

104TH CONGRESS
1ST SESSION

H. R. 2099

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 1995

Ordered to be printed with the amendments of the Senate numbered

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,
7 boards, commissions, corporations, and offices for the fis-
8 cal year ending September 30, 1996, and for other pur-
9 poses, namely:

1 TITLE I
2 DEPARTMENT OF VETERANS AFFAIRS
3 VETERANS BENEFITS ADMINISTRATION
4 COMPENSATION AND PENSIONS
5 (INCLUDING TRANSFER OF FUNDS)

6 For the payment of compensation benefits to or on
7 behalf of veterans as authorized by law (38 U.S.C. 107,
8 chapters 11, 13, 51, 53, 55, and 61); pension benefits to
9 or on behalf of veterans as authorized by law (38 U.S.C.
10 chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and bur-
11 ial benefits, emergency and other officers' retirement pay,
12 adjusted-service credits and certificates, payment of pre-
13 miums due on commercial life insurance policies guaran-
14 teed under the provisions of Article IV of the Soldiers'
15 and Sailors' Civil Relief Act of 1940, as amended, and
16 for other benefits as authorized by law (38 U.S.C. 107,
17 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61;
18 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735;
19 76 Stat. 1198); \$17,649,972,000, to remain available
20 until expended: *Provided*, That not to exceed
21 ~~(1)\$25,180,000~~ \$27,431,000 of the amount appropriated
22 shall be reimbursed to "General operating expenses" and
23 "Medical care" for necessary expenses in implementing
24 those provisions authorized in the Omnibus Budget Rec-
25 onciliation Act of 1990, and in the Veterans' Benefits Act
26 of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding

1 source for which is specifically provided as the “Com-
 2 pensation and pensions” appropriation: *Provided further,*
 3 That such sums as may be earned on an actual qualifying
 4 patient basis, shall be reimbursed to “Medical facilities re-
 5 volving fund” to augment the funding of individual medi-
 6 cal facilities for nursing home care provided to pensioners
 7 as authorized by the Veterans’ Benefits Act of 1992 (38
 8 U.S.C. chapter 55): *Provided further,* That \$12,000,000
 9 previously transferred from “Compensation and pensions”
 10 to “Medical facilities revolving fund” shall be transferred
 11 to this heading.

12 READJUSTMENT BENEFITS

13 For the payment of readjustment and rehabilitation
 14 benefits to or on behalf of veterans as authorized by law
 15 (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53,
 16 55, and 61), ~~(2)\$1,345,300,000~~ \$1,352,180,000, to re-
 17 main available until expended: *Provided,* That funds shall
 18 be available to pay any court order, court award or any
 19 compromise settlement arising from litigation involving
 20 the vocational training program authorized by section 18
 21 of Public Law 98–77, ~~(3)as amended~~ *as amended: Pro-*
 22 *vided further,* That of the amounts appropriated for read-
 23 *justment benefits, \$6,880,000 shall be available for funding*
 24 *the Service Members Occupational Conversion and Train-*
 25 *ing program as authorized by sections 4481–4497 of Public*
 26 *Law 102–484, 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); ~~(4)\$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~~(5)~~: *Provided further*, That notwithstanding any
 17 other provision of law, any veteran eligible for hospital care
 18 or medical services under section 1710 of title 38 may be
 19 treated 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, ~~(6)\$251,743,000~~
 25 *\$257,000,000*, plus reimbursements.

1 (7)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; ~~(8)\$821,487,000~~
18 *\$872,000,000*: *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 ~~(9)\$183,455,000~~ \$35,785,000, to remain available until
10 expended: *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, ~~(10)\$152,934,000~~ \$190,000,000, to

1 remain available until expended, along with unobligated
2 balances of previous "Construction, minor projects" ap-
3 propriations which are hereby made available for any
4 project where the estimated cost is less than \$3,000,000:
5 *Provided*, 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 **(11)***SEC. 109. Notwithstanding any other provision*
2 *of law, the Secretary of Veterans Affairs is authorized to*
3 *transfer, without compensation or reimbursement, the juris-*
4 *isdiction and control of a parcel of land consisting of ap-*
5 *proximately 6.3 acres, located on the south edge of the De-*
6 *partment of Veterans Affairs Medical and Regional Office*
7 *Center, Wichita, Kansas, including buildings Nos. 8 and*
8 *30 and other improvements thereon, to the Secretary of*
9 *Transportation for the purpose of expanding and moderniz-*
10 *ing United States Highway 54: Provided, That if nec-*
11 *essary, the exact acreage and legal description of the real*
12 *property transferred shall be determined by a survey satis-*
13 *factory to the Secretary of Veterans Affairs and the Sec-*
14 *retary of Transportation shall bear the cost of such sur-*
15 *vey: Provided further, That the Secretary of Transpor-*
16 *tation shall be responsible for all costs associated with the*
17 *transferred land and improvements thereon, and compli-*
18 *ance with all existing statutes and regulations: Provided*
19 *further, That the Secretary of Veterans Affairs and the*
20 *Secretary of Transportation may require such additional*
21 *terms and conditions as each Secretary considers appro-*
22 *priate to effectuate this transfer of land.*

23 **(12)***SEC. 110. Funds available to the Department of*
24 *Veterans Affairs Revolving Supply Fund shall be available*
25 *until September 30, 1997, for expenses necessary to establish*

1 a 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 **(13)**SEC. 111. *The Department of Veterans Affairs*
6 *shall provide hospital care and medical services to eligible*
7 *veterans in the State of Hawaii at levels commensurate*
8 *with levels of care provided in the forty-eight contiguous*
9 *States. The Secretary shall utilize the contract authority*
10 *prescribed in section 1703 of title 38, United States Code,*
11 *to treat eligible veterans residing in the State of Hawaii*
12 *wherever appropriate.*

13 **(14)**SEC. 112. *PLAN FOR ALLOCATION OF HEALTH*
14 *CARE RESOURCES BY DEPARTMENT OF VETERANS AF-*
15 *FAIRS.*

16 (a) PLAN.—(1) *The Secretary of Veterans Affairs shall*
17 *develop a plan for the allocation of health care resources*
18 *(including personnel and funds) of the Department of Veter-*
19 *ans Affairs among the health care facilities of the Depart-*
20 *ment so as to ensure that veterans having similar economic*
21 *status, eligibility priority and, or, similar medical condi-*
22 *tions who are eligible for medical care in such facilities have*
23 *similar access to such care in such facilities regardless of*
24 *the region of the United States in which such veterans re-*
25 *side.*

1 (2) *The Plan shall reflect, to the maximum extent possible,*
2 *the Veterans Integrated Service Network, as well as*
3 *the Resource Planning and Management System developed*
4 *by the Department of Veterans Affairs to account for fore-*
5 *casts in expected workload and to ensure fairness to facili-*
6 *ties that provide cost-efficient health care, and shall include*
7 *procedures to identify reasons for variations in operating*
8 *costs among similar facilities and ways to improve the allo-*
9 *cation of resources so as to promote efficient use of resources*
10 *and provision of quality health care.*

11 (3) *The Secretary shall prepare the plan in consulta-*
12 *tion with the Under Secretary of Health of the Department*
13 *of Veterans Affairs.*

14 (b) *PLAN ELEMENTS.—The plan under subsection (a)*
15 *shall set forth—*

16 (1) *milestones for achieving the goal referred to*
17 *in that subsection; and*

18 (2) *a means of evaluating the success of the Sec-*
19 *retary in meeting the goals through the plan.*

20 (c) *SUBMITTAL TO CONGRESS.—The Secretary shall*
21 *submit to Congress the plan developed under subsection (a)*
22 *not later than 180 days after the date of the enactment of*
23 *this Act.*

24 (d) *PLAN IMPLEMENTATION.—The Secretary shall im-*
25 *plement the plan developed under subsection (a) within 60*

1 Committees on Appropriations every 90 days on the imple-
2 mentation of the spending limitation in the preceding pro-
3 viso: *Provided further*, That of the total amount provided
4 under this head, \$100,000,000 shall be for the develop-
5 ment or acquisition cost of public housing for Indian fami-
6 lies, including amounts for housing under the mutual help
7 homeownership opportunity program under section 202 of
8 the Act (42 U.S.C. 1437bb): *Provided further*, That of the
9 total amount provided under this head, \$2,500,000,000
10 shall be for modernization of existing public housing
11 projects pursuant to section 14 of the Act (42 U.S.C.
12 1437l): *Provided further*, That during fiscal year 1996, the
13 Secretary may direct any public housing agency that re-
14 ceives any part of the foregoing amount, to use such
15 amount, or any other amount that has been made avail-
16 able in this or any other prior Act for public housing under
17 this head or for the HOPE VI/Urban Revitalization Dem-
18 onstration Program, and that has not been obligated by
19 the agency, to demolish, reconfigure, or reduce the density
20 of any public housing project owned by the agency: *Pro-*
21 *vided further*, That of the amounts earmarked under this
22 head for modernization of existing public housing projects,
23 \$15,000,000 shall be used for the Tenant Opportunity
24 Program: *Provided further*, That of the total amount pro-
25 vided under this head, \$862,125,000 shall be available for

1 non-incremental rental assistance under the section 8
2 housing voucher program under section 8(o) of the Act
3 (~~42 U.S.C. 1437f(o)~~): *Provided further*, That notwith-
4 standing any other provision of law, voucher assistance
5 provided under the preceding proviso may be used in con-
6 nection with legislation enacted after the effective date of
7 this Act that authorizes assistance for such purpose, as
8 determined by the Secretary: *Provided further*, That of the
9 total amount provided under this head, \$1,440,770,000
10 shall be for special needs housing; *Provided further*, That
11 the amount earmarked under the preceding proviso shall
12 be for capital advances, including amendments to capital
13 advance contracts, for housing for the elderly, as author-
14 ized by section 202 of the Housing Act of 1959, as amend-
15 ed, and for project rental assistance, and amendments to
16 contracts for project rental assistance, for supportive
17 housing for the elderly under section 202(c)(2) of the
18 Housing Act of 1959, as amended; capital advances, in-
19 cluding amendments to capital advance contracts, and
20 project rental assistance, including amendments to con-
21 tracts for project rental assistance, for supportive housing
22 for persons with disabilities, as authorized by section 811
23 of the Cranston-Gonzalez National Affordable Housing
24 Act; and housing opportunities for persons with AIDS
25 under title VIII, subtitle D of the Cranston-Gonzalez Na-

1 tional Affordable Housing Act: *Provided further*, That of
2 the funds earmarked in this appropriations Act for special
3 needs housing, the Secretary may waive any provision of
4 section 202 of the Housing Act of 1959 and section 811
5 of the National Affordable Housing Act (including the
6 provisions governing the terms and conditions of project
7 rental assistance) that the Secretary determines is not
8 necessary to achieve the objectives of these programs, or
9 that otherwise impedes the ability to develop, operate or
10 administer projects assisted under these programs, and
11 may make provision for alternative conditions or terms
12 where appropriate: *Provided further*, That the Secretary
13 may use up to \$200,000,000 from unobligated carryover
14 balances under this heading as of September 30, 1995,
15 for assistance for State or local units of government, ten-
16 ant and nonprofit organizations to purchase projects
17 where owners have indicated an intention to prepay mort-
18 gages and for assistance to be used as an incentive to pre-
19 vent prepayment or for vouchers to aid eligible tenants ad-
20 versely affected by mortgage prepayment, as authorized
21 under preservation legislation enacted subsequent to this
22 Act: *Provided further*, That of the total amount provided
23 under this head, \$10,000,000 shall be for the lead-based
24 paint hazard reduction program as authorized under sec-
25 tion 1053 of the Residential Lead-Based Paint Hazard

