or otherwise transfer eco-*
11 *nomical interest in contracts of insurance or in the pre-*
12 *miums paid, or due to be paid, on such insurance to*
13 *third parties, on such terms and conditions as the*
14 *Secretary may determine.*

15 *(3) The Secretary may offer project-based assist-*
16 *ance with rents at or below fair market rents for the*
17 *locality in which the project is located and may nego-*
18 *tiate such other terms as are acceptable to the Sec-*
19 *retary and the project owner.*

20 *(4) If, after reducing rents as provided in sub-*
21 *section (3) hereof, the project would be unable to pay*
22 *full operating costs (including normal operating ex-*
23 *penses, reasonable reserves, full debt service, and rea-*
24 *sonable allowances for vacancy losses and debt service*
25 *coverage/owner return), the Secretary may offer to*

1 *pay all or a portion of the project's debt service, and*
2 *shall restrict the portion of debt service, if any, to be*
3 *paid by the project to the amount consistent with*
4 *payment of such full operating costs. The Secretary*
5 *may offer to make such payments monthly from the*
6 *appropriate Insurance Fund, for the full remaining*
7 *term of the insured mortgage.*

8 *(5) Notwithstanding any other provision of law,*
9 *the Secretary may forgive and cancel any FHA-in-*
10 *sured mortgage debt that a demonstration program*
11 *property cannot carry at market rents while bearing*
12 *full operating costs.*

13 *(6) For demonstration program properties that*
14 *cannot carry full operating costs (excluding debt serv-*
15 *ice) at market rents, the Secretary shall approve*
16 *project-based rents sufficient to carry such full operat-*
17 *ing costs and shall offer to pay the full debt service*
18 *in the manner provided in section 216(c)(4) hereof.*

19 *(d) SELECTION.—The Secretary shall select multifam-*
20 *ily projects whose mortgages are insured that are from dif-*
21 *ferent geographic areas of the nation, from States and local-*
22 *ities of varying sizes, of different occupancy profiles by in-*
23 *come, race, and age, of different financial and physical con-*
24 *ditions, and other factors as determined by the Secretary.*

1 (e) *COMMUNITY AND TENANT INPUT.*—In carrying out
2 this section, the Secretary shall develop procedures to obtain
3 appropriate and timely input from officials of the unit of
4 general local government affected, the community in which
5 the project is situated, and the tenant of the project.

6 (f) *LIMITATION ON DEMONSTRATION AUTHORITY.*—
7 The Secretary may carry out demonstration programs
8 under this section with respect to mortgages not to exceed
9 30,000 units over fiscal years 1996 and 1997: Provided,
10 That not less than fifty percent of the units participating
11 in the demonstration shall be in projects that are assisted
12 under section 8 new construction/substantial rehabilitation
13 contracts which expire after September 30, 1997. The dem-
14 onstration authorized under this section shall not be ex-
15 panded until the reports required under subsection (g) are
16 submitted to the Congress.

17 (g) *REPORT TO CONGRESS.*—The Secretary shall sub-
18 mit to the Congress every three months after the date of
19 enactment of this Act a report describing and assessing the
20 programs carried out under the demonstrations. The Sec-
21 retary shall also submit a final report to the Congress not
22 later than six months after the end of the demonstrations.
23 The final report shall include findings and recommenda-
24 tions for any legislative action appropriate to establish a
25 permanent program based on the findings under the dem-

1 *onstrations. The final report shall also include a description*
2 *of the status of each multifamily housing project selected*
3 *for the demonstrations under this section. The final report*
4 *shall include—*

5 *(1) the size of the projects;*

6 *(2) the geographic locations of the projects, by*
7 *State and region;*

8 *(3) the physical and financial condition of the*
9 *projects;*

10 *(4) the occupancy profile of the projects, includ-*
11 *ing the income, family size, race, and ethnic origin*
12 *of current tenants, and the rents paid by such ten-*
13 *ants;*

14 *(5) a description of actions undertaken pursuant*
15 *to this section, including a description of the effective-*
16 *ness of such actions and any impediments to the*
17 *transfer or sale of multifamily housing projects;*

18 *(6) a description of the extent to which the dem-*
19 *onstrations under this section have displaced tenants*
20 *of multifamily housings projects;*

21 *(7) a description of any of the functions per-*
22 *formed in connection with this section that are trans-*
23 *ferred or contracted out to public or private entities*
24 *or to States;*

1 (8) a description of the impact to which the dem-
2 onstrations under this section have affected the local-
3 ities and communities where the selected multifamily
4 housing projects are located; and

5 (9) a description of the extent to which the dem-
6 onstrations under this section have affected the owners
7 of multifamily housing projects.

8 (g) *EFFECTIVE DATE.*—The provisions of this section
9 shall become effective on October 1, 1996.

10 *SEC. 214. CONTRACT RENEWAL.*—With respect to con-
11 tracts for project based rental assistance under section 8 of
12 the United States Housing Act of 1937 which contracts ex-
13 pire during fiscal year 1996, the Secretary shall take the
14 following actions to renew such contracts:

15 (a) *CONTRACT TERM.*—All renewal contracts
16 under this section shall have terms of one year.

17 (b) *TENANT-BASED ASSISTANCE OPTIONAL.*—Not-
18 withstanding section 8(v) of the United States Hous-
19 ing Act of 1937, the Secretary may, with the consent
20 of the owner, agree to provide tenant-based rental as-
21 sistance under section 8(b) or 8(o) of the United
22 States Housing Act of 1937 in lieu of providing
23 project-based rental assistance under this section. The
24 Secretary may offer incentives to project owners to
25 accept tenant-based assistance.

1 (c) *DEMONSTRATION PROGRAM.*—If such expir-
2 ing contracts are eligible for the demonstration pro-
3 gram under section 213 hereof, such contracts shall be
4 addressed under the terms of section 213.

5 (d) *LOAN MANAGEMENT SET-ASIDE.*—The Sec-
6 retary shall offer to renew all Loan Management Set-
7 Aside contracts expiring during fiscal year 1996 that
8 are not subject to the demonstration program under
9 section 213 hereof, on existing conditions and for the
10 term provided in subsection (a) hereof.

11 (e) *EXPIRING CONTRACTS FOR FHA-INSURED*
12 *PROJECTS.*—For multifamily projects whose mort-
13 gages are insured under the National Housing Act,
14 that are assisted under (§ 8 NC/SR), and that are not
15 subject to the demonstration program under section
16 213 hereof, the Secretary shall make two offers to
17 renew such expiring contracts:

18 (1) *Renewal of the current contract, with*
19 *rents equal to the fair market rent of the locality*
20 *in which the project is located.*

21 (2) *Under the Loan Management Set-Aside*
22 *Program.*

23 (f) *OTHER EXPIRING CONTRACTS.*—The Sec-
24 retary shall offer to renew all remaining expiring
25 project-based contracts, with rents equal to the fair

1 *market rent of the locality in which the project is lo-*
 2 *cated.*

3 (g) *EFFECTIVE DATE.*—*The provisions of this section*
 4 *shall become effective on October 1, 1996.*

5 *PRESERVATION REFORM*

6 *SEC. 217. Subtitle B of the Low-Income Housing Pres-*
 7 *ervation and Resident Homeownership Act of 1990, is*
 8 *amended as follows:*

9 (a) *After section 201, insert the following new*
 10 *section:*

11 ***“SEC. 202. APPLICABILITY.***

12 *“This subtitle shall be applicable to all eligible low-*
 13 *income housing which has not received funding for a plan*
 14 *of action before October 1, 1995. Eligible projects which*
 15 *have received funding before such effective date shall be gov-*
 16 *erned by the Low Income Housing Preservation and Resi-*
 17 *dent Homeownership Act of 1990 as was in effect before*
 18 *such effective date.”.*

19 (b) *Section 211 is amended to read as follows:*

20 ***“SEC. 211. PERMISSIBLE PREPAYMENT OR INCENTIVES NOT***
 21 ***TO PREPAY.***

22 *“(a) PREPAYMENT AND TERMINATION.—An owner of*
 23 *eligible low income housing may prepay, and a mortgagee*
 24 *may accept prepayment, in accordance with the terms of*

1 *the mortgage note, and regulations in effect when said note*
2 *was signed.*

3 “(b) *PLAN OF ACTION.*—*An owner of eligible housing*
4 *who does not exercise the right to prepay the mortgage may*
5 *file a plan of action to receive incentives to extend low in-*
6 *come use pursuant to section 219(b) or incentives for trans-*
7 *fers to qualified purchasers pursuant to section 220.”*

8 (c) *Section 212(a) is amended by striking the*
9 *words “as in accordance with section 218”.*

10 (d) *Striking out section 214.*

11 (e) *Section 215 is amended as follows:*

12 (1) *Subsection (a) is amended to read as*
13 *follows:*

14 “(a) *DETERMINATION OF RELATION TO FEDERAL*
15 *COST LIMITS.*—*For each eligible low-income housing*
16 *project appraised under section 213(a), the Secretary shall*
17 *make an initial determination as to whether the estimated*
18 *allowable equity loan pursuant to section 219(b)(8) or the*
19 *estimated allowable grant pursuant to section 220(d)(3)(A)*
20 *exceeds the amount equal to 60 times the most recently pub-*
21 *lished fair market rent for the area in which the project*
22 *is located and the appropriate unit size for all of the units*
23 *in the eligible housing. The initial determination shall be*
24 *used solely for the purpose of providing information to own-*
25 *ers pursuant to section 216. Actual incentives available to*

1 *an owner (or a qualified purchaser) shall be determined*
2 *pursuant to an approved plan of action; provided however,*
3 *that the Secretary may not approve incentives in an*
4 *amount exceeding the federal cost limits as defined in this*
5 *section, unless the Secretary determines that preservation*
6 *for the eligible low income housing project is appropriate.”.*

7 (2) *Subsection (b) is amended to read as*
8 *follows:*

9 “(b) *HOUSING EXCEEDING FEDERAL COST LIMITS.—*
10 *If the estimated allowable equity loan or grant for an eligi-*
11 *ble low income housing project exceeds the federal cost limit,*
12 *the owner may:*

13 “(1) *file a plan of action under section 217 to*
14 *receive incentives under section 219;*

15 “(2) *file a second notice of intent under section*
16 *216(d) indicating an intention to transfer the housing*
17 *under section 220 and take actions pursuant to such*
18 *section;*

19 “(3) *file a second notice under section 216(d) in-*
20 *dicating an intention to transfer the housing under*
21 *section 220 so long as a qualified purchaser provides*
22 *non-preservation resources sufficient to accommodate*
23 *the difference between the incentives approved under*
24 *the applicable plan of action and the actual purchase*
25 *price; or*

1 “(4) file a second notice of intent under section
2 216(d) indicating an intention to prepay the mort-
3 gage or voluntarily terminate the insurance.”.

4 (f) Section 216 is amended as follows:

5 (1) Strike subsection (a).

6 (2) Subsection (b)(2) is amended to read as
7 follows: “A statement of the required repairs and
8 initial reserve deposits required by the Secretary,
9 based on a capital needs assessment of the prop-
10 erty.”.

11 (3) Subsection (b)(4) is amended by striking
12 the phrase, “aggregate preservation rents” and
13 inserting in lieu thereof, “estimated allowable eq-
14 uity loan or grant, as applicable.”.

15 (4) Subsection (d)(1) is amended by delet-
16 ing the second and third sentences thereof.

17 (g) Section 217 is amended as follows:

18 (1) Subsection (a)(1) is amended by—

19 (A) striking out “terminate the low-in-
20 come affordability restrictions through pre-
21 payment of the mortgage or voluntary ter-
22 mination under section 218, or to”;

23 (B) striking out “or 221”; and

24 (C) striking the matter following “sec-
25 tion 220(b)”.

1 (2) Subsection (b) is amended by—
2 (A) striking out paragraph (1); and
3 (B) in paragraph (2) striking out “If
4 the plan of action proposes to extend the low
5 income affordability restrictions of the hous-
6 ing in accordance with section 219 or trans-
7 fer the housing to a qualified purchaser in
8 accordance with section 220, the plan” and
9 inserting in lieu thereof, “The plan of ac-
10 tion shall include—”.

11 (f) Strike out section 218.