1 Reduction Act of 1992: *Provided further*, That of the total
2 amount provided under this head, \$17,300,000 shall be
3 available for fees for coordinators under section 23(h)(1)
4 for the Family Self-sufficiency Program (42 U.S.C.
5 1437u): *Provided further*, That of the total amount pro-
6 vided under this head, \$4,641,589,000 shall be for assist-
7 ance under the United States Housing Act of 1937 (42
8 U.S.C. 1437) for use in connection with expiring or termi-
9 nating section 8 subsidy contracts: *Provided further*, That
10 such amounts shall be merged with funds referenced in
11 section 204 of this title: *Provided further*, That the Sec-
12 retary of Housing and Urban Development may reserve
13 amounts available for the renewal of assistance under sec-
14 tion 8 of the United States Housing Act of 1937 and may
15 use such amounts, upon the termination or expiration of
16 a contract for assistance under section 8 of the United
17 States Housing Act of 1937 (other than a contract for
18 tenant-based assistance and notwithstanding section 8(v)
19 of such Act for loan management assistance), to provide
20 voucher assistance under section 8(o) of such Act in the
21 market area for a number of eligible families equal to the
22 number of units covered by the terminated or expired con-
23 tract, which assistance shall be in accordance with terms
24 and conditions prescribed by the Secretary: *Provided fur-*
25 *ther*, That notwithstanding any other provision of law, as-

1 sistance reserved under the preceding proviso may be used
2 in connection with any provision of Federal law enacted
3 after the enactment of this Act that authorizes the use
4 of rental assistance amounts in connection with such ter-
5 minated or expired contracts: *Provided further, That of the*
6 *total amount provided under this head, \$610,575,000*
7 *shall be for amendments to section 8 contracts other than*
8 *contracts for projects developed under section 202 of the*
9 *Housing Act of 1959, as amended.*

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, \$5,594,358,000, to remain avail-*
13 *able until expended: Provided, That of the total amount*
14 *provided under this head, \$200,000,000 shall be for the de-*
15 *velopment or acquisition cost of public housing for Indian*
16 *families, including amounts for housing under the mutual*
17 *help homeownership opportunity program under section*
18 *202 of the Act (42 U.S.C. 1437bb): Provided further, That*
19 *of the total amount provided under this head,*
20 *\$2,510,000,000 shall be for modernization of existing public*
21 *housing projects pursuant to section 14 of the Act (42*
22 *U.S.C. 1437l), including up to \$30,000,000 for the inspec-*
23 *tion of public housing units, contract expertise, and train-*
24 *ing and technical assistance, directly or indirectly, under*
25 *grants, contracts, or cooperative agreements, to assist in the*

1 oversight and management of public and Indian housing
2 (whether or not the housing is being modernized with assist-
3 ance under this proviso) or tenant-based assistance, includ-
4 ing, but not limited to, an annual resident survey, data
5 collection and analysis, training and technical assistance
6 by or to officials and employees of the Department and of
7 public housing agencies and to residents in connection with
8 the public and Indian housing program, support of a public
9 housing institution to provide such training, technical as-
10 sistance, and education, and training and technical assist-
11 ance to assist public housing agencies in avoiding designa-
12 tion as troubled agencies and in qualifying for removal of
13 such designation: Provided further, That of the total
14 amount provided under this head, \$240,000,000 shall be for
15 new incremental rental subsidy contracts under the section
16 8 existing housing certificate program and the housing
17 voucher program under section 8 of the Act, except that such
18 amounts shall be used only for units necessary to provide
19 housing assistance for residents to be relocated from existing
20 federally subsidized or assisted housing, for replacement
21 housing for units demolished or disposed of (including units
22 to be disposed of pursuant to a homeownership program
23 under section 5(h) or title III of the United States Housing
24 Act of 1937) from the public housing inventory, for funds
25 related to litigation settlements, for the conversion of section

1 23 projects to assistance under section 8, for public housing
2 agencies to implement allocation plans approved by the Sec-
3 retary for designated housing, and for funds to carry out
4 the family unification program: Provided further, That of
5 the total amount provided under this head, \$500,000,000
6 shall be for amendments to section 8 contracts other than
7 contracts for projects developed under section 202 of the
8 Housing Act of 1959, as amended; \$261,000,000 shall be
9 for section 8 assistance and rehabilitation grants for prop-
10 erty disposition; and \$624,000,000 shall be for assistance
11 for State or local units of government (including public
12 housing authorities), tenant and nonprofit organizations to
13 purchase projects where owners have indicated an intention
14 to prepay mortgages and for assistance to be used as an
15 incentive to prevent prepayment or for vouchers (not to ex-
16 ceed \$74,000,000) to aid eligible tenants adversely affected
17 by mortgage prepayment, as authorized in the Emergency
18 Low-Income Housing Preservation Act of 1987, as amend-
19 ed: Provided further, That of the foregoing \$624,000,000,
20 up to \$20,000,000 shall be available for preservation tech-
21 nical assistance grants pursuant to section 253 of the Hous-
22 ing and Community Development Act of 1987, as amended,
23 and that the Secretary may designate funding to carry out
24 plans of action approved prior to October 1, 1995, to permit
25 purchases of projects by non-profit organizations or tenant

1 organizations, which are awaiting funding, and which, to
2 the Secretary's satisfaction, will be unable to close without
3 immediate obligation of funding heretofore applied for and
4 approved: Provided further, That with respect to the fore-
5 going \$624,000,000, if the Secretary determines that the de-
6 mand for funding may exceed amounts available for such
7 funding, the Secretary (1) may determine priorities for dis-
8 tributing available funds, including giving priority funding
9 to tenants displaced due to mortgage prepayment and to
10 projects that have not yet been funded but to which funding
11 has been committed; and (2) may impose a temporary mor-
12 atorium on applications by potential recipients of such
13 funding: Provided further, That during fiscal year 1996,
14 the Secretary of Housing and Urban Development may
15 manage and dispose of multifamily properties owned by the
16 Secretary and multifamily mortgages held by the Secretary
17 as of October 1, 1995 without regard to any other provision
18 of law: Provided further, That 50 per centum of the
19 amounts of budget authority, or in lieu thereof 50 per cen-
20 tum of the cash amounts associated with such budget au-
21 thority, that are recaptured from projects described in sec-
22 tion 1012(a) of the Stewart B. McKinney Homeless Assist-
23 ance Amendments Act of 1988 (Public Law 100-628, 102
24 Stat. 3224, 3268) shall be rescinded, or in the case of cash,
25 shall be remitted to the Treasury, and such amounts of

1 *budget authority or cash recaptured and not rescinded or*
2 *remitted to the Treasury shall be used by State housing fi-*
3 *nance agencies or local governments or local housing agen-*
4 *cies with projects approved by the Secretary of Housing and*
5 *Urban Development for which settlement occurred after*
6 *January 1, 1992, in accordance with such section: Provided*
7 *further, That of the total amount provided under this head,*
8 *\$171,000,000 shall be for housing opportunities for persons*
9 *with AIDS under title VIII, subtitle D of the Cranston-Gon-*
10 *zalez National Affordable Housing Act; and \$75,000,000*
11 *shall be for the lead-based paint hazard reduction program*
12 *as authorized under sections 1011 and 1053 of the Residen-*
13 *tial Lead-Based Hazard Reduction Act of 1992.*

14 *Of the total amount provided under this head,*
15 *\$780,190,000 shall be for capital advances, including*
16 *amendments to capital advance contracts, for housing for*
17 *the elderly, as authorized by section 202 of the Housing Act*
18 *of 1959, as amended, and for project rental assistance, and*
19 *amendments to contracts for project rental assistance, for*
20 *supportive housing for the elderly under section 202(c)(2)*
21 *of the Housing Act of 1959; and \$233,168,000 shall be for*
22 *capital advances, including amendments to capital advance*
23 *contracts, for supportive housing for persons with disabil-*
24 *ities, as authorized by section 811 of the Cranston-Gonzalez*
25 *National Affordable Housing Act; and for project rental as-*

1 *sistance, and amendments to contracts for project rental as-*
2 *sistance, for supportive housing for persons with disabilities*
3 *as authorized by section 811 of the Cranston-Gonzalez Na-*
4 *tional Affordable Housing Act: Provided, That the Sec-*
5 *retary may waive any provision of section 202 of the Hous-*
6 *ing Act of 1959 and section 811 of the National Affordable*
7 *Housing Act (including the provisions governing the terms*
8 *and conditions of project rental assistance) that the Sec-*
9 *retary determines is not necessary to achieve the objectives*
10 *of these programs, or that otherwise impedes the ability to*
11 *develop, operate or administer projects assisted under these*
12 *programs, and may make provision for alternative condi-*
13 *tions or terms where appropriate.*

14 *PUBLIC HOUSING DEMOLITION, SITE REVITALIZATION, AND*
15 *REPLACEMENT HOUSING GRANTS*

16 *For grants to public housing agencies for the purposes*
17 *of enabling the demolition of obsolete public housing projects*
18 *or portions thereof, the revitalization (where appropriate)*
19 *of sites (including remaining public housing units) on*
20 *which such projects are located, replacement housing which*
21 *will avoid or lessen concentrations of very low-income fami-*
22 *lies, and tenant-based assistance in accordance with section*
23 *8 of the United States Housing Act of 1937 for the purpose*
24 *of providing replacement housing and assisting tenants to*
25 *be displaced by the demolition, \$500,000,000, to remain*
26 *available until expended: Provided, That the Secretary shall*

1 *award such funds to public housing agencies by a competi-*
2 *tion which includes among other relevant criteria the local*
3 *and national impact of the proposed demolition and revi-*
4 *talization activities and the extent to which the public hous-*
5 *ing agency could undertake such activities without the addi-*
6 *tional assistance to be provided hereunder: Provided fur-*
7 *ther, That eligible expenditures hereunder shall be those ex-*
8 *penditures eligible under section 8 and section 14 of the*
9 *United States Housing Act of 1937 (42 U.S.C. 1437f and*
10 *l): Provided further, That the Secretary may impose such*
11 *conditions and requirements as the Secretary deems appro-*
12 *priate to effectuate the purposes of this paragraph: Provided*
13 *further, That the Secretary may require an agency selected*
14 *to receive funding to make arrangements satisfactory to the*
15 *Secretary for use of an entity other than the agency to carry*
16 *out this program where the Secretary determines that such*
17 *action will help to effectuate the purpose of this paragraph:*
18 *Provided further, That in the event an agency selected to*
19 *receive funding does not proceed expeditiously as deter-*
20 *mined by the Secretary, the Secretary shall withdraw any*
21 *funding made available pursuant to this paragraph and*
22 *that has not been obligated by the agency and distribute*
23 *such funds to one or more other eligible agencies: Provided*
24 *further, That of the foregoing \$500,000,000, the Secretary*
25 *may use up to .67 per centum for technical assistance, to*