12 (g) Section 219 is amended as follows:

13 (1) Subsection (a) is amended by deleting
14 from “for each year” to the end of the subsection
15 and inserting in lieu thereof “the incentives pro-
16 vided in subsection (b) hereof.”

17 (2) Subsection (b) is amended by—

18 (A) striking out subparagraphs 2 and
19 3, and renumbering the remaining sub-
20 sections;

21 (B) amending paragraph 3 by deleting
22 all that follows “improvements” and insert-
23 ing in lieu thereof, “as provided in para-
24 graph 8 hereof”;

1 (C) amending paragraph 5 to read as
2 follows: “Access by the owner to a portion
3 of preservation equity in the housing as
4 provided in paragraph (6) hereof.”;

5 (D) by adding a new paragraph (8) as
6 follows:

7 “(8) A non-interest-bearing direct loan by the
8 Secretary equal in amount to the cost of rehabilita-
9 tion approved in the plan of action plus 70 percent
10 of the preservation equity.

11 “(i) Repayment of the loan provided under
12 this paragraph shall commence when the first
13 mortgage loan on the eligible low income housing
14 is paid in full. The Secretary shall require the
15 owner to make payments thereafter in an
16 amount not greater than the amount that the
17 owner had been paying on said first mortgage
18 taking into account any interest reduction pay-
19 ments made pursuant to section 236 of the Na-
20 tional Housing Act.

21 (ii) The Secretary shall permit an owner re-
22 turn equal to 8 percent of 30 percent of the pres-
23 ervation equity and shall permit the inclusion
24 thereof in the budget for the eligible housing in-

1 *stead of the return permitted on the original eq-*
2 *uity of the eligible housing.”; and*

3 *(E) by adding a new subsection (b)(9)*
4 *as follows:*

5 *“(9) retention of rental income in excess of the*
6 *basic rental charge in projects assisted under section*
7 *236 of the National Housing Act, to be used for the*
8 *purposes of preserving the low/moderate income char-*
9 *acter of the eligible low income housing.”.*

10 *(3) In final unnumbered paragraph, strike*
11 *out the words “but the owner shall pay to the*
12 *Secretary all rental charges in excess of the basic*
13 *rental charges”.*

14 *(h) Section 220 is amended as follows:*

15 *(1) Subsection (a) is amended by deleting*
16 *the final sentence thereof.*

17 *(2) Subsection (b)(1) is amended by deleting*
18 *the first sentence thereof and inserting in lieu*
19 *thereof the following:*

20 *“(1) For the 6 month period beginning on the*
21 *date of receipt by the Secretary of a second notice of*
22 *intent under section 216(d) with respect to such hous-*
23 *ing, the owner may offer to sell and/or negotiate a*
24 *sale of the housing only with—*

1 “(i) a resident council or mutual housing
2 association intending to purchase the project
3 under section 226, which has the support of ten-
4 ants representing at least 75 percent of the occu-
5 pied units in the project and at least 50 percent
6 of all of the units in the project.

7 “(ii) a resident council intending to pur-
8 chase the project and retain it as rental housing,
9 which has the support of the majority of the ten-
10 ant households; or

11 “(iii) a community based nonprofit housing
12 organization, which has the support of the ma-
13 jority of the tenant households.

14 “(2) If no bona fide offer to purchase the project
15 is made and accepted during or at the end of the 6-
16 month period specified in subparagraph (b)(1) of this
17 section, the owner may offer to sell the project during
18 the succeeding 6 months to any priority purchaser.”.

19 (2) Subsections (d)(2) and (d)(3) are
20 amended to read as follows:

21 “(d)(2) AMOUNT.—Subject to the availability of
22 amounts approved in appropriations Acts, the Secretary
23 shall, for approvable plans of action, provide assistance suf-
24 ficient to enable qualified purchasers to—

1 “(A) acquire the eligible low-income housing
2 from the current owner for a purchase price not
3 greater than the preservation value of the housing.
4 Such purchase price does not include the residual re-
5 ceipts account which shall be released to the owner,
6 but shall include the replacement reserve account
7 which shall be transferred to the purchaser;

8 “(B) rehabilitate the housing;

9 “(C) meet project operating expenses and estab-
10 lish adequate reserves for the housing, and in the case
11 of a Priority Purchaser, meet project oversight costs;

12 “(D) receive a distribution equal to 8 percent
13 annual return on any actual cash investment (from
14 sources other than assistance provided under this
15 title) made to acquire or rehabilitate the project;

16 “(E) in the case of a priority purchaser, receive
17 a reimbursement of all reasonable transaction ex-
18 penses associated with the acquisition, loan closing,
19 and implementation of an approved plan of action;
20 and

21 “(F) in the case of an approved resident home-
22 ownership program, cover the costs of training for the
23 resident council, homeownership counseling and
24 training, the fees for the nonprofit entity or public

1 *agency working with the resident council and costs re-*
2 *lated to relocation of tenants who elect to move.*

3 *“(d)(3) INCENTIVES.—*

4 *“(A) IN GENERAL.—For all qualified purchasers*
5 *of housing under this subsection, the Secretary may*
6 *provide assistance for an approved Plan of Action in*
7 *the form of 1 or more of the incentives authorized*
8 *under section 219(b), except in lieu of the incentives*
9 *under section 219(b)(7) and 219(b)(8), the Secretary*
10 *shall provide a grant equal in amount to 100 percent*
11 *of the transfer preservation equity determined for the*
12 *property plus the amount of rehabilitation costs re-*
13 *quired by the plan of action: Provided, That the grant*
14 *may include, if the qualified purchaser is a priority*
15 *purchaser, any expenses associated with the acquisi-*
16 *tion, loan closing and implementation of the plan of*
17 *action, subject to approval by the Secretary. Expenses*
18 *associated with implementation of the plan of action*
19 *may include capital reserves, operating reserves, and*
20 *escrows established to mitigate the burden of initial*
21 *rent increases on tenants. At the purchaser’s election,*
22 *the grant shall be provided in the form of a loan in*
23 *the same amount. If the purchaser makes such elec-*
24 *tion, the interest rate on the loan shall be no less than*
25 *the applicable Federal rate and repayment shall be*

1 *deferred until sale of the housing or refinancing or re-*
2 *payment of the federally-assisted mortgage, whichever*
3 *is earlier, or such later date as may be required to*
4 *maintain low-income affordability restrictions for the*
5 *remaining useful life of the housing.”.*

6 *(i) Strike out section 221.*

7 *(j) Section 222 is amended as follows:*

8 *(1) Strike out subparagraphs (a)(2) (D),*
9 *(E) and (F) and renumbering the remaining*
10 *subsections.*

11 *(2) Amend subparagraph (a)(2)(G) to read*
12 *as follows:*

13 *“(G) future rent adjustments shall be gov-*
14 *erned by the provisions of the regulatory agree-*
15 *ment concerning rent adjustments now in effect*
16 *for the eligible low-income housing except that*
17 *priority purchasers shall receive project oversight*
18 *costs. The Secretary shall process requests for*
19 *rent adjustments during the pendency of the*
20 *processing under this title.”.*

21 *(3) Subsection (d)(2)(A)(i) is amended to*
22 *read as follows:*

23 *“(i) declining to authorize the release*
24 *of any escrowed loan proceeds and requiring*
25 *that such amounts be used for repairs.”.*

1 (4) *Subsection (d)(2)(C)(ii) is amended by*
2 *striking out “an equity take-out loan has been*
3 *made under section 241(f) of the National Hous-*
4 *ing Act” and inserting in lieu thereof, “a loan*
5 *has been insured under the National Housing*
6 *Act or made pursuant to section 219(b)(8) or*
7 *220(d)(3)”.*

8 (5) *Strike out subsection (d)(2)(C)(iii).*

9 (6) *Insert a new subsection (e) as follows:*

10 “(e) *MIXED INCOME COMMUNITIES.—To the extent*
11 *that federal assistance is provided for economic feasibility,*
12 *units available to new tenants will be available and afford-*
13 *able to the same proportions of very-low income families*
14 *or persons, low income families or persons, and moderate*
15 *income families or persons (including families or persons*
16 *whose incomes are 95 percent or more of area median in-*
17 *come) as of the date of approval of the plan of action.”.*

18 (k) *Section 223 is amended as follows:*

19 (1) *Subsection (a) is amended by striking*
20 *out in the first sentence “low-income” and in-*
21 *serting in lieu thereof “very low-income”.*

22 (2) *Strike out the last sentence of subsection*
23 *(b), and inserting in lieu thereof “The Secretary*
24 *shall pay the relocation expenses of each such*
25 *low-income family—*

1 “(i) that does not receive section 8 assist-
2 ance pursuant to subsection (a);

3 “(ii) that is displaced within 180 days after
4 such prepayment; and

5 “(iii) whose rent and utility cost imme-
6 diately prior to displacement exceeded 30 percent
7 of adjusted income. Provided, however, that such
8 relocation payment shall not exceed \$1,500 per
9 family.”.

10 (3) Strike out subsections (c), (d) and (e).

11 (l) Strike out section 224.

12 (m) Section 225(c) is amended by—

13 (1) striking out in the first sentence all that
14 follows “shall” and inserting in lieu thereof
15 “provide the incentives, and, in addition, shall
16 pay the owner of the eligible housing a return
17 equal to 8 percent of the preservation equity
18 from the date that the Secretary should have
19 complied with such time limitation”; and

20 (2) striking out, in the last sentence thereof,
21 “district”.

22 (n) Section 226(b)(2) is amended by inserting
23 “mutual housing association” between “limited equity
24 cooperative ownership)” and “and fee simple owner-
25 ship.”

1 (o) *Section 229 is amended as follows:*

2 (1) *Subsection (1)(B) is amended to read as*
3 *follows:*

4 “(B) *that, under regulation or contract in*
5 *effect before February 5, 1988, would have be-*
6 *come eligible for prepayment without prior ap-*
7 *proval of the Secretary:*

8 “(i) *on or before December 31, 1996, and*
9 *the owner of such housing filed a notice of intent*
10 *on or before February 28, 1995 under title VI of*
11 *the Low Income Housing Preservation and Resi-*
12 *dent Homeownership Act of 1990 or under title*
13 *II of the Emergency Low Income Housing Pres-*
14 *ervation Act of 1987; or*

15 “(ii) *after December 31, 1996, and the*
16 *owner of such housing files a notice of intent*
17 *under this title on or before March 1, 1996.”.*

18 (2) *Subsection (8) is amended by deleting*
19 *in subparagraph (A) the words “determining the*
20 *authorized return under section 219(b)(6)(ii)”*
21 *and subparagraph (B) by deleting “and 221”*
22 *and deleting the words “acquisition loans under*
23 *the provisions of section 241(f)(3) of the National*
24 *Housing Act and inserting in lieu thereof, “ac-*

1 *quisition grant under the provisions of section*
2 *220(d)(2)''.*

3 *(3) Subsection (11) is amended by inserting*
4 *after "association": "(including such an organi-*
5 *zation or its affiliate that is a general partner*
6 *in a limited partnership)''.*

7 *(4) Insert a new definition (12) as follows:*

8 *“(12) The term ‘Community Based Non-Profit*
9 *Organization’ is defined as set forth in 24 C.F.R.*
10 *248.101, except that a private nonprofit organization*
11 *shall be deemed to include an organization or its af-*
12 *ffiliate that is a general partner in a limited partner-*
13 *ship.’’.*

14 *(5) Insert a new definition (13) as follows:*

15 *“(13) Mutual Housing Association. A private en-*
16 *tity organized under State law that has been deter-*
17 *mined to be a tax-exempt entity under section 501c*
18 *of the Internal Revenue Code of 1986 (including such*
19 *an entity or its affiliate that is a general partner in*
20 *a limited partnership), and that owns, manages, and*
21 *continuously develops affordable housing by providing*
22 *long-term housing for low and moderate income indi-*
23 *viduals and families. The residents of mutual housing*
24 *participate in the ongoing management of the hous-*
25 *ing, and through the purchase of membership interests*

1 *in the associations have the right to continue residing*
2 *in the housing as long as they own memberships in*
3 *the associations.”.*

4 *(6) Subsection (1) is amended by inserting*
5 *new subparagraph (C) after subparagraph (B):*