1 *be provided directly or indirectly by grants, contracts or*
2 *cooperative agreements, including training and cost of nec-*
3 *essary travel for participants in such training, by or to*
4 *officials and employees of the Department and of public*
5 *housing agencies and to residents: Provided further, That*
6 *any replacement housing provided with assistance under*
7 *this head shall be subject to section 18(f) of the United*
8 *States Housing Act of 1937, as amended by section*
9 *201(b)(2) of this Act.*

10 *ASSISTANCE FOR THE RENEWAL OF EXPIRING SECTION 8*

11 *SUBSIDY CONTRACTS*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For assistance under the United States Housing Act*
14 *of 1937 (42 U.S.C. 1437) not otherwise provided for, for*
15 *use in connection with expiring section 8 subsidy contracts,*
16 *\$4,350,862,000, to remain available until expended: Pro-*
17 *vided, That to the extent the amount in this appropriation*
18 *is insufficient to fund all expiring section 8 contracts, the*
19 *Secretary may transfer to and merge with this appropria-*
20 *tion such amounts from the “Annual contributions for as-*
21 *sisted housing” appropriation as the Secretary shall deter-*
22 *mine, and amounts earmarked in the foregoing account*
23 *may be reduced accordingly, at the Secretary’s discretion:*
24 *Provided further, That the Secretary may maintain consoli-*
25 *dated accounting data for funds disbursed at the public*
26 *housing agency or Indian housing authority or project level*

1 *for subsidy assistance regardless of the source of the dis-*
2 *bursement so as to minimize the administrative burden of*
3 *multiple accounts: Provided further, That the Secretary*
4 *may determine not to apply section 8(o)(6)(B) of the Act*
5 *to renewals of housing vouchers during fiscal year 1996.*

6 FLEXIBLE SUBSIDY FUND

7 (INCLUDING TRANSFER OF FUNDS)

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

15 RENTAL HOUSING ASSISTANCE

16 (RESCISSION)

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

1 the National Housing Act (12 U.S.C. 1715z-1) shall be
2 rescinded in fiscal year 1996.

3 PAYMENTS FOR OPERATION OF LOW-INCOME HOUSING
4 PROJECTS

5 For payments to public housing agencies and Indian
6 housing authorities for operating subsidies for low-income
7 housing projects as authorized by section 9 of the United
8 States Housing Act of 1937, as amended (42 U.S.C.
9 1437g), ~~(17)\$2,500,000,000~~ \$2,800,000,000.

10 ~~(18)~~ DRUG ELIMINATION GRANTS FOR LOW-INCOME
11 HOUSING

12 *For grants to public and Indian housing agencies for*
13 *use in eliminating crime in public housing projects author-*
14 *ized by 42 U.S.C. 11901-11908, and for drug information*
15 *clearinghouse services authorized by 42 U.S.C. 11921-*
16 *11925, \$290,000,000, to remain available until expended,*
17 *of which \$10,000,000 shall be for grants, technical assist-*
18 *ance, contracts and other assistance training, program as-*
19 *essment, and execution for or on behalf of public housing*
20 *agencies and resident organizations (including the cost of*
21 *necessary travel for participants in such training): Pro-*
22 *vided, That after setting aside amounts in 42 U.S.C.*
23 *11909(b) for grants for federally assisted low-income hous-*
24 *ing, the Secretary, notwithstanding 42 U.S.C. 11904, may*
25 *provide grants through a formula taking into account the*
26 *needs of public housing agencies for anti-crime funding,*

1 *and the amount of funding public housing agencies have*
2 *received under this heading during fiscal years 1993, 1994,*
3 *and 1995, but which does not exclude an eligible agency*
4 *that has not received funding during that period: Provided*
5 *further, That the term “drug-related crime”, as defined in*
6 *42 U.S.C. 11905(2), shall also include other types of crime*
7 *as determined by the Secretary.*

8 HOME INVESTMENT PARTNERSHIPS PROGRAM

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

14 ~~(19)~~HOUSING COUNSELING ASSISTANCE

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

1 ~~standing section 106(c)(9) and section 106(d)(13), of such~~
2 ~~Act.~~

3 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

4 ACCOUNT

5 For the cost of guaranteed loans, \$3,000,000, as au-
6 thorized by section 184 of the Housing and Community
7 Development Act of 1992 (106 Stat. 3739): *Provided,*
8 That such costs, including the costs of modifying such
9 loans, shall be as defined in section 502 of the Congres-
10 sional Budget Act of 1974, as amended: *Provided further,*
11 That these funds are available to subsidize total loan prin-
12 cipal, any part of which is to be guaranteed, not to exceed
13 \$36,900,000.

14 HOMELESS ASSISTANCE

15 HOMELESS ASSISTANCE GRANTS

16 For ~~(20)~~grants awarded or allocated by the Secretary
17 of Housing and Urban Development, through a competition
18 or by formula, for the purpose of providing housing and
19 services for homeless individuals and families to be deliv-
20 ered by entities eligible to receive assistance under, and to
21 fund eligible activities described in, the emergency shelter
22 grants program (as authorized under subtitle B of title
23 IV of the Stewart B. McKinney Homeless Assistance Act
24 (Public Law 100–77), as amended); the supportive hous-
25 ing program (as authorized under subtitle C of title IV
26 of such Act); the section 8 moderate rehabilitation single

1 room occupancy program (as authorized under the United
 2 States Housing Act of 1937, as amended) to assist home-
 3 less individuals pursuant to section 441 of the Stewart B.
 4 McKinney Homeless Assistance Act; ~~(21)~~ and the shelter
 5 plus care program (as authorized under subtitle F of title
 6 IV of such Act) ~~(22)~~; and the innovative homeless initia-
 7 tives demonstration program (as described in sections
 8 ~~2(a)–2(f)~~ of the HUD Demonstration Act of 1993 (Public
 9 ~~Law 103–120~~), ~~(23)~~ ~~\$676,000,000~~ \$760,000,000, to re-
 10 main available until expended. ~~(24)~~ *To the extent the Sec-*
 11 *retary determines to use a formula under this heading, the*
 12 *Secretary shall use the existing formula as provided under*
 13 *the Emergency Shelter Grants program under section 413*
 14 *of the Stewart B. McKinney Homeless Assistance Act and*
 15 *promulgate any rules under the rulemaking procedures*
 16 *under section 553 of title 5, United States Code. The Sec-*
 17 *retary shall report, within one year of the date of enact-*
 18 *ment, on ways to merge the homeless assistance programs*
 19 *under the Stewart B. McKinney Homeless Assistance Act*
 20 *with the HOME program under title II of the Cranston-*
 21 *Gonzalez National Affordable Housing Act.*

22 COMMUNITY PLANNING AND DEVELOPMENT

23 COMMUNITY DEVELOPMENT GRANTS

24 (INCLUDING TRANSFER OF FUNDS)

25 For grants to States and units of general local gov-
 26 ernment and for related expenses, not otherwise provided

1 for, necessary for carrying out a community development
2 grants program as authorized by title I of the Housing
3 and Community Development Act of 1974, as amended
4 (42 U.S.C. 5301), \$4,600,000,000, to remain available
5 until September 30, 1998: *Provided, That*
6 ~~(25)\$46,000,000~~ \$60,000,000 shall be available for grants
7 to Indian tribes pursuant to section 106(a)(1) of the
8 Housing and Community Development Act of 1974, as
9 amended (42 U.S.C. 5301), ~~(26)\$2,000,000~~ shall be avail-
10 able as a grant to the Housing Assistance Council,
11 \$1,000,000 shall be available as a grant to the National
12 American Indian Housing Council, and ~~(27)\$19,500,000~~
13 \$27,000,000 shall be available for “special purpose grants”
14 pursuant to section 107 of such Act: *Provided further,*
15 That not to exceed 20 per centum of any grant made with
16 funds appropriated herein (other than ~~(28)a grant using~~
17 ~~funds under section 107(b)(3) of such Act~~ a grant made
18 available under the preceding proviso to the Housing Assist-
19 ance Council or the National American Indian Housing
20 Council, or a grant using funds under section 107(b)(3) of
21 the Housing and Community Development Act of 1974)
22 shall be expended for “Planning and Management Devel-
23 opment” and “Administration” as defined in regulations
24 promulgated by the Department of Housing and Urban
25 Development~~(29)~~: *Provided further, That section*

1 105(a)(25) of such Act, as added by section 907(b)(1) of
2 the Cranston-Gonzalez National Affordable Housing Act,
3 shall continue to be effective after September 30, 1995, not-
4 withstanding section 907(b)(2) of such Act**(30)**: Provided
5 further, That section 916 of the Cranston-Gonzalez National
6 Affordable Housing Act shall apply with respect to fiscal
7 year 1996, notwithstanding section 916(f) of the Act.

8 **(31)**Of the amount provided under this heading, the
9 Secretary of Housing and Urban Development may use up
10 to \$80,000,000 for grants to public housing agencies (in-
11 cluding Indian housing authorities), nonprofit corpora-
12 tions, and other appropriate entities for a supportive serv-
13 ices program to assist residents of public and assisted hous-
14 ing, former residents of such housing receiving tenant-based
15 assistance under section 8 of such Act (42 U.S.C. 1437f),
16 and other low-income families and individuals become self-
17 sufficient: Provided, That the program shall provide sup-
18 portive services to the elderly and the disabled and to fami-
19 lies with children where the head of household would benefit
20 from the receipt of supportive services and is working, seek-
21 ing work, or is preparing for work by participating in job
22 training or educational programs: Provided further, That
23 the supportive services shall include congregate services for
24 the elderly and disabled, service coordinators, and coordi-
25 nated educational, training, and other supportive services,

1 *including academic skills training, job search assistance,*
2 *assistance related to retaining employment, vocational and*
3 *entrepreneurship development and support programs,*
4 *transportation, and child care: Provided further, That the*
5 *Secretary shall require applicants to demonstrate firm com-*
6 *mitments of funding or services from other sources: Pro-*
7 *vided further, That the Secretary shall select public and In-*
8 *dian housing agencies to receive assistance under this head*
9 *on a competitive basis, taking into account the quality of*
10 *the proposed program (including any innovative ap-*
11 *proaches), the extent of the proposed coordination of sup-*
12 *portive services, the extent of commitments of funding or*
13 *services from other sources, the extent to which the proposed*
14 *program includes reasonably achievable, quantifiable goals*
15 *for measuring performance under the program over a three-*
16 *year program, the extent of success an agency has had in*
17 *carrying out other comparable initiatives, and other appro-*
18 *priate criteria established by the Secretary: Provided fur-*
19 *ther, That of the amount made available under this para-*
20 *graph, \$12,000,000 shall be available for contracts, grants,*
21 *and other assistance, other than loans, not otherwise pro-*
22 *vided for, for providing counseling and advice to tenants*
23 *and homeowners both current and prospective, with respect*
24 *to property maintenance, financial management, and such*
25 *other matters as may be appropriate to assist them in im-*

1 *proving their housing conditions and meeting the respon-*
2 *sibilities of tenancy or homeownership, including provisions*
3 *for training and for support of voluntary agencies and serv-*
4 *ices as authorized by section 106 of the Housing and Urban*
5 *Development Act of 1968, as amended, notwithstanding sec-*
6 *tion 106(c)(9) and section 106(d)(13) of such Act. Of the*
7 *amount provided under this heading, notwithstanding any*
8 *other provision of law, \$40,000,000 shall be available for*
9 *youthbuild program activities authorized by subtitle D of*
10 *title IV of the Cranston-Gonzalez National Affordable Hous-*
11 *ing Act, as amended, and shall be an eligible activity with*
12 *respect to any funds made available under this heading.*
13 *Of the amount provided under this heading, notwithstand-*
14 *ing any other provision of law, \$80,000,000 shall be avail-*
15 *able for Economic Development Initiative grants as author-*
16 *ized by section 232 of the Multifamily Housing Property*
17 *Disposition Reform Act of 1994, Public Law 103-233, on*
18 *a competitive basis as required by section 102 of the HUD*
19 *Reform Act.*

20 For the cost of guaranteed loans, ~~(32)~~\$10,500,000
21 \$15,750,000, as authorized by section 108 of the Housing
22 and Community Development Act of 1974: *Provided, That*
23 such costs, including the cost of modifying such loans,
24 shall be as defined in section 502 of the Congressional
25 Budget Act of 1974, as amended: *Provided further, That*

1 these funds are available to subsidize total loan principal,
2 any part of which is to be guaranteed, not to exceed
3 ~~(33)\$1,000,000,000~~ \$1,500,000,000. In addition, for ad-
4 ministrative expenses to carry out the guaranteed loan
5 program, ~~(34)\$225,000~~ \$675,000 which shall be trans-
6 ferred to and merged with the appropriation for depart-
7 mental salaries and expenses.

8 **(35)** *The amount made available for fiscal year 1995*
9 *for a special purpose grant for the renovation of the central*
10 *terminal in Buffalo, New York, shall be made available for*
11 *the central terminal and for other public facilities in*
12 *Buffalo, New York.*

13 POLICY DEVELOPMENT AND RESEARCH

14 RESEARCH AND TECHNOLOGY

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

1 \$48,251,000, of which ~~(42)~~\$10,961,000 \$11,283,000 shall
 2 be transferred from the various funds of the Federal
 3 Housing Administration.

4 ~~(43)~~OFFICE OF FEDERAL HOUSING ENTERPRISE

5 OVERSIGHT

6 SALARIES AND EXPENSES

7 (INCLUDING TRANSFER OF FUNDS)

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

15 FEDERAL HOUSING ADMINISTRATION

16 FHA—MUTUAL MORTGAGE INSURANCE PROGRAM

17 ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

19 During fiscal year 1996, commitments to guarantee
 20 loans to carry out the purposes of section 203(b) of the
 21 National Housing Act, as amended, shall not exceed a loan
 22 principal of \$110,000,000,000~~(44)~~: *Provided*, That dur-
 23 ing fiscal year 1996, the Secretary shall sell assigned mort-
 24 gage notes having an unpaid principal balance of up to
 25 \$4,000,000,000, which notes were originally insured under
 26 section 203(b) of the National Housing Act: *Provided fur-*

1 *(12 U.S.C. 1715z-3 and 1735c), including the cost of modi-*
2 *fyng such loans, \$100,000,000, to remain available until*
3 *expended: Provided, That such costs shall be as defined in*
4 *section 502 of the Congressional Budget Act of 1974: Pro-*
5 *vided further, That these funds are available to subsidize*
6 *total loan principal any part of which is to be guaranteed*
7 **(49)shall not** *of not to exceed (50)\$15,000,000,000*
8 *\$17,400,000,000: (51)Provided, Provided further, That*
9 *during fiscal year 1996, the Secretary shall sell assigned*
10 *notes having an unpaid principal balance of up to*
11 *\$4,000,000,000, which notes were originally obligations of*
12 *the funds established under sections 238 and 519 of the Na-*
13 *tional Housing Act: Provided further, That the Secretary*
14 *may use any negative subsidy amounts from the sale of such*
15 *assigned mortgage notes during fiscal year 1996, in addi-*
16 *tion to amounts otherwise provided, for the disposition of*
17 *properties or notes under this heading (including the credit*
18 *subsidy for the guarantee of loans or the reduction of posi-*
19 *tive credit subsidy amounts that would otherwise be re-*
20 *quired for the sale of such properties or notes), and for any*
21 *other purpose under this heading: Provided further, That*
22 *any amounts made available in any prior appropriation*
23 *Act for the cost (as such term is defined in section 502*
24 *of the Congressional Budget Act of 1974) of guaranteed*
25 *loans that are obligations of the funds established under*

1 section 238 or 519 of the National Housing Act that have
2 not been ~~(52)~~made available for obligation *obligated* or
3 that are deobligated shall be available to the Secretary of
4 Housing and Urban Development in connection with the
5 making of such guarantees and shall remain available
6 until expended, notwithstanding the expiration of any pe-
7 riod of availability otherwise applicable to such
8 amounts~~(53)~~:~~Provided further, That any amounts of~~
9 ~~negative subsidy resulting in fiscal year 1996 from the~~
10 ~~sales of assigned mortgage notes or insurance actions that~~
11 ~~exceed the amounts of negative subsidy determined to be~~
12 ~~generated during such fiscal year, based on the assump-~~
13 ~~tions specified in the President's Budget for such fiscal~~
14 ~~year, shall be available to the Secretary for the costs of~~
15 ~~any note sales or insurance actions, without regard to~~
16 ~~whether the source of the negative subsidy amount is a~~
17 ~~note sale or insurance action, and the last proviso of this~~
18 ~~paragraph shall not apply to such amounts so used in con-~~
19 ~~nection with insurance actions: *Provided further, That dur-*~~
20 ~~ing fiscal year 1996, the Secretary shall sell assigned~~
21 ~~mortgage notes having an unpaid principal balance of up~~
22 ~~to \$2,600,000,000, which notes were originally obligations~~
23 ~~of the funds established under sections 238 and 519 of~~
24 ~~the National Housing Act: *Provided further, That of the*~~
25 ~~amount appropriated herein, an amount equal to the lesser~~

1 of \$52,000,000 or the excess of net proceeds above the
2 value of holding the loans to maturity, such value estab-
3 lished using assumptions specified in the President's fiscal
4 year 1996 Budget adjusted for interest rates at the time
5 of the sale, shall become available only after such sale has
6 been completed.

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

13 Gross obligations for the principal amount of direct
14 loans, as authorized by sections 204(g), 207(l), 238(a),
15 and 519(a) of the National Housing Act, shall not exceed
16 \$120,000,000; of which not to exceed \$100,000,000 shall
17 be for bridge financing in connection with the sale of mul-
18 tifamily real properties owned by the Secretary and for-
19 merly insured under such Act; and of which not to exceed
20 \$20,000,000 shall be for loans to nonprofit and govern-
21 mental entities in connection with the sale of single-family
22 real properties owned by the Secretary and formerly in-
23 sured under such Act.

24 In addition, for administrative expenses necessary to
25 carry out the guaranteed and direct loan programs,

1 ~~(54)~~\$197,470,000 *\$202,470,000*, of which
 2 ~~(55)~~\$197,455,000 *\$198,299,000* shall be transferred to
 3 the appropriation for departmental salaries and expenses;
 4 and of which \$4,171,000 shall be transferred to the appro-
 5 priation for the Office of Inspector General.

6 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
 7 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
 8 GUARANTEE PROGRAM ACCOUNT
 9 (INCLUDES TRANSFER OF FUNDS)

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

14 For administrative expenses necessary to carry out
 15 the guaranteed mortgage-backed securities program,
 16 ~~(56)~~\$8,824,000 *\$9,101,000*, to be derived from the
 17 GNMA—guarantees of mortgage-backed securities guar-
 18 anteed loan receipt account, of which not to exceed
 19 ~~(57)~~\$8,824,000 *\$9,101,000* shall be transferred to the ap-
 20 propriation for departmental salaries and expenses.

21 ADMINISTRATIVE PROVISIONS
 22 (INCLUDING TRENSEFER OF FUNDS)

23 ~~(58)~~SEC. 201. PUBLIC HOUSING. (a) CEILING
 24 RENTS.—Notwithstanding section 3(a) of the United
 25 States Housing Act of 1937, as amended, public housing
 26 agencies shall provide that the amount of rent paid by a

1 family occupying a dwelling unit in public housing during
2 fiscal year 1996 does not exceed the maximum monthly
3 rental amount, which shall be established for the dwelling
4 unit by the public housing agency that owns or admin-
5 isters the unit and may not exceed an amount determined
6 by the agency based upon—

7 (1) the average, for dwelling units of similar
8 size in public housing developments owned and oper-
9 ated by such agency, of any monthly amount of debt
10 service and operating expenses attributable to such
11 units;

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

13 (3) the local market rent for comparable units
14 of similar size.

15 (b) DEMOLITION AND DISPOSITION.—

16 (1) INAPPLICABILITY OF REPLACEMENT
17 RULE.—With respect to any application under sec-
18 tion 18 of the United States Housing Act of 1937,
19 as amended, for the demolition or disposition of pub-
20 lic housing, including an application submitted under
21 paragraph (3), that is approved during fiscal year
22 1996, the provisions of subsection (b)(3) of such sec-
23 tion shall not apply with respect to—

24 (A) the approval of such application; or

1 ~~(B)~~ the demolition or disposition of any
2 public housing pursuant to such application.

3 ~~(2)~~ CONFORMING PROVISION.—The requirement
4 under section 18(d) of such Act that a public hous-
5 ing agency satisfy the conditions specified in section
6 18(b)(3) of such Act as a condition of taking action
7 to demolish or dispose of public housing shall not
8 apply with respect to any application under such sec-
9 tion 18 approved during such fiscal year.

10 ~~(3)~~ AUTHORITY TO RESUBMIT APPLICATIONS.—
11 Any public housing agency that, before fiscal year
12 1996, submitted to the Secretary an application
13 under section 18 of such Act for demolition or dis-
14 position of public housing may (regardless of wheth-
15 er such application has been approved) at any time
16 during fiscal year 1996 submit an application sub-
17 ject to the provisions of this subsection that covers
18 some or all of the property covered by such previous
19 application and, to the extent the same property is
20 covered by both applications, the Secretary shall
21 treat the latter application as replacing the previous
22 application.

23 ~~(c)~~ APPLICABILITY.—In accordance with section
24 201(b)(2) of the United States Housing Act of 1937, as
25 amended, the provisions of this section shall apply to pub-

1 lie housing developed or operated pursuant to a contract
2 between the Secretary of Housing and Urban Develop-
3 ment and an Indian housing authority.

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

9 ~~(1) public housing agencies shall increase to 32~~
10 ~~percent the percentage of the family's monthly ad-~~
11 ~~justed income used in determining—~~

12 ~~(A) the amount of monthly rent required~~
13 ~~to be paid by each family who is assisted under~~
14 ~~the certificate or moderate rehabilitation pro-~~
15 ~~gram under section 8 of such Act; and~~

16 ~~(B) the amount of the monthly assistance~~
17 ~~payment for each family who is assisted under~~
18 ~~the voucher program under section 8 of such~~
19 ~~Act; and~~

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

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

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

10 (2) public housing agencies shall reduce the
11 monthly assistance payment on behalf of each family
12 who is assisted under the voucher program under
13 section 8 of such Act so that the family pays for
14 monthly rent an amount that is not less than the
15 sum of \$50 for the unit; and

16 (3) owners of housing assisted under other pro-
17 grams for rental assistance under section 8 of such
18 Act shall require each family who is assisted under
19 such program to pay for monthly rent an amount
20 that is not less than the sum of \$50 for the unit.