6 *“(C) that has been determined to have pres-*
7 *ervation equity equivalent to the lesser of \$5,000/*
8 *unit or \$500,000 per project or the equivalent of*
9 *8 times the most recently published fair market*
10 *rent for the area in which the project is located*
11 *and the appropriate unit size for all of the units*
12 *in the eligible project.”.*

13 *(p) Subsection 231(a) is amended by inserting*
14 *before the period the following: “; and (C) any resi-*
15 *dent council, community-based non-profit organiza-*
16 *tion, mutual housing association, or their affiliate*
17 *that acts as a general partner in a limited partner-*
18 *ship and agrees to maintain low-income affordability*
19 *restrictions for the remaining useful life of the hous-*
20 *ing as determined under section 222(c).”.*

21 *(q) Subsection 232(a)(2) is amended to read as*
22 *follows:*

23 *“(2) restricts or inhibits an owner of such hous-*
24 *ing from receiving any benefit provided under this*
25 *Act;”.*

1 (r) *Inserting after section 235, the following new*
2 *section:*

3 ***“SEC. 236. IMPLEMENTING PROVISIONS FOR CAPITAL***
4 ***LOANS AND GRANTS.***

5 “(a) *SELF-IMPLEMENTATION.*—*The Secretary shall*
6 *implement the incentives of capital loans or grants pursu-*
7 *ant to section 219(b)(8) or 220(d)(2) upon the enactment*
8 *of an appropriations Act for fiscal year 1996 providing*
9 *funds for this purpose without issuing regulations and the*
10 *processing of an eligible project and any approvals rendered*
11 *by the Secretary under title VI of the Low Income Housing*
12 *Preservation and Resident Homeownership Act of 1990 or*
13 *title II of the Emergency Low Income Housing Preservation*
14 *Act of 1987 shall be effective under this title and the Sec-*
15 *retary shall not repeat any such processing.*

16 “(b) *PAYMENT OF EQUITY LOAN.*—*The Secretary shall*
17 *fund the loan pursuant to section 219(b)(6) within 180 days*
18 *after the approval of the plan of action, but shall pay an*
19 *8 percent return on preservation equity from 60 days after*
20 *approval of the plan of action. The Secretary may provide*
21 *funding for the capital loan provided under section*
22 *219(b)(8) equally over a five-year period, except that the*
23 *rehabilitation portion of the loan shall be funded in the first*
24 *installment. The Secretary shall pay the owner of the eligi-*
25 *ble housing interest on the unpaid portion of the loan at*

1 *the applicable federal rate at the time that the plan of ac-*
2 *tion is approved. If the Secretary fails to make the second*
3 *or subsequent installment payments on said loan within 60*
4 *days of its due date, the owner may prepay the mortgage*
5 *pursuant to section 211 and retain the amount of any in-*
6 *stallment previously paid.*

7 “(c) *PAYMENT OF GRANT OR LOAN.*—*The Secretary*
8 *shall provide full funding for the capital grant or loan as*
9 *provided under section 220(d)(3) within 180 days of ap-*
10 *proval of the plan of action. If the Secretary fails to make*
11 *such payment, the owner may prepay the existing mortgage*
12 *pursuant to section 224.*

13 “(d) *ELIHPA ELIGIBILITY.*—*An owner of eligible*
14 *housing who is processing an application under title II of*
15 *the Emergency Low Income Housing Preservation Act of*
16 *1987 on the effective date of this title may apply for the*
17 *incentives provided in this title or exercise its right of pre-*
18 *payment pursuant to section 211.”.*

19 “(s) *EFFECTIVE DATE.*—*The provisions of this section*
20 *shall become effective on October 1, 1996.*

21 *SEC. 216. EXTENSION OF HOME EQUITY CONVERSION*
22 *MORTGAGE PROGRAM.*—*Section 255(g) of the National*
23 *Housing Act (12 U.S.C. 1715z–20(g)) is amended—*

24 (1) *in the first sentence, by striking “September*
25 30, 1995” and inserting “September 30, 1996”; and

1 (2) in the second sentence, by striking “25,000”
2 and inserting “30,000”.

3 *SEC. 217. ASSESSMENT COLLECTION DATES FOR OF-*
4 *FICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT.—*
5 *Section 1316(b) of the Housing and Community Develop-*
6 *ment Act of 1992 (12 U.S.C. 4516(b)) is amended by strik-*
7 *ing paragraph (2) and inserting the following new para-*
8 *graph:*

9 “(2) *TIMING OF PAYMENT.—The annual assess-*
10 *ment shall be payable semiannually for each fiscal*
11 *year, on October 1st and April 1st.”.*

12 *SEC. 218. SPENDING LIMITATIONS.—None of the funds*
13 *provided in this Act may be used during fiscal year 1996*
14 *to sign, promulgate, implement, or enforce any requirement*
15 *or regulation relating to the application of the Fair Hous-*
16 *ing Act (42 U.S.C. 3601, et seq.) to the business of property*
17 *insurance.*

18 *SEC. 219. During fiscal year 1996, notwithstanding*
19 *any other provision of law, the number of individuals em-*
20 *ployed by the Department of Housing and Urban Develop-*
21 *ment in other than “career appointee” positions in the Sen-*
22 *ior Executive Service shall not exceed 20.*

23 *SEC. 220. Of the \$93,400,000 earmarked in Public*
24 *Law 101–144 (103 Stat 850), as amended by Public Law*
25 *101–302 (104 Stat 237), for special projects and purposes,*

1 *any amounts remaining of the \$500,000 made available to*
2 *Bethlehem House in Highland, California, for site planning*
3 *and land acquisition shall instead be made available to the*
4 *County of San Bernardino in California to assist with the*
5 *expansion of the Los Padrinos Gang Intervention Program*
6 *and the Unity Home Domestic Violence Shelter.*

7 *SEC. 221. PERMISSIBLE ADJUSTMENT TO MODERNIZA-*
8 *TION FORMULA.—Section 14(k) of the United States Hous-*
9 *ing Act of 1937 is amended—*

10 *(1) in paragraph (2)(B)—*

11 *(A) by striking “The Secretary” and insert-*
12 *ing “Except as otherwise provided in this sub-*
13 *paragraph, the Secretary”; and*

14 *(B) by inserting after the first sentence the*
15 *following: “The Secretary may adjust the*
16 *amount allocated under this subparagraph as*
17 *necessary to provide additional weight for back-*
18 *log needs.”;*

19 *(2) in paragraph (2)(C), by striking “other half”*
20 *and inserting “remainder”; and*

21 *(3) in paragraph (8)—*

22 *(A) by striking “half” the first time it ap-*
23 *pears and inserting “half, or such other amount*
24 *as the Secretary determines to be necessary pur-*
25 *suant to paragraph (2)(B),”; and*

1 (B) by striking “half” the second time it
2 appears, and inserting “the remainder”.

3 SEC. 222. (a) Section 1011 of Title X—Residential
4 Lead-Based Paint Hazard Reduction Act of 1992 is amend-
5 ed as follows: Strike “priority housing” wherever it appears
6 in said section and insert “housing”.

7 (b) Section 1011(a) shall be amended as follows: At
8 the end of the subsection after the period, insert “Grants
9 shall only be made under this section to provide assistance
10 for housing which meets the following criteria—

11 “(1) for grants made to assist rental housing, at
12 least 50 percent of the units must be occupied by or
13 made available to families with incomes at or below
14 50 percent of the area median income level and the
15 remaining units shall be occupied or made available
16 to families with incomes at or below 80 percent of the
17 area median income level, and in all cases the land-
18 lord shall give priority in renting units assisted
19 under this section, for not less than 3 years following
20 the completion of lead abatement activities, to fami-
21 lies with a child under the age of six years—

22 “(A) except that buildings with five or more
23 units may have 20 percent of the units occupied
24 by families with incomes above 80 percent of
25 area median income level;

1 “(2) for grants made to assist housing owned by
2 owner-occupants, all units assisted with grants under
3 this section shall be the principal residence of families
4 with incomes at or below 80 percent of the area me-
5 dian income level, and not less than 90 percent of the
6 units assisted with grants under this section shall be
7 occupied by a child under age of six years or shall
8 be units where a child under the age of six years
9 spends a significant amount of time visiting; and

10 “(3) notwithstanding paragraphs (1) and (2),
11 Round II grantees who receive assistance under this
12 section may use such assistance for priority hous-
13 ing.”.

14 *SEC. 223. EXTENSION PERIOD FOR SHARING UTILITY*
15 *COST SAVINGS WITH PHAS.*—Section 9(a)(3)(B)(i) is
16 amended by striking “for a period not to exceed 6 years”.

17 *SEC. 224.* The first sentence of section
18 221(g)(4)(C)(viii) of the National Housing Act is amended
19 by striking “September 30, 1995” and inserting in lieu
20 thereof “September 30, 1996”.

1 TITLE III
2 INDEPENDENT AGENCIES
3 AMERICAN BATTLE MONUMENTS COMMISSION
4 SALARIES AND EXPENSES
5 For necessary expenses, not otherwise provided for,
6 of the American Battle Monuments Commission, including
7 the acquisition of land or interest in land in foreign coun-
8 tries; purchases and repair of uniforms for caretakers of
9 national cemeteries and monuments outside of the United
10 States and its territories and possessions; rent of office
11 and garage space in foreign countries; purchase (one for
12 replacement only) and hire of passenger motor vehicles;
13 and insurance of official motor vehicles in foreign coun-
14 tries, when required by law of such countries;
15 \$20,265,000, to remain available until expended: *Pro-*
16 *vided*, That where station allowance has been authorized
17 by the Department of the Army for officers of the Army
18 serving the Army at certain foreign stations, the same al-
19 lowance shall be authorized for officers of the Armed
20 Forces assigned to the Commission while serving at the
21 same foreign stations, and this appropriation is hereby
22 made available for the payment of such allowance: *Pro-*
23 *vided further*, That when traveling on business of the Com-
24 mission, officers of the Armed Forces serving as members
25 or as Secretary of the Commission may be reimbursed for

1 expenses as provided for civilian members of the Commis-
2 sion: *Provided further*, That the Commission shall reim-
3 burse other Government agencies, including the Armed
4 Forces, for salary, pay, and allowances of personnel as-
5 signed to it.

6 CONSUMER PRODUCT SAFETY COMMISSION

7 SALARIES AND EXPENSES

8 For necessary expenses of the Consumer Product
9 Safety Commission, including hire of passenger motor ve-
10 hicles, services as authorized by 5 U.S.C. 3109, but at
11 rates for individuals not to exceed the per diem rate equiv-
12 alent to the rate for GS-18, purchase of nominal awards
13 to recognize non-Federal officials' contributions to Com-
14 mission activities, and not to exceed \$500 for official re-
15 ception and representation expenses, \$40,000,000.

16 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

17 NATIONAL AND COMMUNITY SERVICE PROGRAMS

18 OPERATING EXPENSES

19 Of the funds appropriated under this heading in Pub-
20 lic Law 103-327, the Corporation for National and Com-
21 munity Service shall use such amounts of such funds as
22 may be necessary to carry out the orderly termination of
23 (1) the programs, activities, and initiatives under the Na-
24 tional and Community Service Act of 1990 (Public Law

1 103-82); (2) the Corporation; and (3) the Corporation's
2 Office of Inspector General.

3 COURT OF VETERANS APPEALS

4 SALARIES AND EXPENSES

5 For necessary expenses for the operation of the Unit-
6 ed States Court of Veterans Appeals as authorized by 38
7 U.S.C. sections 7251-7292, \$9,000,000, of which not to
8 exceed \$678,000, to remain available until September 30,
9 1997, shall be available for the purpose of providing finan-
10 cial assistance as described, and in accordance with the
11 process and reporting procedures set forth, under this
12 head in Public Law 102-229.

13 DEPARTMENT OF DEFENSE—CIVIL

14 CEMETERIAL EXPENSES, ARMY

15 SALARIES AND EXPENSES

16 For necessary expenses, as authorized by law, for
17 maintenance, operation, and improvement of Arlington
18 National Cemetery and Soldiers' and Airmen's Home Na-
19 tional Cemetery, and not to exceed \$1,000 for official re-
20 ception and representation expenses; ~~\$11,296,000~~
21 *\$11,946,000*, to remain available until expended.