21 (c) ~~FAIR MARKET RENTALS.~~—The Secretary shall
22 establish fair market rentals for purposes of section
23 8(c)(1) of the United States Housing Act of 1937, as
24 amended, that shall be effective for fiscal year 1996 and
25 shall be based on the 40th percentile rent of rental dis-

1 tributions of standard quality rental housing units. In es-
2 tablishing such fair market rentals, the Secretary shall
3 consider only the rents for dwelling units occupied by re-
4 cent movers and may not consider the rents for public
5 housing dwelling units or newly constructed rental dwell-
6 ing units.

7 (d) ANNUAL ADJUSTMENTS.—Section 8(c)(2)(A) of
8 the United States Housing Act of 1937, as amended (42
9 U.S.C. §437f(c)(2)(A)) is further amended—

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

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

14 (e) ADMINISTRATIVE FEES.—Notwithstanding the
15 second sentence of section 8(q)(1) of the United States
16 Housing Act of 1937, as amended, for fiscal year 1996,
17 the portions of the fees for costs incurred by public hous-
18 ing agencies in administering the certificate, voucher, and
19 moderate rehabilitation programs under section 8 shall not
20 exceed 7.0 percent of the fair market rental established
21 for a 2-bedroom existing rental dwelling unit in the market
22 area of the public housing agency.

23 (f) DELAY OF ISSUANCE AND REISSUANCE OF
24 VOUCHERS AND CERTIFICATES.—Notwithstanding any
25 other provision of law, a public housing agency administer-

1 ing certificate or voucher assistance provided under sub-
2 section (b) or (c) of section 8 of the United States Hous-
3 ing Act of 1937, as amended, shall delay—

4 (1) until October 1, 1996, the initial issuance
5 of any such tenant-based assistance representing in-
6 cremental assistance allocated in fiscal year 1996;
7 and

8 (2) for 6 months, the use of any amounts of
9 such assistance (or the certificate or voucher rep-
10 resenting assistance amounts) made available by the
11 termination during fiscal year 1996 of such assist-
12 ance on behalf of any family for any reason, but not
13 later than October 1, 1996.

14 SEC. 203. PREFERENCES FOR HOUSING ASSIST-
15 ANCE. (a) PUBLIC HOUSING.—

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

19 (A) without regard to the requirements re-
20 garding preferences set forth in section
21 6(c)(4)(A) of the United States Housing Act of
22 1937, as amended; and

23 (B) subject to a system of preferences that
24 the public housing agency for the public hous-
25 ing may establish, which shall be based upon

1 local housing needs and priorities, as deter-
2 mined by the agency.

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

16 ~~(b)~~ SECTION 8 ASSISTANCE.—During fiscal year
17 1996, the selection of families for assistance under section
18 8 of the United States Housing Act of 1937, as amend-
19 ed—

20 (1) shall not be subject to the requirements re-
21 garding preferences set forth in sections ~~8(d)(1)(A)~~
22 and ~~8(o)(3)(B)~~ of the United States Housing Act of
23 1937, as amended; and

24 ~~(2)~~ shall be subject to a system of preferences
25 that may be established by the public housing agen-

1 ey administering such assistance, which shall be
2 based upon local housing needs and priorities, as de-
3 termined by the agency.

4 (c) CONFORMING PROVISIONS.—Each reference in
5 sections 6(o), 7(a)(2), 7(a)(3), 8(d)(2)(A), 8(d)(2)(H),
6 16(e), and 24(e)(2) of the United States Housing Act of
7 1937, as amended, sections 212(a)(3), 217(c)(2)(B),
8 225(d)(3), 455(a)(2)(D)(iii), 522(f)(6)(B), and
9 522(j)(2)(A) of the Cranston-Gonzalez National Afford-
10 able Housing Act, section 226(b)(6)(B) of the Low-In-
11 come Housing Preservation and Resident Homeownership
12 Act of 1990, section r03(g)(2) of the Housing and Com-
13 munity Development Amendments of 1978, and section
14 655 of the Housing and Community Development Act of
15 1992, to the preferences under section 6(c)(4)(A),
16 8(d)(1)(A), or 8(o)(3)(B) of the United States Housing
17 Act of 1937, as amended, shall be considered, during fiscal
18 year 1996, to refer to the applicable preferences estab-
19 lished (if any) under the subsections (a)(1)(B) and (b)(2).

20 (d) NEW CONSTRUCTION/SUBSTANTIAL REHABILITA-
21 TION HOUSING.—During fiscal year 1996, dwelling units
22 in housing constructed or substantially rehabilitated pur-
23 suant to assistance provided under section 8(b)(2) of the
24 United States Housing Act of 1937, as amended (as such
25 section existed before October 1, 1983) and projects fi-

1 nanced under section 202 of the Housing Act of 1959 (as
2 such section existed before the enactment of the Cranston-
3 Gonzalez National Affordable Housing Act) shall be made
4 available for occupancy without regard to section 545(c)
5 of the Cranston-Gonzalez National Affordable Housing
6 Act and no other provision of law relating to Federal ten-
7 ant selection preferences shall apply to such housing.

8 (e) RENT SUPPLEMENTS.—During fiscal year 1996,
9 section 101(k) of the Housing and Urban Development
10 Act of 1965 shall not be effective.

11 SEC. 204. MERGER LANGUAGE FOR ASSISTANCE FOR
12 THE RENEWAL OF EXPIRING SECTION 8 OF SUBSIDY
13 CONTRACTS AND ANNUAL CONTRIBUTIONS FOR ASSISTED
14 HOUSING.—All remaining obligated and unobligated bal-
15 ances in the Renewal of Expiring Section 8 Subsidy Con-
16 tracts account on September 30, 1995, shall immediately
17 thereafter be transferred to and merged with the obligated
18 and unobligated balances, respectively, of the Annual Con-
19 tributions for Assisted Housing account.

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

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

4 (2) in the second sentence, by striking
5 “25,000” and inserting “30,000”.

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

16 (b) The Secretary of Housing and Urban Develop-
17 ment shall cancel the indebtedness of the Groveton Texas
18 Hospital Authority relating to the public facilities loan for
19 Project Number TEX-41-PFL0162, issued under title H
20 of the Housing Amendments of 1955. Such hospital au-
21 thority is relieved of all liability to the Government for
22 the outstanding principal balance on such loan, for the
23 amount of accrued interest on such loan, and for any fees
24 and charges payable in connection with such loan.

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

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

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

21 SEC. 209. SPENDING LIMITATIONS.—(a) None of the
22 funds provided in this Act may be used during fiscal year
23 1996 to sign, promulgate, implement, or enforce any re-
24 quirement or regulation relating to the application of the
25 Fair Housing Act (42 U.S.C. 3601, et seq.) to the busi-

1 ness of property insurance, or for any activity pertaining
2 to property insurance.

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

11 (c) None of the funds provided in this Act may be
12 used in fiscal year 1996 for the remuneration of more than
13 seven Assistant Secretaries at the Department of Housing
14 and Urban Development, notwithstanding section 4(a) of
15 the Department of Housing and Urban Development Act.

16 (d) None of the funds provided in this Act may be
17 used in fiscal year 1996 for the remuneration of more than
18 94 schedule C and non-career senior executive service em-
19 ployees at the Department of Housing and Urban Devel-
20 opment.

21 (e) None of the funds made available in this Act may
22 be used by the Secretary to take, impose, or enforce, or
23 to investigate taking, imposing, or enforcing any action,
24 sanction, or penalty against any State or unit of general
25 local government (or any entity or agency thereof) because

1 of the enactment, enforcement, or effectiveness of any
2 State or local law or regulation requiring the spoken or
3 written use of the English language or declaring English
4 as the official language.

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

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

15 (a) consisting solely of residential units that (i)
16 contain sleeping accommodations and kitchen and
17 bathroom facilities, (ii) are located in a building that
18 is used exclusively to facilitate the transition of
19 homeless individuals (within the meaning of section
20 103 of the Stewart B. McKinney Homeless Assist-
21 ance Act (42 U.W.C. 11302)) to independent living
22 within 24 months, (iii) are suitable for occupancy,
23 with each cubicle constituting a separate bedroom
24 and residential unit, (iv) are used on other than a

1 transient basis, and (v) shall be originally placed in
2 service on August 1, 1995; and

3 (b) property that is entirely residential rental
4 property, namely, a project for residential rental
5 property.

6 SEC. 211. EXTENSION OF MULTIFAMILY HOUSING
7 FINANCE PROGRAMS.—(a) Section 542(b)(5) of the Hous-
8 ing and Community Development Act of 1992 (12 U.S.C.
9 1707 note) is amended by striking “on not more than
10 15,000 units over fiscal years 1993 and 1994” and insert-
11 ing “on not more than 7,500 units during fiscal year
12 1996”.

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

18 SEC. 212. DOCUMENTATION OF MULTIFAMILY
19 REFINANCINGS.—Notwithstanding the 16th paragraph
20 under the item relating to “ADMINISTRATIVE PROVI-
21 SIONS” in title II of the Departments of Veterans Affairs
22 and Housing and Urban Development, and Independent
23 Agencies Appropriations Act, 1995 (Public Law 103–327;
24 108 Stat. 2316), the amendments to section 223(a)(7) of
25 the National Housing Act made by the 15th paragraph

1 of such Act shall be effective during fiscal years 1996 and
2 thereafter.

3 **SEC. 201. EXTEND ADMINISTRATIVE PROVISIONS FROM**
4 **THE RESCISSION ACT.**

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

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

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

22 “(2) *A public housing agency may provide assistance*
23 *to developments that include units for other than low-in-*
24 *come families, hereinafter called “mixed income develop-*
25 *ments”, in the form of a grant, loan, or other form of invest-*

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

22 *“(3) A mixed income development may elect to have*
23 *all units subject only to the applicable local real estate*
24 *taxes, notwithstanding that the low-income units assisted*

1 *by public housing funds would otherwise be subject to sec-*
2 *tion 6(d) of the Housing Act of 1937.”*

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

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

15 (3) *APPLICABILITY.—In accordance with section*
16 *201(b)(2) of the United States Housing Act of 1937,*
17 *the amendment made by subsection (a) shall apply to*
18 *public housing developed or operated pursuant to a*
19 *contract between the Secretary of Housing and Urban*
20 *Development and an Indian housing authority.”*

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

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

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

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

13 (3) *APPLICABILITY.*—In accordance with section
14 201(b)(2) of the United States Housing Act of 1937,
15 the amendments made by this section and by sections
16 1002 (a), (b), and (c) of Public Law 104–19 shall
17 apply to public housing developed or operated pursu-
18 ant to a contract between the Secretary of Housing
19 and Urban Development and an Indian housing au-
20 thority.