22 ENVIRONMENTAL PROTECTION AGENCY

23 RESEARCH AND DEVELOPMENT

24 For research and development activities, including
25 procurement of laboratory equipment and supplies; other

1 operating expenses in support of research and develop-
2 ment; and construction, alteration, repair, rehabilitation
3 and renovation of facilities, not to exceed \$75,000 per
4 project; \$384,052,000, to remain available until Septem-
5 ber 30, 1997.

6 *SCIENCE AND TECHNOLOGY*

7 *For science and technology, including research and de-*
8 *velopment activities; necessary expenses for personnel and*
9 *related costs and travel expenses, including uniforms, or al-*
10 *lowances therefore, as authorized by 5 U.S.C. 5901–5902;*
11 *services as authorized by 5 U.S.C. 3109, but at rates for*
12 *individuals not to exceed the per diem rate equivalent to*
13 *the rate for GS–18; procurement of laboratory equipment*
14 *and supplies; other operating expenses in support of re-*
15 *search and development; construction, alteration, repair, re-*
16 *habilitation and renovation of facilities, not to exceed*
17 *\$75,000 per project; \$500,000,000, which shall remain*
18 *available until September 30, 1997.*

19 **ENVIRONMENTAL PROGRAMS AND COMPLIANCE**

20 **For environmental programs and compliance activi-**
21 **ties, including hire of passenger motor vehicles; hire,**
22 **maintenance, and operation of aircraft; purchases of re-**
23 **prints; library memberships in societies or associations**
24 **which issue publications to members only or at a price to**
25 **members lower than to subscribers who are not members;**
26 **construction, alteration, repair, rehabilitation, and renova-**

1 tion of facilities, not to exceed \$75,000 per project; and
2 not to exceed \$6,000 for official reception and representa-
3 tion expenses; and for necessary expenses, not otherwise
4 provided for, for personnel and related costs and for travel
5 expenses, including uniforms, or allowances therefor, as
6 authorized by 5 U.S.C. 5901–5902; and for services as
7 authorized by 5 U.S.C. 3109, but at rates for individuals
8 not to exceed the per diem rate equivalent to the rate for
9 GS–18; \$1,881,614,000, to remain available until ex-
10 pended: *Provided*, That none of the funds appropriated
11 under this heading shall be available to the National Ocea-
12 nic and Atmospheric Administration pursuant to section
13 118(h)(3) of the Federal Water Pollution Control Act, as
14 amended: *Provided further*, That from funds appropriated
15 under this heading, the Administrator may make grants
16 to federally recognized Indian governments for the devel-
17 opment of multimedia environmental programs: *Provided*
18 *further*, That for this fiscal year and thereafter, any indus-
19 trial discharger to the Kalamazoo Water Reclamation
20 Plant is exempt from categorical pretreatment standards
21 under section 307(b) of the Federal Water Pollution Con-
22 trol Act, as amended, if the following conditions are met:
23 (1) the Kalamazoo Water Reclamation Plant applies to the
24 State of Michigan for an exemption for its industry and
25 (2) the State or the Administrator, as applicable, approves

1 such exemption request based upon a determination that
2 there exists an operative financial contract between the
3 City of Kalamazoo and the industrial user and an ap-
4 proved local pretreatment program, including a joint mon-
5 itoring program and local controls to prevent against in-
6 terference and pass through: *Provided further*, That none
7 of the funds appropriated under this heading shall be obli-
8 gated or expended to implement or enforce section
9 118(c)(2)(C) of the Federal Water Pollution Control Act,
10 as amended: *Provided further*, That none of the funds ap-
11 propriated under this heading may be made available for
12 the implementation or enforcement of the stormwater per-
13 mitting program under section 402(p) of the Federal
14 Water Pollution Control Act, as amended: *Provided fur-*
15 *ther*, That none of the funds appropriated under this head-
16 ing shall be made available for the enforcement of permit
17 limits or compliance schedules for combined sewer over-
18 flows or sanitary sewer overflows under section 402 of the
19 Federal Water Pollution Control Act, as amended: *Pro-*
20 *vided further*, That none of the funds appropriated under
21 this heading may be used to implement or enforce section
22 404 of the Federal Water Pollution Control Act, as
23 amended: *Provided further*, That none of the funds appro-
24 priated under this heading may be made available for the
25 development and implementation of new or revised efflu-

1 ent limitation guidelines and standards, pretreatment
2 standards, or new source performance standards under
3 the Federal Water Pollution Control Act, as amended:
4 *Provided further,* That the limitations on the use of funds
5 set forth in the previous five provisos shall have no force
6 and effect upon enactment of legislation which further
7 amends the named sections of the Federal Water Pollution
8 Control Act, as amended, in each of the previous four pro-
9 visos: *Provided further,* That none of the funds appro-
10 priated under this heading may be used by the Environ-
11 mental Protection Agency to impose or enforce any re-
12 quirement that a State implement trip reduction measures
13 to reduce vehicular emissions. Section 304 of the Clean
14 Air Act, as amended, shall not apply with respect to any
15 such requirement: *Provided further,* That none of the
16 funds appropriated under this heading may be used to as-
17 sign less than full credit for automobile emissions inspec-
18 tions programs required under section 182 (c), (d), or (e)
19 of the Clean Air Act, as amended, on the basis of network
20 design equipment unless the Administrator determines,
21 based on data collected from at least two full cycles of
22 the program, that less than full credit is appropriate: *Pro-*
23 *vided further,* That beginning in fiscal year 1996 and each
24 fiscal year thereafter, and notwithstanding any other pro-
25 vision of law, the Administrator is authorized to make

1 grants annually from funds appropriated under this head-
2 ing, subject to such terms and conditions as the Adminis-
3 trator shall establish, to any State or federally recognized
4 Indian tribe for multimedia or single media pollution pre-
5 vention, control and abatement and related environmental
6 activities at the request of the Governor or other appro-
7 priate State official or the tribe: *Provided further,* That
8 none of the funds appropriated under this heading may
9 be used to develop, propose, promulgate, issue, enforce,
10 or to set or enforce compliance deadlines or issuance
11 schedules for maximum achievable control technology
12 standards pursuant to section 112(d) of the Clean Air Act,
13 as amended, for the category proposed to be regulated at
14 Vol. 59, Federal Register, No. 135, page 36130, dated
15 July 15, 1994, and for purposes of this provision, section
16 304 of the Clean Air Act shall not apply: *Provided further,*
17 That none of the funds appropriated under this heading
18 shall be obligated or expended to take any action to extend
19 the risk management plan requirements under section
20 112(r) of the Clean Air Act, as amended, to the domestic
21 oil and gas exploration and production and natural gas
22 processing industry: *Provided further,* That none of the
23 funds appropriated under this heading may be used by the
24 Administrator or the Administrator's designee for signing
25 and publishing a national primary drinking water regula-

1 tion for radon and other radionuclei: *Provided further,*
2 That none of the funds appropriated under this heading
3 may be used by the Administrator or the Administrator's
4 designee for signing and publishing any proposed national
5 primary drinking water regulation for arsenic: *Provided*
6 *further,* That none of the funds appropriated under this
7 heading may be used to issue or enforce any requirement
8 not otherwise authorized under existing law or regulation
9 with respect to combustion of hazardous waste prior to
10 promulgation of final regulations pursuant to a rule-
11 making proceeding under the Administrative Procedure
12 Act or to impose or enforce any requirement or condition
13 of a permit, including the use of an indirect risk assess-
14 ment, or to deny a permit pursuant to section 3005(c)(3)
15 of the Resource Conservation and Recovery Act, as
16 amended, unless the Environmental Protection Agency fol-
17 lows the procedures governing the use of authority under
18 such section which it has set forth at 56 Fed. Reg. 7145,
19 note 8, February 21, 1991: *Provided further,* That none
20 of the funds appropriated under this heading may be used
21 to issue or enforce any regulatory standard for maximum
22 achievable control technology (MACT) for hazardous
23 waste combustion under any statute other than the Clean
24 Air Act, as amended, issue any such standard without first
25 determining that in calculating the MACT floor emission

1 levels for existing sources under section 112(d)(3) of the
2 Clean Air Act, as amended, one-half of the currently oper-
3 ating facilities in the group of sources that make up the
4 floor pool for that category or subcategory actually achieve
5 the MACT floor levels for all of the hazardous air pollut-
6 ants to be regulated: *Provided further*, That none of the
7 funds appropriated under this heading may be used to
8 promulgate, implement, or enforce sections 502(d)(2),
9 502(d)(3), or 502(i)(4) of the Clean Air Act, as amended,
10 against a State which is involved in litigation regarding
11 provisions of title V of the Clean Air Act, as amended:
12 *Provided further*, That none of the funds appropriated
13 under this heading may be obligated or expended to re-
14 quire facilities to submit any data pursuant to section
15 313(a) of the Emergency Planning and Community Right-
16 to-Know Act or section 8 of the Toxic Substances Control
17 Act, as amended, that is not specifically enumerated in
18 said sections, including mass balance, materials account-
19 ing, or other chemical use data: *Provided further*, That
20 none of the funds appropriated under this heading may
21 be used to revoke, or require the issuance of, a food addi-
22 tive regulation under section 409 of the Federal Food,
23 Drug and Cosmetic Act for a pesticide in processed food
24 where there is a tolerance established under section 408
25 of said Act for the pesticide on the raw commodity from

1 which the processed food was made, and may not be used
2 to revoke, or deny the issuance of, a section 408 tolerance
3 for a pesticide on a raw agricultural commodity solely on
4 the basis that a food additive regulation cannot be issued
5 or maintained under section 409 of said Act for the pes-
6 ticide in a processed form of the commodity: *Provided fur-*
7 *ther,* That none of the funds appropriated under this head-
8 ing may be used to exclusively regulate whole agricultural
9 plants subject to regulation by another federal agency:
10 *Provided further,* That none of the funds appropriated
11 under this heading may be used to obtain a voluntary envi-
12 ronmental audit report or to assess an administrative, civil
13 or criminal negligence penalty, in any matter subject to
14 a state law providing a privilege for voluntary environ-
15 mental audit reports or protections or immunities for the
16 voluntary disclosure of environmental concerns.

17 *PROGRAM ADMINISTRATION AND MANAGEMENT*

18 *For program administration and management activi-*
19 *ties, including necessary expenses for personnel and related*
20 *costs and travel expenses, including uniforms, or allowances*
21 *therefore, as authorized by 5 U.S.C. 5901–5902; services as*
22 *authorized by 5 U.S.C. 3109, but at rates for individuals*
23 *not to exceed the per diem rate equivalent to the rate for*
24 *GS–18; hire of passenger motor vehicles; hire, maintenance,*
25 *and operation of aircraft; purchase of reprints; library*
26 *memberships in societies or associations which issue publi-*

1 *cations to members only or at a price to members lower*
2 *than to subscribers who are not members; construction, al-*
3 *teration, repair, rehabilitation, and renovation of facilities,*
4 *not to exceed \$75,000 per project; and not to exceed \$6,000*
5 *for official reception and representation expenses;*
6 *\$1,670,000,000, which shall remain available until Septem-*
7 *ber 30, 1997.*

8 OFFICE OF INSPECTOR GENERAL
9 *(INCLUDING TRANSFER OF FUNDS)*

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, as amended, and for construction,
13 alteration, repair, rehabilitation, and renovation of facili-
14 ties, not to exceed \$75,000 per project, ~~\$28,542,000~~
15 *\$27,700,000.*

16 BUILDINGS AND FACILITIES

17 For construction, repair, improvement, extension, al-
18 teration, and purchase of fixed equipment or facilities of,
19 or use by, the Environmental Protection Agency,
20 ~~\$28,820,000~~ *\$60,000,000*, to remain available until ex-
21 pended.

22 HAZARDOUS SUBSTANCE SUPERFUND
23 *(INCLUDING TRANSFER OF FUNDS)*

24 For necessary expenses to carry out the Comprehen-
25 sive Environmental Response, Compensation and Liability
26 Act of 1980 (CERCLA), as amended, including sections

1 111 (c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611),
2 and for construction, alteration, repair, rehabilitation, and
3 renovation of facilities, not to exceed \$75,000 per project;
4 not to exceed \$1,003,400,000 to remain available until ex-
5 pended, ~~to be derived from general revenues~~ *consisting of*
6 *\$753,400,000 as authorized by section 517(a) of the*
7 *Superfund Amendments and Reauthorization Act of 1986*
8 *(SARA), as amended by Public Law 101-508, and*
9 *\$250,000,000 as a payment from general revenues to the*
10 *Hazardous Substance Superfund as authorized by section*
11 *517(b) of SARA, as amended by Public Law 101-508: Pro-*
12 *vided, That funds appropriated under this heading may*
13 *be allocated to other Federal agencies in accordance with*
14 *section 111(a) of CERCLA: *Provided further, That**
15 ~~*\$5,000,000*~~ *\$11,700,000 of the funds appropriated under*
16 *this heading shall be transferred to the Office of Inspector*
17 *General appropriation to remain available until September*
18 *30, 1996: *Provided further, That notwithstanding section**
19 *111(m) of CERCLA or any other provision of law, not*
20 *to exceed ~~\$62,000,000~~ \$55,000,000 of the funds appro-*
21 *priated under this heading shall be available to the Agency*
22 *for Toxic Substances and Disease Registry to carry out*
23 *activities described in sections 104(i), 111(c)(4), and*
24 *111(c)(14) of CERCLA and section 118(f) of the*
25 *Superfund Amendments and Reauthorization Act of 1986:*

1 *Provided further, That none of the funds appropriated*
2 *under this heading shall be available for the Agency for*
3 *Toxic Substances and Disease Registry to issue in excess*
4 *of 40 toxicological profiles pursuant to section 104(i) of*
5 *CERCLA during fiscal year 1996: ~~Provided further, That~~*
6 *~~no part of any appropriation made under this heading~~*
7 *~~shall remain available for obligation beyond December 31,~~*
8 *~~1995, unless the Comprehensive Environmental Response~~*
9 *~~Compensation, and Liability Act of 1980 has been reau-~~*
10 *~~thorized: ~~Provided further, That none of the funds made~~~~*
11 *~~available under this heading may be used by the Environ-~~*
12 *~~mental Protection Agency to propose for listing or to list~~*
13 *~~any additional facilities on the National Priorities List es-~~*
14 *~~tablished by section 105 of the Comprehensive Environ-~~*
15 *~~mental Response, Compensation and Liability Act~~*
16 *~~(CERCLA), as amended (42 U.S.C. 9605), unless the Ad-~~*
17 *~~ministrator receives a written request to propose for listing~~*
18 *~~or to list a facility from the Governor of the State in which~~*
19 *~~the facility is located, or appropriate tribal leader, or unless~~*
20 *~~legislation to reauthorize CERCLA is enacted.~~*

21 LEAKING UNDERGROUND STORAGE TANK TRUST FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses to carry out leaking under-
24 ground storage tank cleanup activities authorized by sec-
25 tion 205 of the Superfund Amendments and Reauthoriza-
26 tion Act of 1986, and for construction, alteration, repair,

1 rehabilitation, and renovation of facilities, not to exceed
 2 \$75,000 per project, \$45,827,000, to remain available
 3 until expended: *Provided*, That no more than ~~\$5,285,000~~
 4 ~~\$8,000,000~~ shall be available for administrative expenses:
 5 *Provided further*, That ~~\$426,000~~ ~~\$600,000~~ shall be trans-
 6 ferred to the Office of Inspector General appropriation to
 7 remain available until September 30, 1996.

8 OIL SPILL RESPONSE

9 (INCLUDING TRANSFER OF FUNDS)

10 For expenses necessary to carry out the Environ-
 11 mental Protection Agency's responsibilities under the Oil
 12 Pollution Act of 1990, ~~\$20,000,000~~ ~~\$15,000,000~~, to be de-
 13 rived from the Oil Spill Liability trust fund, and to remain
 14 available until expended: *Provided*, That not more than
 15 ~~\$8,420,000~~ ~~\$8,000,000~~ of these funds shall be available for
 16 administrative expenses.

17 ~~WATER INFRASTRUCTURE/STATE REVOLVING FUNDS~~

18 ~~For necessary expenses for capitalization grants for~~
 19 ~~State Revolving Funds to support wastewater infrastruc-~~
 20 ~~ture financing, and to carry out the purposes of the Fed-~~
 21 ~~eral Water Pollution Control Act, as amended, the Water~~
 22 ~~Quality Act of 1987, and section 1443(a) of the Public~~
 23 ~~Health Service Act, \$1,500,175,000, to remain available~~
 24 ~~until expended, of which \$1,000,000,000 shall be for cap-~~
 25 ~~italization grants for Clean Water State Revolving Funds~~
 26 ~~under title VI of the Federal Water Pollution Control Act,~~

1 as amended; \$100,000,000 for architectural, engineering,
2 design, construction, and related activities in connection
3 with the construction of high priority wastewater facilities
4 in the area of the United States-Mexico Border, after con-
5 sultation with the appropriate border commissions;
6 \$50,000,000 for grants to the State of Texas, which shall
7 be matched by an equal amount of State funds from State
8 sources, for the purpose of improving wastewater treat-
9 ment for colonias; \$15,000,000 for grants to the State of
10 Alaska, subject to an appropriate cost share as determined
11 by the Administrator, to address wastewater infrastruc-
12 ture needs of rural and Alaska Native Villages;
13 \$22,500,000 for making grants under section 104(b)(3)
14 of the Federal Water Pollution Control Act, as amended;
15 \$100,000,000 for making grants under section 319 of the
16 Federal Water Pollution Control Act, as amended;
17 \$75,000,000 for making grants under section 1443(a) of
18 the Public Health Service Act; and, notwithstanding any
19 other provision of law, \$137,675,000 for making grants
20 for the construction of wastewater treatment facilities and
21 the development of groundwater in accordance with the
22 terms and conditions set forth in the House Report accom-
23 panying this Act: *Provided*, That of the funds made avail-
24 able under this heading in Public Law 103-327 and in
25 Public Law 103-124 for capitalization grants for State

1 Revolving Funds to support water infrastructure financ-
2 ing, \$225,000,000 shall be made available for capitaliza-
3 tion grants for State Revolving Funds under title VI of
4 the Federal Water Pollution Control Act, as amended:
5 *Provided further,* That of the funds made available under
6 this heading for capitalization grants for State Revolving
7 Funds under title VI of the Federal Water Pollution Con-
8 trol Act, as amended, \$50,000,000 shall be for wastewater
9 treatment in impoverished communities pursuant to sec-
10 tion 102(d) of H.R. 961 as approved by the United States
11 House of Representatives on May 16, 1995: *Provided fur-*
12 *ther,* That except for grants made under section 1443(a)
13 of the Public Health Service Act, appropriations for pro-
14 grams and projects pursuant to the Federal Water Pollu-
15 tion Control Act made available under this heading shall
16 be available only upon enactment of legislation reauthoriz-
17 ing such Act, and appropriations for programs and
18 projects pursuant to other Acts made available under this
19 heading shall be available only upon enactment of legisla-
20 tion specifically authorizing such appropriations.

21 *PROGRAM AND INFRASTRUCTURE ASSISTANCE*

22 *For environmental programs and infrastructure as-*
23 *sistance, including capitalization grants for state revolving*
24 *funds and performance partnership grants, \$2,340,000,000,*
25 *to remain available until expended, of which*
26 *\$1,500,000,000 shall be for making capitalization grants for*

1 *State revolving funds to support water infrastructure fi-*
2 *nancing; \$100,000,000 for architectural, engineering, de-*
3 *sign, construction and related activities in connection with*
4 *the construction of high priority water and wastewater fa-*
5 *cilities in the area of the United States-Mexico Border, after*
6 *consultation with the appropriate border commission;*
7 *\$50,000,000 for grants to the State of Texas, which shall*
8 *be matched by an equal amount of State funds from State*
9 *resources, for the purpose of improving wastewater treat-*
10 *ment for colonias; and \$15,000,000 for grants to the State*
11 *of Alaska, subject to an appropriate cost share as deter-*
12 *mined by the Administrator, to address wastewater infra-*
13 *structure needs of Alaska Native villages: Provided, That*
14 *beginning in fiscal year 1996 and each fiscal year there-*
15 *after, and notwithstanding any other provision of law, the*
16 *Administrator is authorized to make grants annually from*
17 *funds appropriated under this heading, subject to such*
18 *terms and conditions as the Administrator shall establish,*
19 *to any State or federally recognized Indian tribe for multi-*
20 *media or single media pollution prevention, control and*
21 *abatement and related environmental activities at the re-*
22 *quest of the Governor or other appropriate State official or*
23 *the tribe: Provided further, That from funds appropriated*
24 *under this heading, the Administrator may make grants to*
25 *federally recognized Indian governments for the develop-*

1 *ment of multimedia environmental programs: Provided fur-*
2 *ther, That of the \$1,500,000,000 for capitalization grants*
3 *for State revolving funds to support water infrastructure*
4 *financing, \$500,000,000 shall be for drinking water State*
5 *revolving funds, but if no drinking water State revolving*
6 *fund legislation is enacted by December 31, 1995, these*
7 *funds shall immediately be available for making capitaliza-*
8 *tion grants under title VI of the Federal Water Pollution*
9 *Control Act, as amended: Provided further, That of the*
10 *funds made available under this heading in Public Law*
11 *103–327 and in Public Law 103–124 for capitalization*
12 *grants for State revolving funds to support water infra-*
13 *structure financing, \$225,000,000 shall be made available*
14 *for capitalization grants for State revolving funds under*
15 *title VI of the Federal Water Pollution Control Act, as*
16 *amended, if no drinking water State revolving fund legisla-*
17 *tion is enacted by December 31, 1995.*

18 ADMINISTRATIVE PROVISIONS

19 **SEC. 301. MORATORIUM ON CERTAIN EMISSIONS TESTING**
20 **REQUIREMENTS.**

21 (a) MORATORIUM.—

22 (1) IN GENERAL.—The Administrator of the En-
23 vironmental Protection Agency (referred to in this
24 subsection as the “Administrator”) shall not require
25 adoption or implementation by a State of a test-only
26 or I/M240 enhanced vehicle inspection and mainte-

1 *nance program as a means of compliance with section*
2 *182 of the Clean Air Act (42 U.S.C. 7511a), but the*
3 *Administrator may approve such a program if a*
4 *State chooses to adopt the program as a means of*
5 *compliance.*

6 (2) *REPEAL.*—*Paragraph (1) is repealed effective*
7 *as of the date that is 1 year after the date of enact-*
8 *ment of this Act.*

9 (b) *PLAN APPROVAL.*—

10 (1) *IN GENERAL.*—*The Administrator of the En-*
11 *vironmental Protection Agency (referred to in this*
12 *subsection as the “Administrator”) shall not dis-*
13 *approve a State implementation plan revision under*
14 *section 182 of the Clean Air Act (42 U.S.C. 7511a)*
15 *on the basis of a regulation providing for a 50-per-*
16 *cent discount for alternative test-and-repair inspec-*
17 *tion and maintenance programs.*

18 (2) *CREDIT.*—*If a State provides data for a pro-*
19 *posed inspection and maintenance system for which*
20 *credits are appropriate under section 182 of the Clean*
21 *Air Act (42 U.S.C. 7511a), the Administrator shall*
22 *allow the full amount of credit for the system that is*
23 *appropriate without regard to any regulation that*
24 *implements that section by requiring centralized*
25 *emissions testing.*

1 (3) *DEADLINE.*—*The Administrator shall com-*
2 *plete and present a technical assessment of data for*
3 *a proposed inspection and maintenance system sub-*
4 *mitted by a State not later than 45 days after the*
5 *date of submission.*

6 *SEC. 302. None of the funds made available in this*
7 *Act may be used by the Environmental Protection Agency*
8 *to impose or enforce any requirement that a State imple-*
9 *ment trip reduction measures to reduce vehicular emissions.*
10 *Section 304 of the Clean Air Act (42 U.S.C. 7604) shall*
11 *not apply with respect to any such requirement during the*
12 *period beginning on the date of the enactment of this Act*
13 *and ending September 30, 1996.*

14 *SEC. 303. None of the funds provided in this Act may*
15 *be used within the Environmental Protection Agency for*
16 *any final action by the Administrator or her delegate for*
17 *signing and publishing for promulgation a rule concerning*
18 *any new standard for arsenic, sulfates, radon, ground water*
19 *disinfection, or the contaminants in phase IV B in drinking*
20 *water, unless the Safe Drinking Water Act of 1986 has been*
21 *reauthorized.*