21 **SEC. 202. PUBLIC HOUSING RENTS AND INCOME**
22 **TARGETING.**

23 (a) *MINIMUM RENTS.*—Section 3(a)(1) of the United
24 States Housing Act of 1937 is amended by inserting at the
25 end the following new sentence: “Where the rent determined

1 *under the previous sentence is less than \$25, the Secretary*
2 *shall permit a public housing agency to charge a family*
3 *residing in public housing up to \$25 as rent.”.*

4 (b) *ESTABLISHMENT OF CEILING RENTS.—Section*
5 *3(a)(2) of the United States Housing Act of 1937 is amend-*
6 *ed to read as follows:*

7 “(2) *Notwithstanding paragraph (1), a public*
8 *housing agency may—*

9 “(A) *adopt ceiling rents that reflect the rea-*
10 *sonable market value of the housing, but that are*
11 *not less than the monthly costs—*

12 “(i) *to operate the housing of the agen-*
13 *cy; and*

14 “(ii) *to make a deposit to a replace-*
15 *ment reserve (in the sole discretion of the*
16 *public housing agency); and*

17 “(B) *allow families to pay ceiling rents re-*
18 *ferred to in subparagraph (A), unless, with re-*
19 *spect to any family, the ceiling rent established*
20 *under this paragraph would exceed the amount*
21 *payable as rent by that family under paragraph*
22 *(1).”.*

23 (c) *DEFINITION OF ADJUSTED INCOME.—Section*
24 *3(b)(5) of the United States Housing Act of 1937 is amend-*
25 *ed—*

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

3 (2) at the end of subparagraph (G), by striking
4 the period and inserting “; and ”; and

5 (3) by inserting after subparagraph (G) the fol-
6 lowing:

7 “(H) for public housing, any other adjust-
8 ments to earned income established by the public
9 housing agency.

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

18 (d) REPEAL OF FEDERAL PREFERENCES.—

19 (1) PUBLIC HOUSING.—

20 Section 6(c)(4)(A) of the United States
21 Housing Act of 1937 (42 U.S.C. 1437d(c)(4)(A))
22 is amended to read as follows:

23 “(A) the establishment, after public notice
24 and an opportunity for public comment, of writ-
25 ten system of preferences for admission to public

1 *housing, if any, that is not inconsistent with the*
2 *comprehensive housing affordability strategy*
3 *under title I of the Cranston-Gonzalez National*
4 *Affordable Housing Act;”.*

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

9 *“(A) the selection of tenants shall be the*
10 *function of the owner, subject to the provisions of*
11 *the annual contributions contract between the*
12 *Secretary and the agency, except that for the cer-*
13 *tificate and moderate rehabilitation programs*
14 *only, for the purpose of selecting families to be*
15 *assisted, the public housing agency may estab-*
16 *lish, after public notice and an opportunity for*
17 *public comment, a written system of preferences*
18 *for selection that is not inconsistent with the*
19 *comprehensive housing affordability strategy*
20 *under title I of the Cranston-Gonzalez National*
21 *Affordable Housing Act;”.*

22 (3) *SECTION 8 VOUCHER PROGRAM.—Section*
23 *8(o)(3)(B) of the United States Housing Act of 1937*
24 *(42 U.S.C. 1437f(o)(3)(B)) is amended to read as fol-*
25 *lows:*

1 “(B) For the purpose of selecting families to
2 be assisted under this subsection, the public hous-
3 ing agency may establish, after public notice and
4 an opportunity for public comment, a written
5 system of preferences for selection that is not in-
6 consistent with the comprehensive housing af-
7 fordability strategy under title I of the Cranston-
8 Gonzalez National Affordable Housing Act.”.

9 (4) SECTION 8 NEW CONSTRUCTION AND SUB-
10 STANTIAL REHABILITATION.—

11 (A) REPEAL.—Section 545(c) of the Cran-
12 ston-Gonzalez National Affordable Housing Act
13 (42 U.S.C. 1437f note) is amended to read as fol-
14 lows:

15 “(c) [Reserved.]”.

16 (B) PROHIBITION.—Notwithstanding any
17 other provision of law, no Federal tenant selec-
18 tion preferences shall apply with respect to—

19 (i) housing constructed or substantially
20 rehabilitated pursuant to assistance pro-
21 vided under section 8(b)(2) of the United
22 States Housing Act of 1937 (as such section
23 existed on the day before October 1, 1983);
24 or

1 (ii) projects financed under section 202
2 of the Housing Act of 1959 (as such section
3 existed on the day before the date of enact-
4 ment of the Cranston-Gonzalez National Af-
5 fordable Housing Act).

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

9 “(k) [Reserved.]”.

10 (6) CONFORMING AMENDMENTS.—

11 (A) UNITED STATES HOUSING ACT OF
12 1937.—The United States Housing Act of 1937
13 (42 U.S.C. 1437 et seq.) is amended—

14 (i) in section 6(o), by striking “pref-
15 erence rules specified in” and inserting
16 “written system of preferences for selection
17 established pursuant to”;

18 (ii) in section 7(a)(2), by striking “ac-
19 cording to the preferences for occupancy
20 under” and inserting “in accordance with
21 the written system of preferences for selec-
22 tion established pursuant to”;

23 (iii) in section 8(d)(2)(A), by striking
24 the last sentence;

1 (iv) in section 8(d)(2)(H), by striking
2 “notwithstanding subsection (d)(1)(A)(i),
3 an” and inserting “An”;

4 (v) in section 16(c), in the second sen-
5 tence, by striking “the system of preferences
6 established by the agency pursuant to sec-
7 tion 6(c)(4)(A)(ii)” and inserting “the writ-
8 ten system of preferences for selection estab-
9 lished by the public housing agency pursu-
10 ant to section 6(c)(4)(A)”; and

11 (vi) in section 24(e)—
12 (I) by striking “(e) EXCEPTIONS.”
13 and all that follows through “The Sec-
14 retary may” and inserting the follow-
15 ing:

16 “(e) EXCEPTION TO GENERAL PROGRAM REQUIRE-
17 MENTS.—The Secretary may”; and

18 (II) by striking paragraph (2).

19 (B) CRANSTON-GONZALEZ NATIONAL AF-
20 FORDABLE HOUSING ACT.—Section 522(f)(b)(B)
21 of the Cranston-Gonzalez National Affordable
22 Housing Act (42 U.S.C. 12704 et seq.) is amend-
23 ed by striking “any preferences for such assist-
24 ance under section 8(d)(1)(A)(i)” and inserting

1 *“written system of preferences for selection estab-*
2 *lished pursuant to section 8(d)(1)(A)”.*

3 (C) *HOUSING AND COMMUNITY DEVELOP-*
4 *MENT ACT OF 1992.—Section 655 of the Housing*
5 *and Community Development Act of 1992 (42*
6 *U.S.C. 13615) is amended by striking “the pref-*
7 *erences” and all that follows through the period*
8 *at the end and inserting “any preferences”.*

9 (D) *REFERENCES IN OTHER LAW.—Any ref-*
10 *erence in any Federal law other than any provi-*
11 *sion of any law amended by paragraphs (1)*
12 *through (5) of this subsection to the preferences*
13 *for assistance under section 6(c)(4)(A)(i),*
14 *8(d)(1)(A)(i), or 8(o)(3)(B) of the United States*
15 *Housing Act of 1937 (as such sections existed on*
16 *the day before the date of enactment of this Act)*
17 *shall be considered to refer to the written system*
18 *of preferences for selection established pursuant*
19 *to section 6(c)(4)(A), 8(d)(1)(A), or 8(o)(3)(B),*
20 *respectively, of the United States Housing Act of*
21 *1937, as amended by this section.*

22 (e) *APPLICABILITY.—In accordance with section*
23 *201(b)(2) of the United States Housing Act of 1937, the*
24 *amendments made by subsections (a), (b), (c), and (d) of*
25 *this section shall also apply to public housing developed or*

1 *operated pursuant to a contract between the Secretary of*
2 *Housing and Urban Development and an Indian housing*
3 *authority.*

4 **SEC. 203. CONVERSION OF CERTAIN PUBLIC HOUSING TO**
5 **VOUCHERS.**

6 (a) *IDENTIFICATION OF UNITS.—*

7 (1) *Each public housing agency shall identify*
8 *any public housing developments—*

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

10 (B) *that total more than—*

11 (i) *600 dwelling units; or*

12 (ii) *in the case of high-rise family*
13 *buildings or substantially vacant buildings,*
14 *300 dwelling units;*

15 (C) *that have a vacancy rate of at least 10*
16 *percent for dwelling units not in funded on-*
17 *schedule modernization programs;*

18 (D) *identified as distressed housing that the*
19 *public housing agency cannot assure the long-*
20 *term viability as public housing through revital-*
21 *ization, density reduction, or achievement of a*
22 *broader range of household income; and*

23 (E) *for which the estimated cost of contin-*
24 *ued operation and modernization of the develop-*
25 *ments as public housing exceeds the cost of pro-*

1 *viding tenant-based assistance under section 8 of*
2 *the United States Housing Act of 1937 for all*
3 *families in occupancy, based on appropriate in-*
4 *dicators of cost (such as the percentage of total*
5 *development cost required for modernization).*

6 *(b) IMPLEMENTATION AND ENFORCEMENT.—*

7 *(1) STANDARDS FOR IMPLEMENTATION.—The*
8 *Secretary shall establish standards to permit imple-*
9 *mentation of this section in fiscal year 1996.*

10 *(2) CONSULTATION.—Each public housing agen-*
11 *cy shall consult with the applicable public housing*
12 *tenants and the unit of general local government in*
13 *identifying any public housing developments under*
14 *subsection (a).*

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

17 *(A) a public housing agency has failed*
18 *under subsection (a) to identify public housing*
19 *developments for removal from the inventory of*
20 *the agency in a timely manner;*

21 *(B) a public housing agency has failed to*
22 *identify one or more public housing develop-*
23 *ments which the Secretary determines should*
24 *have been identified under subsection (a); or*

1 (C) one or more of the developments identi-
2 fied by the public housing agency pursuant to
3 subsection (a) should not, in the determination of
4 the Secretary, have been identified under that
5 subsection;

6 the Secretary may designate the developments to be
7 removed from the inventory of the public housing
8 agency pursuant to this section.

9 (c) REMOVAL OF UNITS FROM THE INVENTORIES OF
10 PUBLIC HOUSING AGENCIES.—

11 (1) Each public housing agency shall develop
12 and carry out a plan in conjunction with the Sec-
13 retary for the removal of public housing units identi-
14 fied under subsection (a) or subsection (b)(3), over a
15 period of up to five years, from the inventory of the
16 public housing agency and the annual contributions
17 contract. The plan shall be approved by the relevant
18 local official as consistent with the Comprehensive
19 Housing Affordability Strategy under title I of the
20 Housing and Community Development Act of 1992,
21 including a description of any disposition and demo-
22 lition plan for the public housing units.