22 *SEC. 304. None of the funds provided in this Act may*
23 *be used during fiscal year 1996 to sign, promulgate, imple-*
24 *ment or enforce the requirement proposed as “Regulation*
25 *of Fuels and Fuel Additives: Individual Foreign Refinery*

1 *Baseline Requirements for Reformulated Gasoline*” at vol-
2 *ume 59 of the Federal Register at pages 22800 through*
3 *22814.*

4 *SEC. 305. None of the funds appropriated to the Envi-*
5 *ronmental Protection Agency for fiscal year 1996 may be*
6 *used to implement section 404(c) of the Federal Water Pol-*
7 *lution Control Act, as amended. No pending action by the*
8 *Environmental Protection Agency to implement section*
9 *404(c) with respect to an individual permit shall remain*
10 *in effect after the date of enactment of this Act.*

11 *SEC. 306. Notwithstanding any other provision of law,*
12 *for this fiscal year and hereafter, an industrial discharger*
13 *to the Kalamazoo Water Reclamation Plant, an advanced*
14 *wastewater treatment plant with activated carbon, may be*
15 *exempted from categorical pretreatment standards under*
16 *section 307(b) of the Federal Water Pollution Control Act,*
17 *as amended, if the following conditions are met: (1) the*
18 *Kalamazoo Water Reclamation Plant applies to the State*
19 *of Michigan for an exemption for such industrial discharger*
20 *and (2) the State or the Administrator, as applicable, ap-*
21 *proves such exemption request based upon a determination*
22 *that the Kalamazoo Water Reclamation Plant will provide*
23 *treatment consistent with or better than treatment require-*
24 *ments set forth by the EPA, and there exists an operative*
25 *financial contract between the City of Kalamazoo and the*

1 *industrial user and an approved local pretreatment pro-*
2 *gram, including a joint monitoring program and local con-*
3 *trols to prevent against interference and pass through.*

4 *SEC. 307. No funds appropriated by this Act may be*
5 *used during fiscal year 1996 to enforce the requirements*
6 *of section 211(m)(2) of the Clean Air Act that require fuel*
7 *refiners, marketers, or persons who sell or dispense fuel to*
8 *ultimate consumers in any carbon monoxide nonattainment*
9 *area in Alaska to use methyl tertiary butyl ether (MTBE)*
10 *to meet the oxygen requirements of that section.*

11 EXECUTIVE OFFICE OF THE PRESIDENT

12 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

13 For necessary expenses of the Office of Science and
14 Technology Policy, in carrying out the purposes of the Na-
15 tional Science and Technology Policy, Organization, and
16 Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire
17 of passenger motor vehicles, services as authorized by 5
18 U.S.C. 3109, not to exceed \$2,500 for official reception
19 and representation expenses, and rental of conference
20 rooms in the District of Columbia, \$4,981,000: *Provided,*
21 That the Office of Science and Technology Policy shall
22 reimburse other agencies for not less than one-half of the
23 personnel compensation costs of individuals detailed to it.

1 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF
2 ENVIRONMENTAL QUALITY

3 ~~To carry out the orderly termination of the programs~~
4 ~~and activities authorized by~~ *For necessary expenses to con-*
5 *tinue functions assigned to the Council on Environmental*
6 *Quality and Office of Environmental Quality pursuant to*
7 the National Environmental Policy Act of 1969, the Envi-
8 ronmental Improvement Act of 1970 and Reorganization
9 Plan No. 1 of 1977, \$1,000,000.

10 FEDERAL EMERGENCY MANAGEMENT AGENCY
11 DISASTER RELIEF

12 ~~For necessary expenses in carrying out the functions~~
13 ~~of the Robert T. Stafford Disaster Relief and Emergency~~
14 ~~Assistance Act (42 U.S.C. 5121 et seq.), \$235,500,000,~~
15 ~~to remain available until expended.~~

16 DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

17 For the cost of direct loans, \$2,155,000, as author-
18 ized by section 319 of the Robert T. Stafford Disaster Re-
19 lief and Emergency Assistance Act (42 U.S.C. 5121 et
20 seq.): *Provided*, That such costs, including the cost of
21 modifying such loans, shall be as defined in section 502
22 of the Congressional Budget Act of 1974, as amended:
23 *Provided further*, That these funds are available to sub-
24 sidize gross obligations for the principal amount of direct
25 loans not to exceed \$25,000,000.

1 In addition, for administrative expenses to carry out
2 the direct loan program, \$95,000.

3 SALARIES AND EXPENSES

4 For necessary expenses, not otherwise provided for,
5 including hire and purchase of motor vehicles (31 U.S.C.
6 1343); uniforms, or allowances therefor, as authorized by
7 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C.
8 3109, but at rates for individuals not to exceed the per
9 diem rate equivalent to the rate for GS–18; expenses of
10 attendance of cooperating officials and individuals at
11 meetings concerned with the work of emergency prepared-
12 ness; transportation in connection with the continuity of
13 Government programs to the same extent and in the same
14 manner as permitted the Secretary of a Military Depart-
15 ment under 10 U.S.C. 2632; and not to exceed \$2,500
16 for official reception and representation expenses;
17 ~~\$162,000,000~~ *\$166,000,000*.

18 OFFICE OF THE INSPECTOR GENERAL

19 For necessary expenses of the Office of the Inspector
20 General in carrying out the provisions of the Inspector
21 General Act of 1978, as amended, \$4,400,000.

22 EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

23 For necessary expenses, not otherwise provided for,
24 to carry out activities under the National Flood Insurance
25 Act of 1968, as amended, and the Flood Disaster Protec-
26 tion Act of 1973, as amended (42 U.S.C. 4001 et seq.),

1 the Robert T. Stafford Disaster Relief and Emergency As-
2 sistance Act (42 U.S.C. 5121 et seq.), the Earthquake
3 Hazards Reduction Act of 1977, as amended (42 U.S.C.
4 7701 et seq.), the Federal Fire Prevention and Control
5 Act of 1974, as amended (15 U.S.C. 2201 et seq.), the
6 ~~Federal Civil Defense Act of 1950, as amended (50 U.S.C.~~
7 ~~App. 2251 et seq.)~~, the Defense Production Act of 1950,
8 as amended (50 U.S.C. App. 2061 et seq.), sections 107
9 and 303 of the National Security Act of 1947, as amended
10 (50 U.S.C. 404–405), and Reorganization Plan No. 3 of
11 1978, \$203,044,000.

12 EMERGENCY FOOD AND SHELTER PROGRAM

13 There is hereby appropriated \$100,000,000 to the
14 Federal Emergency Management Agency to carry out an
15 emergency food and shelter program pursuant to title III
16 of Public Law 100–77, as amended: *Provided*, That total
17 administrative costs shall not exceed three and one-half
18 per centum of the total appropriation.

19 NATIONAL FLOOD INSURANCE FUND

20 For activities under the National Flood Insurance
21 Act of 1968, the Flood Disaster Protection Act of 1973,
22 and the National Flood Insurance Reform Act of 1994,
23 not to exceed \$20,562,000 for salaries and expenses asso-
24 ciated with flood mitigation and flood insurance oper-
25 ations, and not to exceed \$70,464,000 for flood mitigation,
26 including up to \$12,000,000 for expenses under section

1 1366 of the National Flood Insurance Act of 1968, as
2 amended, which amount shall be available until September
3 30, 1997. In fiscal year 1996, no funds in excess of (1)
4 \$47,000,000 for operating expenses, (2) \$292,526,000 for
5 agents' commissions and taxes, and (3) \$3,500,000 for in-
6 terest on Treasury borrowings shall be available from the
7 National Flood Insurance Fund without prior notice to the
8 Committees on Appropriations: ~~Provided, That none of~~
9 ~~the funds appropriated in this Act for the Federal Emer-~~
10 ~~gency Management Agency (FEMA) shall be available for~~
11 ~~any further work on effective Flood Insurance Rate Maps~~
12 ~~for the City of Stockton and San Joaquin County, Califor-~~
13 ~~nia based on FEMA's restudy of flood hazards on South~~
14 ~~Paddy Creek, Middle Paddy Creek, Paddy Creek, Bear~~
15 ~~Creek, Mosher Slough, Calaveras River, Potter A Slough,~~
16 ~~Potter B Slough, Mormon Slough, and the Diversion~~
17 ~~Channel.~~

18 ADMINISTRATIVE PROVISION

19 The Director of the Federal Emergency Management
20 Agency shall promulgate through rulemaking a methodol-
21 ogy for assessment and collection of fees to be assessed
22 and collected beginning in fiscal year 1996 applicable to
23 persons subject to the Federal Emergency Management
24 Agency's radiological emergency preparedness regulations.
25 The aggregate charges assessed pursuant to this section
26 during fiscal year 1996 shall approximate, but not be less

1 than, 100 per centum of the amounts anticipated by the
2 Federal Emergency Management Agency to be obligated
3 for its radiological emergency preparedness program for
4 such fiscal year. The methodology for assessment and col-
5 lection of fees shall be fair and equitable, and shall reflect
6 the full amount of costs of providing radiological emer-
7 gency planning, preparedness, response and associated
8 services. Such fees will be assessed in a manner that re-
9 flects the use of agency resources for classes of regulated
10 persons and the administrative costs of collecting such
11 fees. Fees received pursuant to this section shall be depos-
12 ited in the general fund of the Treasury as offsetting re-
13 ceipts. Assessment and collection of such fees are only au-
14 thorized during fiscal year 1996.

15 GENERAL SERVICES ADMINISTRATION

16 CONSUMER INFORMATION CENTER

17 For necessary expenses of the Consumer Information
18 Center, including services authorized by 5 U.S.C. 3109,
19 \$2,061,000, to be deposited into the Consumer Informa-
20 tion Center Fund: *Provided*, That the appropriations, rev-
21 enues and collections deposited into the fund shall be
22 available for necessary expenses of Consumer Information
23 Center activities in the aggregate amount of \$7,500,000.
24 Administrative expenses of the Consumer Information
25 Center in fiscal year 1996 shall not exceed \$2,502,000

1 \$2,602,000. Appropriations, revenues, and collections ac-
2 cruing to this fund during fiscal year 1996 in excess of
3 \$7,500,000 shall remain in the fund and shall not be avail-
4 able for expenditure except as authorized in appropria-
5 tions Acts.

6 DEPARTMENT OF HEALTH AND HUMAN SERVICES

7 OFFICE OF CONSUMER AFFAIRS

8 For necessary expenses of the Office of Consumer Af-
9 fairs, including services authorized by 5 U.S.C. 3109,
10 \$1,811,000: *Provided*, That notwithstanding any other
11 provision of law, that Office may accept and deposit to
12 this account, during fiscal year 1996, gifts for the purpose
13 of defraying its costs of printing, publishing, and distrib-
14 uting consumer information and educational materials;
15 may expend up to \$1,110,000 of those gifts for those pur-
16 poses, in addition to amounts otherwise appropriated; and
17 the balance shall remain available for expenditure for such
18 purposes to the extent authorized in subsequent appro-
19 priations Acts: *Provided further*, That none of the funds
20 provided under this heading may be made available for
21 any other activities within the Department of Health and
22 Human Services.

1 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
2 HUMAN SPACE FLIGHT

3 For necessary expenses, not otherwise provided for,
4 in the conduct and support of human space flight research
5 and development activities, including research; develop-
6 ment; operations; services; maintenance; construction of
7 facilities including repair, rehabilitation, and modification
8 of real and personal property, and acquisition or con-
9 demnation of real property, as authorized by law; space
10 flight, spacecraft control and communications activities in-
11 cluding operations, production, and services; and pur-
12 chase, lease, charter, maintenance, and operation of mis-
13 sion and administrative aircraft; ~~\$5,449,600,000~~
14 ~~\$5,337,600,000~~, to remain available until September 30,
15 1997:—~~Provided, That of the funds made available under~~
16 ~~this heading, \$390,000,000 of funds provided for Space~~
17 ~~Station shall not become available for obligation until Au-~~
18 ~~gust 1, 1996 and shall remain available for obligation until~~
19 ~~September 30, 1997.~~

20 SCIENCE, AERONAUTICS AND TECHNOLOGY

21 For necessary expenses, not otherwise provided for,
22 for the conduct and support of science, aeronautics, and
23 technology research and development activities, including
24 research; development; operations; services; maintenance;
25 construction of facilities including repair, rehabilitation
26 and modification of real and personal property, and acqui-

1 sition or condemnation of real property, as authorized by
2 law; space flight, spacecraft control and communications
3 activities including operations, production, and services;
4 and purchase, lease, charter, maintenance, and operation
5 of mission and administrative aircraft; ~~\$5,588,000,000~~
6 *\$5,960,700,000*, to remain available until September 30,
7 1997.