23 (2) The Secretary may extend the deadline in
24 paragraph (1) for up to an additional five years

1 *where the Secretary makes a determination that the*
2 *deadline is impracticable.*

3 *(3) The Secretary shall take appropriate actions*
4 *to ensure removal of developments identified under*
5 *subsection (a) from the inventory of a public housing*
6 *agency, if the public housing agency fails to ade-*
7 *quately develop a plan under paragraph (1), or fails*
8 *to adequately implement such plan in accordance*
9 *with the terms of the plan.*

10 *(4) To the extent approved in appropriations,*
11 *the Secretary may establish requirements and provide*
12 *funding under the Urban Revitalization Demonstra-*
13 *tion program for demolition and disposition of public*
14 *housing under this section.*

15 *(5) Notwithstanding any other provision of law,*
16 *if a development is removed from the inventory of a*
17 *public housing agency and the annual contributions*
18 *contract pursuant to paragraph (1), the Secretary*
19 *may authorize or direct the transfer of—*

20 *(A) in the case of an agency receiving as-*
21 *sistance under the comprehensive improvement*
22 *assistance program, any amounts obligated by*
23 *the Secretary for the modernization of such de-*
24 *velopment pursuant to section 14 of the United*
25 *States Housing Act of 1937;*

1 (B) in the case of an agency receiving pub-
2 lic and Indian housing modernization assistance
3 by formula pursuant to section 14 of the United
4 States Housing Act of 1937, any amounts pro-
5 vided to the agency which are attributable pur-
6 suant to the formula for allocating such assist-
7 ance to the development removed from the inven-
8 tory of that agency; and

9 (C) in the case of an agency receiving as-
10 sistance for the major reconstruction of obsolete
11 projects, any amounts obligated by the Secretary
12 for the major reconstruction of the development
13 pursuant to section 5 of such Act,
14 to the tenant-based assistance program of such
15 agency.

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

17 (1) The Secretary shall make authority available
18 to a public housing agency to provide tenant-based
19 assistance pursuant to section 8 to families residing
20 in any development that is removed from the inven-
21 tory of the public housing agency and the annual con-
22 tributions contract pursuant to subsection (b).

23 (2) Each conversion plan under subsection (c)
24 shall—

1 (A) require the agency to notify families re-
2 siding in the development, consistent with any
3 guidelines issued by the Secretary governing such
4 notifications, that the development shall be re-
5 moved from the inventory of the public housing
6 agency and the families shall receive tenant-
7 based or project-based assistance, and to provide
8 any necessary counseling for families; and

9 (B) ensure that all tenants affected by a de-
10 termination under this section that a develop-
11 ment shall be removed from the inventory of a
12 public housing agency shall be offered tenant-
13 based or project-based assistance and shall be re-
14 located, as necessary, to other decent, safe, sani-
15 tary, and affordable housing which is, to the
16 maximum extent practicable, housing of their
17 choice.

18 (e) *IN GENERAL.*—

19 (1) The Secretary may require a public housing
20 agency to provide such information as the Secretary
21 considers necessary for the administration of this sec-
22 tion.

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

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

5 **SEC. 204. STREAMLINING SECTION 8 TENANT-BASED AS-**
6 **SISTANCE.**

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

9 (b) *EXEMPTION FROM NOTICE REQUIREMENTS FOR*
10 *THE CERTIFICATE AND VOUCHER PROGRAMS*.—*Section*
11 *8(c) of such Act is amended—*

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

15 (2) *in the first sentence of paragraph (9), by*
16 *striking “(but not less than 90 days in the case of*
17 *housing certificates or vouchers under subsection (b)*
18 *or (o))” and inserting “, other than a contract under*
19 *the certificate or voucher program”*.

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

22 (1) *in clause (ii), by inserting “during the term*
23 *of the lease,” after “(ii)”*; and

24 (2) *in clause (iii), by striking “provide that”*
25 *and inserting “during the term of the lease,”*

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

11 *(b) ANNUAL ADJUSTMENTS.—Section 8(c)(2)(A) of the*
12 *United States Housing Act of 1937, as amended (42 U.S.C.*
13 *1437f(c)(2)(A)) is further amended—*

14 *(1) in the third sentence by inserting “and fiscal*
15 *year 1996” after “1995”;*

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

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

20 *“In the case of assistance under the certificate pro-*
21 *gram, 0.01 shall be subtracted from the amount of the*
22 *annual adjustment factor (except that the factor shall*
23 *not be reduced to less than 1.0), and the adjusted rent*
24 *shall not exceed the rent for a comparable unassisted*

1 *unit of similar quality, type, and age in the same*
2 *market area.”; and*

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

4 *(A) striking “sentence” and inserting “two*
5 *sentences” and*

6 *(B) inserting “and fiscal year 1996” after*
7 *“1995”.*

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

17 *(d) DELAY REISSUANCE OF VOUCHERS AND CERTIFI-*
18 *CATES.—Notwithstanding any other provision of law, a*
19 *public housing agency administering certificate or voucher*
20 *assistance provided under subsection (b) or (o) of section*
21 *8 of the United States Housing Act of 1937, as amended,*
22 *shall delay for 6 months, the use of any amounts of such*
23 *assistance (or the certificate or voucher representing assist-*
24 *ance amounts) made available by the termination during*
25 *fiscal year 1996 of such assistance on behalf of any family*

1 *for any reason, but not later than October 1, 1996; with*
2 *the exception of any certificates assigned or committed to*
3 *project based assistance as permitted otherwise by the Act,*
4 *accomplished prior to the effective date of this Act.*

5 **SEC. 206. PUBLIC HOUSING/SECTION 8 MOVING TO WORK**
6 **DEMONSTRATION.**

7 (a) *PURPOSE.*—*The purpose of this demonstration is*
8 *to give public housing agencies and the Secretary of Hous-*
9 *ing and Urban Development the flexibility to design and*
10 *test various approaches for providing and administering*
11 *housing assistance that: reduce cost and achieve greater cost*
12 *effectiveness in Federal expenditures; give incentives to fam-*
13 *ilies with children where the head of household is working,*
14 *seeking work, or is preparing for work by participating in*
15 *job training, educational programs, or programs that assist*
16 *people to obtain employment and become economically self-*
17 *sufficient; and increase housing choices for lower-income*
18 *families.*

19 (b) *PROGRAM AUTHORITY.*—*The Secretary of Housing*
20 *and Urban Development shall conduct a demonstration pro-*
21 *gram under this section beginning in fiscal year 1996 under*
22 *which up to 30 public housing agencies (including Indian*
23 *housing authorities) administering the public or Indian*
24 *housing program and the section 8 housing assistance pay-*
25 *ments program may be selected by the Secretary to partici-*

1 *pate. The Secretary shall provide training and technical as-*
2 *sistance during the demonstration and conduct detailed*
3 *evaluations of up to 15 such agencies in an effort to identify*
4 *replicable program models promoting the purpose of the*
5 *demonstration. Under the demonstration, notwithstanding*
6 *any provision of the United States Housing Act of 1937*
7 *except as provided in subsection (e), an agency may com-*
8 *bine operating assistance provided under section 9 of the*
9 *United States Housing Act of 1937, modernization assist-*
10 *ance provided under section 14 of such Act, and assistance*
11 *provided under section 8 of such Act for the certificate and*
12 *voucher programs, to provide housing assistance for low-*
13 *income families, as defined in section 3(b)(2) of the United*
14 *States Housing Act of 1937, and services to facilitate the*
15 *transition to work on such terms and conditions as the*
16 *agency may propose and the Secretary may approve.*

17 *(c) APPLICATION.—An application to participate in*
18 *the demonstration—*

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

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

1 (3) shall include a plan developed by the agency
2 that takes into account comments from the public
3 hearing and any other public comments on the pro-
4 posed program, and comments from current and pro-
5 spective residents who would be affected, and that in-
6 cludes criteria for—

7 (A) selecting families to be assisted, which
8 shall require that at least 75 percent of the fami-
9 lies selected to participate in the demonstration
10 shall be very low-income families, as defined in
11 section 3(b)(2) of the United States Housing Act
12 of 1937, and at least 50 percent of the families
13 selected shall have incomes that do not exceed 30
14 percent of the median family income for the
15 area, as determined by the Secretary with ad-
16 justments for smaller and larger families, except
17 that the Secretary may establish income ceilings
18 higher or lower than 30 percent of the median
19 for the area on the basis of the Secretary's find-
20 ings that such variations are necessary because
21 of unusually high or low family income;

22 (B) setting reasonable rents payable by fam-
23 ilies, which shall be designed to encourage em-
24 ployment and self-sufficiency by participating
25 families, consistent with the purpose of this dem-

1 onstration, such as by excluding some or all of
2 a family's earned income for purposes of deter-
3 mining rent;

4 (C) continuing to assist substantially the
5 same total number of eligible low-income families
6 as would have been served had the amounts not
7 been combined;

8 (D) maintaining a comparable mix of fami-
9 lies (by family size) as would have been provided
10 had the amounts not been used under the dem-
11 onstration;

12 (E) assuring that housing assisted under
13 the demonstration program meets housing qual-
14 ity standards established or approved by the Sec-
15 retary; and

16 (F) other program design features required
17 by the Secretary; and

18 (4) may request assistance for training and tech-
19 nical assistance to assist with design of the dem-
20 onstration and to participate in a detailed evalua-
21 tion.

22 (d) *SELECTION.*—In selecting among applications, the
23 Secretary shall take into account the potential of each agen-
24 cy to plan and carry out a program under the demonstra-
25 tion, the relative performance by an agency under the pub-

1 *lic housing management assessment program under section*
2 *6(j) of the United States Housing Act of 1937, and other*
3 *appropriate factors as determined by the Secretary.*

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

5 *(1) Section 18 of the United States Housing Act*
6 *of 1937 shall continue to apply to public housing not-*
7 *withstanding any use of the housing under this dem-*
8 *onstration.*

9 *(2) Section 12 of such Act shall apply to housing*
10 *assisted under the demonstration, other than housing*
11 *occupied by families receiving tenant-based assist-*
12 *ance.*

13 *(f) EFFECT ON SECTION 8, OPERATING SUBSIDIES,*
14 *AND COMPREHENSIVE GRANT PROGRAM ALLOCATIONS.—*
15 *The amount of assistance received under section 8, section*
16 *9, or pursuant to section 14 by a public housing agency*
17 *participating in the demonstration under this part shall*
18 *not be affected by its participation.*

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

20 *(1) KEEPING OF RECORDS.—Each agency shall*
21 *keep such records as the Secretary may prescribe as*
22 *reasonably necessary to disclose the amounts and the*
23 *disposition of amounts under this demonstration, to*
24 *ensure compliance with the requirements of this sec-*
25 *tion, and to measure performance.*

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

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

7 (B) provide such data as the Secretary may
8 request to assist the Secretary in assessing the
9 demonstration; and

10 (C) describe and analyze the effect of as-
11 sisted activities in addressing the objectives of
12 this part.

13 (3) *ACCESS TO DOCUMENTS BY THE SEC-*
14 *RETARY.*—The Secretary shall have access for the pur-
15 pose of audit and examination to any books, docu-
16 ments, papers, and records that are pertinent to as-
17 sistance in connection with, and the requirements of,
18 this section.