8 MISSION SUPPORT

9 For necessary expenses, not otherwise provided for,
10 in carrying out mission support for human space flight
11 programs and science, aeronautical, and technology pro-
12 grams, including research operations and support; space
13 communications activities including operations, produc-
14 tion, and services; maintenance; construction of facilities
15 including repair, rehabilitation, and modification of facili-
16 ties, minor construction of new facilities and additions to
17 existing facilities, facility planning and design, environ-
18 mental compliance and restoration, and acquisition or con-
19 demnation of real property, as authorized by law; program
20 management; personnel and related costs, including uni-
21 forms or allowances therefor, as authorized by law (5
22 U.S.C. 5901–5902); travel expenses; purchase, lease,
23 charter, maintenance, and operation of mission and ad-
24 ministrative aircraft; not to exceed \$35,000 for official re-
25 ception and representation expenses; and purchase (not to
26 exceed thirty-three for replacement only) and hire of pas-

1 senger motor vehicles; ~~\$2,618,200,000~~ *\$2,484,200,000*, to
2 remain available until September 30, 1997.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of the Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, as amended, \$16,000,000.

7 ADMINISTRATIVE PROVISIONS

8 (INCLUDING TRANSFER OF FUNDS)

9 Notwithstanding the limitation on the availability of
10 funds appropriated for “Human space flight”, “Science,
11 aeronautics and technology”, or “Mission support” by this
12 appropriations Act, when any activity has been initiated
13 by the incurrence of obligations for construction of facili-
14 ties as authorized by law, the amount available for such
15 activity shall remain available until expended. This provi-
16 sion does not apply to the amounts appropriated in “Mis-
17 sion support” pursuant to the authorization for repair, re-
18 habilitation and modification of facilities, minor construc-
19 tion of new facilities and additions to existing facilities,
20 and facility planning and design.

21 Notwithstanding the limitation on the availability of
22 funds appropriated for “Human space flight”, “Science,
23 aeronautics and technology”, or “Mission support” by this
24 appropriations Act, the amounts appropriated for con-
25 struction of facilities shall remain available until Septem-
26 ber 30, 1998.

1 Notwithstanding the limitation on the availability of
2 funds appropriated for "Mission support" and "Office of
3 Inspector General", amounts made available by this Act
4 for personnel and related costs and travel expenses of the
5 National Aeronautics and Space Administration shall re-
6 main available until September 30, 1996 and may be used
7 to enter into contracts for training, investigations, cost as-
8 sociated with personnel relocation, and for other services,
9 to be provided during the next fiscal year.

10 No amount appropriated pursuant to this or any
11 other Act may be used for the lease or construction of
12 a new contractor funded facility for exclusive use in sup-
13 port of a contract or contracts with the National Aero-
14 nautics and Space Administration under which the Admin-
15 istration would be required to substantially amortize
16 through payment or reimbursement such contractor in-
17 vestment, unless an appropriations Act specifies the lease
18 or contract pursuant to which such facilities are to be con-
19 structed or leased or such facility is otherwise identified
20 in such Act. The Administrator may authorize such facil-
21 ity lease or construction, if he determines, in consultation
22 with the Committees on Appropriations, that deferral of
23 such action until the enactment of the next appropriations
24 Act would be inconsistent with the interest of the Nation
25 in aeronautical and space activities.

1 The unexpired balances of prior appropriations to
2 NASA for activities for which funds are provided under
3 this Act may be transferred to the new account established
4 for the appropriation that provides funds for such activity
5 under this Act. Balances so transferred may be merged
6 with funds in the newly established account and thereafter
7 may be accounted for as one fund to be available for the
8 same purposes and under the same terms and conditions.

9 Notwithstanding any other provision of law or regula-
10 tion, the National Aeronautics and Space Administration
11 shall convey, without reimbursement, to the State of Mis-
12 sissippi, all rights, title and interest of the United States
13 in the property known as the Yellow Creek Facility and
14 consisting of approximately 1,200 acres near the city of
15 Iuka, Mississippi, including all improvements thereon and
16 also including any personal property owned by NASA that
17 is currently located on-site and which the State of Mis-
18 sissippi requires to facilitate the transfer: *Provided*, That
19 appropriated funds shall be used to effect this conveyance:
20 *Provided further*, That \$10,000,000 in appropriated funds
21 otherwise available to the National Aeronautics and Space
22 Administration shall be transferred to the State of Mis-
23 sissippi to be used in the transition of the facility: *Pro-*
24 *vided further*, That each Federal agency with prior contact
25 to the site shall remain responsible for any and all environ-

1 *mental remediation made necessary as a result of its activi-*
2 *ties on the site. Provided further, That in consideration of*
3 *this conveyance, the National Aeronautics and Space Ad-*
4 *ministration may require such other terms and conditions*
5 *as the Administrator deems appropriate to protect the in-*
6 *terests of the United States: Provided further, That the*
7 *conveyance of the site and the transfer of the funds to*
8 *the State of Mississippi shall occur not later than thirty*
9 *days from the date of enactment of this Act.*

10 The Administrator of the National Aeronautics and
11 Space Administration shall conduct a study of the closing
12 or re-structuring of Space Flight Centers and Research
13 Centers. The study shall include an analysis of functions
14 currently being performed at each Center, the cost of per-
15 forming each function at its current location and at logical
16 alternative Centers, the schedule for transitioning func-
17 tions to alternative Centers, and the overall cost savings
18 which will be derived from the closing or re-structuring
19 of each Center. The findings of the study, including a de-
20 tailed schedule for completion of the re-structuring, shall
21 be submitted to the Congress no later than March 31,
22 1996. Closure or re-structuring of these Centers shall be
23 completed no later than October 1, 1998.

24 *Of the funds made available by this Act under the*
25 *heading "Human Space Flight", \$390,000,000 of funds*

1 *provided for Space Station shall not become available for*
2 *obligation until August 1, 1996 and shall remain available*
3 *for obligation until September 30, 1997.*

4 NATIONAL CREDIT UNION ADMINISTRATION

5 CENTRAL LIQUIDITY FACILITY

6 During fiscal year 1996, gross obligations of the
7 Central Liquidity Facility for the principal amount of new
8 direct loans to member credit unions as authorized by the
9 National Credit Union Central Liquidity Facility Act (12
10 U.S.C. 1795) shall not exceed \$600,000,000: *Provided,*
11 That administrative expenses of the Central Liquidity Fa-
12 cility in fiscal year 1996 shall not exceed \$560,000.

13 NATIONAL SCIENCE FOUNDATION

14 RESEARCH AND RELATED ACTIVITIES

15 For necessary expenses in carrying out the purposes
16 of the National Science Foundation Act of 1950, as
17 amended (42 U.S.C. 1861–1875), and the Act to establish
18 a National Medal of Science (42 U.S.C. 1880–1881); serv-
19 ices as authorized by 5 U.S.C. 3109; maintenance and op-
20 eration of aircraft and purchase of flight services for re-
21 search support; acquisition of aircraft; *\$2,294,000,000*, of
22 which not to exceed \$235,000,000 shall remain available
23 until expended for Polar research and operations support,
24 and for reimbursement to other Federal agencies for oper-
25 ational and science support and logistical and other relat-

1 ed activities for the United States Antarctic program; the
2 balance to remain available until September 30, 1997:
3 *Provided*, That receipts for scientific support services and
4 materials furnished by the National Research Centers and
5 other National Science Foundation supported research fa-
6 cilities may be credited to this appropriation: *Provided fur-*
7 *ther*, That to the extent that the amount appropriated is
8 less than the total amount authorized to be appropriated
9 for included program activities, all amounts, including
10 floors and ceilings, specified in the authorizing Act for
11 those program activities or their subactivities shall be re-
12 duced proportionally.

13 MAJOR RESEARCH EQUIPMENT

14 For necessary expenses in carrying out major con-
15 struction projects, and related expenses, pursuant to the
16 purposes of the National Science Foundation Act of 1950,
17 as amended (42 U.S.C. 1861–1875), \$70,000,000, to re-
18 main available until expended.

19 ACADEMIC RESEARCH INFRASTRUCTURE

20 For necessary expenses in carrying out an academic
21 research infrastructure program pursuant to the purposes
22 of the National Science Foundation Act of 1950, as
23 amended (42 U.S.C. 1861–1875), including services as
24 authorized by 5 U.S.C. 3109 and rental of conference
25 rooms in the District of Columbia, \$100,000,000, to re-
26 main available until September 30, 1997.

1 EDUCATION AND HUMAN RESOURCES

2 For necessary expenses in carrying out science and
3 engineering education and human resources programs and
4 activities pursuant to the purposes of the National Science
5 Foundation Act of 1950, as amended (42 U.S.C. 1861–
6 1875), including services as authorized by 5 U.S.C. 3109
7 and rental of conference rooms in the District of Colum-
8 bia, \$599,000,000, to remain available until September
9 30, 1997: *Provided*, That to the extent that the amount
10 of this appropriation is less than the total amount author-
11 ized to be appropriated for included program activities, all
12 amounts, including floors and ceilings, specified in the au-
13 thorizing Act for those program activities or their
14 subactivities shall be reduced proportionally.

15 SALARIES AND EXPENSES

16 For necessary salaries and expenses in carrying out
17 the purposes of the National Science Foundation Act of
18 1950, as amended (42 U.S.C. 1861–1875); services au-
19 thorized by 5 U.S.C. 3109; hire of passenger motor vehi-
20 cles; not to exceed \$9,000 for official reception and rep-
21 resentation expenses; uniforms or allowances therefor, as
22 authorized by law (5 U.S.C. 5901–5902); rental of con-
23 ference rooms in the District of Columbia; reimbursement
24 of the General Services Administration for security guard
25 services; \$127,310,000: *Provided*, That contracts may be
26 entered into under salaries and expenses in fiscal year

1 1996 for maintenance and operation of facilities, and for
2 other services, to be provided during the next fiscal year.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, as amended, \$4,490,000, to remain
7 available until September 30, 1997.

8 NATIONAL SCIENCE FOUNDATION HEADQUARTERS

9 RELOCATION

10 For necessary support of the relocation of the Na-
11 tional Science Foundation, \$5,200,000: *Provided*, That
12 these funds shall be used to reimburse the General Serv-
13 ices Administration for services and related acquisitions
14 in support of relocating the National Science Foundation.

15 NEIGHBORHOOD REINVESTMENT CORPORATION

16 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT

17 CORPORATION

18 For payment to the Neighborhood Reinvestment Cor-
19 poration for use in neighborhood reinvestment activities,
20 as authorized by the Neighborhood Reinvestment Corpora-
21 tion Act (42 U.S.C. 8101–8107), \$38,667,000.

22 SELECTIVE SERVICE SYSTEM

23 SALARIES AND EXPENSES

24 For necessary expenses of the Selective Service Sys-
25 tem, including expenses of attendance at meetings and of
26 training for uniformed personnel assigned to the Selective

1 Service System, as authorized by law (5 U.S.C. 4101–
2 4118) for civilian employees; and not to exceed \$1,000 for
3 official reception and representation expenses;
4 \$22,930,000: *Provided*, That during the current fiscal
5 year, the President may exempt this appropriation from
6 the provisions of 31 U.S.C. 1341, whenever he deems such
7 action to be necessary in the interest of national defense:
8 *Provided further*, That none of the funds appropriated by
9 the Act may be expended for or in connection with the
10 induction of any person into the Armed Forces of the
11 United States.

12 *DEPARTMENT OF JUSTICE*

13 *FAIR HOUSING AND EQUAL OPPORTUNITY*

14 *FAIR HOUSING ACTIVITIES*

15 *For contracts, grants, and other assistance, not other-*
16 *wise provided for, as authorized by title VIII of the Civil*
17 *Rights Act of 1968, as amended by the Fair Housing*
18 *Amendments Act of 1988, and for contracts with qualified*
19 *fair housing enforcement organizations, as authorized by*
20 *section 561 of the Housing and Community Development*
21 *Act of 1987, as amended by the Housing and Community*
22 *Development Act of 1992, \$30,000,000, to remain available*
23 *until September 30, 1997.*

24 *All functions, activities and responsibilities of the Sec-*
25 *retary of Housing and Urban Development relating to title*

1 *VIII of the Civil Rights Act of 1968, as amended by the*
2 *Fair Housing Amendments Act of 1988, and the Fair Hous-*
3 *ing Act, including any rights guaranteed under the Fair*
4 *Housing Act (including any functions relating to the Fair*
5 *Housing Initiatives program under section 561 of the Hous-*
6 *ing and Community Development Act of 1987), are hereby*
7 *transferred to the Attorney General of the United States.*

8 *DEPARTMENT OF THE TREASURY*

9 *OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT*

10 *For carrying out the Federal Housing Enterprise Fi-*
11 *nancial Safety and Soundness Act of 1992, \$14,895,000, to*
12 *remain available until expended, for the Federal Housing*
13 *Enterprise Oversight Fund: Provided, That such funds shall*
14 *be collected as authorized by sections 1316(a) and (b) of*
15 *such Act, and deposited in the Fund under section 1316(f)*
16 *of such Act: Provided further, That notwithstanding any*
17 *other provision of law, the Secretary of the Treasury shall*
18 *have all powers and rights of the Director and the Fund*
19 *shall be within the Department of the Treasury.*

20 **TITLE IV**

21 **CORPORATIONS**

22 **Corporations and agencies of the Department of**
23 **Housing and Urban Development which are subject to the**
24 **Government Corporation Control Act, as amended, are**
25 **hereby authorized to make such expenditures, within the**

1 limits of funds and borrowing authority available to each
2 such corporation or agency and in accord with law, and
3 to make such contracts and commitments without regard
4 to fiscal year limitations as provided by section 104 of the
5 Act as may be necessary in carrying out the programs set
6 forth in the budget for 1996 for such corporation or agen-
7 cy except as hereinafter provided: *Provided*, That collec-
8 tions of these corporations and agencies may be used for
9 new loan or mortgage purchase commitments only to the
10 extent expressly provided for in this Act (unless such loans
11 are in support of other forms of assistance provided for
12 in this or prior appropriations Acts), except that this pro-
13 viso shall not apply to the mortgage insurance or guaranty
14 operations of these corporations, or where loans or mort-
15 gage purchases are necessary to protect the financial in-
16 terest of the United States Government.

17 RESOLUTION TRUST CORPORATION

18 OFFICE OF INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector
20 General in carrying out the provisions of the Inspector
21 General Act of 1978, as amended, \$11,400,000.

22 TITLE V

23 GENERAL PROVISIONS

24 SECTION 501. Where appropriations in titles I, II,
25 and III of this Act are expendable for travel expenses and

1 no specific limitation has been placed thereon, the expendi-
2 tures for such travel expenses may not exceed the amounts
3 set forth therefor in the budget estimates submitted for
4 the appropriations: *Provided*, That this section shall not
5 apply to travel performed by uncompensated officials of
6 local boards and appeal boards of the Selective Service
7 System; to travel performed directly in connection with
8 care and treatment of medical beneficiaries of the Depart-
9 ment of Veterans Affairs; to travel performed in connec-
10 tion with major disasters or emergencies declared or deter-
11 mined by the President under the provisions of the Robert
12 T. Stafford Disaster Relief and Emergency Assistance
13 Act; to travel performed by the Offices of Inspector Gen-
14 eral in connection with audits and investigations; or to
15 payments to interagency motor pools where separately set
16 forth in the budget schedules: *Provided further*, That if
17 appropriations in titles I, II, and III exceed the amounts
18 set forth in budget estimates initially submitted for such
19 appropriations, the expenditures for travel may cor-
20 respondingly exceed the amounts therefor set forth in the
21 estimates in the same proportion.

22 SEC. 502. Appropriations and funds available for the
23 administrative expenses of the Department of Housing
24 and Urban Development and the Selective Service System
25 shall be available in the current fiscal year for purchase

1 of uniforms, or allowances therefor, as authorized by law
2 (5 U.S.C. 5901–5902); hire of passenger motor vehicles;
3 and services as authorized by 5 U.S.C. 3109.

4 SEC. 503. Funds of the Department of Housing and
5 Urban Development subject to the Government Corpora-
6 tion Control Act or section 402 of the Housing Act of
7 1950 shall be available, without regard to the limitations
8 on administrative expenses, for legal services on a contract
9 or fee basis, and for utilizing and making payment for
10 services and facilities of Federal National Mortgage Asso-
11 ciation, Government National Mortgage Association, Fed-
12 eral Home Loan Mortgage Corporation, Federal Financ-
13 ing Bank, Resolution Trust Corporation, Federal Reserve
14 banks or any member thereof, Federal Home Loan banks,
15 and any insured bank within the meaning of the Federal
16 Deposit Insurance Corporation Act, as amended (12
17 U.S.C. 1811–1831).

18 SEC. 504. No part of any appropriation contained in
19 this Act shall remain available for obligation beyond the
20 current fiscal year unless expressly so provided herein.

21 SEC. 505. No funds appropriated by this Act may be
22 expended—

23 (1) pursuant to a certification of an officer or
24 employee of the United States unless—

1 (A) such certification is accompanied by,
2 or is part of, a voucher or abstract which de-
3 scribes the payee or payees and the items or
4 services for which such expenditure is being
5 made, or

6 (B) the expenditure of funds pursuant to
7 such certification, and without such a voucher
8 or abstract, is specifically authorized by law;
9 and

10 (2) unless such expenditure is subject to audit
11 by the General Accounting Office or is specifically
12 exempt by law from such audit.

13 SEC. 506. None of the funds provided in this Act to
14 any department or agency may be expended for the trans-
15 portation of any officer or employee of such department
16 or agency between his domicile and his place of employ-
17 ment, with the exception of any officer or employee au-
18 thorized such transportation under title 31, United States
19 Code, section 1344.

20 SEC. 507. None of the funds provided in this Act may
21 be used for payment, through grants or contracts, to re-
22 cipients that do not share in the cost of conducting re-
23 search resulting from proposals not specifically solicited
24 by the Government: *Provided*, That the extent of cost
25 sharing by the recipient shall reflect the mutuality of in-

1 terest of the grantee or contractor and the Government
2 in the research.

3 SEC. 508. None of the funds provided in this Act may
4 be used, directly or through grants, to pay or to provide
5 reimbursement for payment of the salary of a consultant
6 (whether retained by the Federal Government or a grant-
7 ee) at more than the daily equivalent of the rate paid for
8 Level IV of the Executive Schedule, unless specifically au-
9 thorized by law.

10 SEC. 509. None of the funds in this Act shall be used
11 to pay the expenses of, or otherwise compensate, non-Fed-
12 eral parties intervening in regulatory or adjudicatory pro-
13 ceedings. Nothing herein affects the authority of the
14 Consumer Product Safety Commission pursuant to section
15 7 of the Consumer Product Safety Act (15 U.S.C. 2056
16 et seq.).

17 SEC. 510. Except as otherwise provided under exist-
18 ing law or under an existing Executive order issued pursu-
19 ant to an existing law, the obligation or expenditure of
20 any appropriation under this Act for contracts for any
21 consulting service shall be limited to contracts which are
22 (1) a matter of public record and available for public in-
23 spection, and (2) thereafter included in a publicly available
24 list of all contracts entered into within twenty-four months
25 prior to the date on which the list is made available to

1 the public and of all contracts on which performance has
2 not been completed by such date. The list required by the
3 preceding sentence shall be updated quarterly and shall
4 include a narrative description of the work to be per-
5 formed under each such contract.

6 SEC. 511. Except as otherwise provided by law, no
7 part of any appropriation contained in this Act shall be
8 obligated or expended by any executive agency, as referred
9 to in the Office of Federal Procurement Policy Act (41
10 U.S.C. 401 et seq.) for a contract for services unless such
11 executive agency (1) has awarded and entered into such
12 contract in full compliance with such Act and the regula-
13 tions promulgated thereunder, and (2) requires any report
14 prepared pursuant to such contract, including plans, eval-
15 uations, studies, analyses and manuals, and any report
16 prepared by the agency which is substantially derived from
17 or substantially includes any report prepared pursuant to
18 such contract, to contain information concerning (A) the
19 contract pursuant to which the report was prepared, and
20 (B) the contractor who prepared the report pursuant to
21 such contract.

22 SEC. 512. Except as otherwise provided in section
23 506, none of the funds provided in this Act to any depart-
24 ment or agency shall be obligated or expended to provide

1 a personal cook, chauffeur, or other personal servants to
2 any officer or employee of such department or agency.

3 SEC. 513. None of the funds provided in this Act to
4 any department or agency shall be obligated or expended
5 to procure passenger automobiles as defined in 15 U.S.C.
6 2001 with an EPA estimated miles per gallon average of
7 less than 22 miles per gallon.

8 SEC. 514. Such sums as may be necessary for fiscal
9 year 1996 pay raises for programs funded by this Act shall
10 be absorbed within the levels appropriated in this Act.

11 SEC. 515. None of the funds appropriated in title I
12 of this Act shall be used to enter into any new lease of
13 real property if the estimated annual rental is more than
14 \$300,000 unless the Secretary submits, in writing, a re-
15 port to the Committees on Appropriations of the Congress
16 and a period of 30 days has expired following the date
17 on which the report is received by the Committees on Ap-
18 propriations.

19 SEC. 516. (a) PURCHASE OF AMERICAN-MADE
20 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
21 gress that, to the greatest extent practicable, all equip-
22 ment and products purchased with funds made available
23 in this Act should be American-made.

24 (b) NOTICE REQUIREMENT.—In providing financial
25 assistance to, or entering into any contract with, any en-

1 tity using funds made available in this Act, the head of
2 each Federal agency, to the greatest extent practicable,
3 shall provide to such entity a notice describing the state-
4 ment made in subsection (a) by the Congress.

5 SEC. 517. None of the funds appropriated in this Act
6 may be used to implement any cap on reimbursements to
7 grantees for indirect costs, except as published in Office
8 of Management and Budget Circular A-21.

9 SEC. 518. None of the funds made available in this
10 Act may be used for any program, project, or activity,
11 when it is made known to the Federal entity or official
12 to which the funds are made available that the program,
13 project, or activity is not in compliance with any Federal
14 law relating to risk assessment, the protection of private
15 property rights, or unfunded mandates.

16 ~~SEC. 519. (a) CONTRACTOR CONVERSION.—The Ad-~~
17 ~~ministrato~~r of the Environmental Protection Agency shall
18 ~~cease any further hiring in the Agency's Office of Re-~~
19 ~~search and Development.~~

20 ~~(b) REPORT.—Not later than January 1, 1996, the~~
21 ~~head of the Office of Research and Development of the~~
22 ~~Environmental Protection Agency shall submit to the Con-~~
23 ~~gress a report on all staffing plans including the use of~~
24 ~~Federal and contract employees.~~

1 *SEC. 520. Such funds as may be necessary to carry*
 2 *out the orderly termination of the Office of Consumer Af-*
 3 *fairs shall be made available from funds appropriated to*
 4 *the Department of Health and Human Services for fiscal*
 5 *year 1996.*

6 This Act may be cited as the “Departments of Veter-
 7 ans Affairs and Housing and Urban Development, and
 8 Independent Agencies Appropriations Act, 1996”.

Passed the House of Representatives July 31, 1995.

Attest:

ROBIN H. CARLE,

Clerk.

HR 2099 RS—2

HR 2099 RS—3

HR 2099 RS—4

HR 2099 RS—5

HR 2099 RS—6

HR 2099 RS—7

HR 2099 RS—8

HR 2099 RS—9

HR 2099 RS—10

HR 2099 RS—11

HR 2099 RS—12

HR 2099 RS—13

Calendar No. 185

104TH CONGRESS
1ST SESSION

H. R. 2099

[Report No. 104-140]

AN ACT

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes.

AUGUST 1 (legislative day, JULY 10), 1995

Received: read twice and referred to the Committee on
Appropriations

SEPTEMBER 13 (legislative day, SEPTEMBER 5), 1995

Reported with amendments