19 (4) *ACCESS TO DOCUMENTS BY THE COMPTROL-*
20 *LER GENERAL.*—The Comptroller General of the Unit-
21 ed States, or any of the duly authorized representa-
22 tives of the Comptroller General, shall have access for
23 the purpose of audit and examination to any books,
24 documents, papers, and records that are pertinent to

1 *assistance in connection with, and the requirements*
2 *of, this section.*

3 *(h) EVALUATION AND REPORT.—*

4 *(1) CONSULTATION WITH PHA AND FAMILY REP-*
5 *RESENTATIVES.—In making assessments throughout*
6 *the demonstration, the Secretary shall consult with*
7 *representatives of public housing agencies and resi-*
8 *dents.*

9 *(2) REPORT TO CONGRESS.—Not later than 180*
10 *days after the end of the third year of the demonstra-*
11 *tion, the Secretary shall submit to the Congress a re-*
12 *port evaluating the programs carried out under the*
13 *demonstration. The report shall also include findings*
14 *and recommendations for any appropriate legislative*
15 *action.*

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

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

23 *(A) to public housing agencies that express*
24 *an interest to apply for training and technical*
25 *assistance pursuant to subsection (c)(4), to assist*

1 *them in designing programs to be proposed for*
2 *the demonstration; and*

3 *(B) to up to 10 agencies selected to receive*
4 *training and technical assistance pursuant to*
5 *subsection (c)(4), to assist them in implementing*
6 *the approved program; and*

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

10 **SEC. 207. REPEAL OF PROVISIONS REGARDING INCOME DIS-**
11 **REGARDS.**

12 *(a) MAXIMUM ANNUAL LIMITATION ON RENT IN-*
13 *CREASES RESULTING FROM EMPLOYMENT.—Section 957 of*
14 *the Cranston-Gonzalez National Affordable Housing Act is*
15 *hereby repealed, retroactive to November 28, 1990, and shall*
16 *be of no effect.*

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

21 **SEC. 208. EXTENSION OF MULTIFAMILY HOUSING FINANCE**
22 **PROGRAMS.**

23 *(a) The first sentence of section 542(b)(5) of the Hous-*
24 *ing and Community Development Act of 1992 (12 U.S.C.*
25 *1707 note) is amended by striking “on not more than*

1 15,000 units over fiscal years 1993 and 1994” and inserting
2 “on not more than 7,500 units during fiscal year 1996”.

3 (b) The first sentence of section 542(c)(4) of the Hous-
4 ing and Community Development Act of 1992 (12 U.S.C.
5 1707 note) is amended by striking “on not to exceed 30,000
6 units over fiscal years 1993, 1994, and 1995” and inserting
7 “on not more than 10,000 units during fiscal year 1996”.

8 **SEC. 209. FORECLOSURE OF HUD-HELD MORTGAGES**
9 **THROUGH THIRD PARTIES.**

10 During fiscal year 1996, the Secretary of Housing and
11 Urban Development may delegate to one or more entities
12 the authority to carry out some or all of the functions and
13 responsibilities of the Secretary in connection with the fore-
14 closure of mortgages held by the Secretary under the Na-
15 tional Housing Act.

16 **SEC. 210. RESTRUCTURING OF THE HUD MULTIFAMILY**
17 **MORTGAGE PORTFOLIO THROUGH STATE**
18 **HOUSING FINANCE AGENCIES.**

19 During fiscal year 1996, the Secretary of Housing and
20 Urban Development may sell or otherwise transfer multi-
21 family mortgages held by the Secretary under the National
22 Housing Act to a State housing finance agency in connec-
23 tion with a program authorized under section 542 (b) or
24 (c) of the Housing and Community Development Act of

1 1992 without regard to the unit limitations in section
2 542(b)(5) or 542(c)(4) of such Act.

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

4 (a) Section 8 of the United States Housing Act of 1937
5 is amended by adding the following new subsection at the
6 end:

7 “(bb) *TRANSFER OF BUDGET AUTHORITY.*—If an as-
8 sistance contract under this section, other than a contract
9 for tenant-based assistance, is terminated or is not renewed,
10 or if the contract expires, the Secretary shall, in order to
11 provide continued assistance to eligible families, including
12 eligible families receiving the benefit of the project-based as-
13 sistance at the time of the termination, transfer any budget
14 authority remaining in the contract to another contract.
15 The transfer shall be under such terms as the Secretary may
16 prescribe.”

17 **SEC. 212. DOCUMENTATION OF MULTIFAMILY**
18 **REFINANCINGS.**

19 Notwithstanding the 16th paragraph under the item
20 relating to “ADMINISTRATIVE PROVISIONS” in title II of the
21 Departments of Veterans Affairs and Housing and Urban
22 Development, and Independent Agencies Appropriations
23 Act, 1995 (Public Law 103–327; 108 Stat. 2316), the
24 amendments to section 223(a)(7) of the National Housing

1 Act made by the 15th paragraph of such Act shall be effec-
2 tive during fiscal year 1996 and thereafter.

3 **SEC. 213. DEMONSTRATION AUTHORITY.**

4 (a) On and after October 1, 1995, the Secretary of
5 Housing and Urban Development shall carry out a dem-
6 onstration program with respect to multifamily projects
7 whose mortgages are insured under the National Housing
8 Act and that are assisted under section 8 of the United
9 States Housing Act of 1937 and whose present section 8
10 rents are, in the aggregate, in excess of 110 percent of the
11 fair market rent of the locality in which the project is lo-
12 cated, including projects whose section 8 contracts expire
13 on or after October 1, 1996. These programs shall be de-
14 signed to test the feasibility and desirability of the goal of
15 ensuring, to the maximum extent practicable, that the debt
16 service and operating expenses, including adequate reserves,
17 attributable to such multifamily projects whose mortgages
18 are insured under the National Housing Act and that are
19 assisted under section 8 of the United States Housing Act
20 of 1937 and whose present section 8 contract rents are in
21 excess of the fair market rent of the locality in which the
22 project is located can be supported with and without mort-
23 gage insurance under the National Housing Act and with
24 and without above-market rents and utilizing project based
25 assistance or, with the consent of the property owner and

1 *the residents, tenant based assistance, while taking into ac-*
2 *count the need for assistance of low and very low income*
3 *families in such projects. In carrying out this demonstra-*
4 *tion, the Secretary may use arrangements with third par-*
5 *ties, under which the Secretary may provide for the as-*
6 *sumption by the third parties (by delegation, contract, or*
7 *otherwise) of some or all of the functions, obligations, and*
8 *benefits of the Secretary.*

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

12 (A) *will protect the financial interests of the*
13 *Federal Government;*

14 (B) *will result in significant discretionary*
15 *cost savings through debt restructuring and sub-*
16 *sidy reduction; and*

17 (C) *will, in the least costly fashion, address*
18 *the goals of—*

19 (i) *maintaining existing housing stock*
20 *in a decent, safe, and sanitary condition;*

21 (ii) *minimizing the involuntary dis-*
22 *placement of tenants;*

23 (iii) *restructuring the mortgages of*
24 *such projects in a manner that is consistent*
25 *with local housing market conditions;*

- 1 (iv) supporting fair housing strategies;
- 2 (v) minimizing any adverse income
- 3 tax impact on property owners; and
- 4 (vi) minimizing any adverse impact
- 5 on residential neighborhoods.

6 *In determining the manner in which a mortgage is*

7 *to be restructured or the subsidy reduced, the Sec-*

8 *retary may balance competing goals relating to indi-*

9 *vidual projects in a manner that will further the pur-*

10 *poses of this section.*

11 (2) *DEMONSTRATION APPROACHES.*—*In carrying*

12 *out the demonstration programs, the Secretary may*

13 *use one or more of the following approaches:*

14 (A) *Joint venture arrangements with third*

15 *parties, under which the Secretary may provide*

16 *for the assumption by the third parties (by dele-*

17 *gation, contract, or otherwise) of some or all of*

18 *the functions, obligations, and benefits of the Sec-*

19 *retary.*

20 (B) *Subsidization of the debt service of the*

21 *project to a level that can be paid by an owner*

22 *receiving an unsubsidized market rent.*

23 (C) *Renewal of existing project-based assist-*

24 *ance contracts where the Secretary shall approve*

25 *proposed initial rent levels that do not exceed the*

1 *greater of 120 percent of fair market rents or*
2 *comparable market rents for the relevant metro-*
3 *politan market area or at rent levels under a*
4 *budget-based approach.*

5 *(D) Nonrenewal of expiring existing project-*
6 *based assistance contracts and providing tenant-*
7 *based assistance to previously assisted house-*
8 *holds.*

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

11 *(1) the Secretary may manage and dispose of*
12 *multifamily properties owned by the Secretary as of*
13 *October 1, 1995 and multifamily mortgages held by*
14 *the Secretary as of October 1, 1995 for properties as-*
15 *sisted under section 8 with rents above 110 percent of*
16 *fair market rents without regard to any other provi-*
17 *sion of law; and*

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

23 *(c) For purposes of carrying out demonstration pro-*
24 *grams under subsection (a), subject to such third party con-*
25 *sents (if any) as are necessary including but not limited*

1 to (i) consent by the Government National Mortgage Asso-
2 ciation where it owns a mortgage insured by the Secretary;
3 (ii) consent by an issuer under the mortgage-backed securi-
4 ties program of the Association, subject to the responsibil-
5 ities of the issuer to its security holders and the Association
6 under such program; and (iii) parties to any contractual
7 agreement which the Secretary proposes to modify or dis-
8 continue, the Secretary or one or more third parties des-
9 igned by the Secretary may take the following actions:

10 (1) Notwithstanding any other provision of law,
11 the Secretary or third party may remove, relinquish,
12 extinguish, modify, or agree to the removal of any
13 mortgage, regulatory agreement, project-based assist-
14 ance contract, use agreement, or restriction that had
15 been imposed or required by the Secretary, including
16 restrictions on distributions of income which the Sec-
17 retary or third party determines would interfere with
18 the ability of the project to operate without above
19 market rents. The Secretary or third party may re-
20 quire an owner of a property assisted under the sec-
21 tion 8 new construction/substantial rehabilitation
22 program to apply any accumulated residual receipts
23 toward effecting the purposes of this section.

24 (2) Notwithstanding any other provision of law,
25 the Secretary of Housing and Urban Development

1 *may enter into contracts to purchase reinsurance, or*
2 *enter into participations or otherwise transfer eco-*
3 *nomic interest in contracts of insurance or in the pre-*
4 *miums paid, or due to be paid, on such insurance to*
5 *third parties, on such terms and conditions as the*
6 *Secretary may determine.*

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

12 *(4) If, after reducing rents as provided in sub-*
13 *section (3) hereof, the project would be unable to pay*
14 *full operating costs (including normal operating ex-*
15 *penditures, reasonable reserves, full debt service, and rea-*
16 *sonable allowances for vacancy losses and debt service*
17 *coverage/owner return), the Secretary may offer to*
18 *pay all or a portion of the project's debt service, and*
19 *shall restrict the portion of debt service, if any, to be*
20 *paid by the project to the amount consistent with*
21 *payment of such full operating costs. The Secretary*
22 *may offer to make such payments monthly from the*
23 *appropriate Insurance Fund, for the full remaining*
24 *term of the insured mortgage.*

1 (5) Notwithstanding any other provision of law,
2 the Secretary may forgive and cancel any FHA-in-
3 sured mortgage debt that a demonstration program
4 property cannot carry at market rents while bearing
5 full operating costs.

6 (6) For demonstration program properties that
7 cannot carry full operating costs (excluding debt serv-
8 ice) at market rents, the Secretary shall approve
9 project-based rents sufficient to carry such full operat-
10 ing costs and shall offer to pay the full debt service
11 in the manner provided in paragraph (4).

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

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

23 (f) *LIMITATION ON DEMONSTRATION AUTHORITY.*—
24 The Secretary may carry out demonstration programs
25 under this section with respect to mortgages not to exceed

1 30,000 units over fiscal years 1996 and 1997: Provided,
2 That not less than fifty percent of the units participating
3 in the demonstration shall be in projects that are assisted
4 under section 8 new construction/substantial rehabilitation
5 contracts which expire after September 30, 1997. The dem-
6 onstration authorized under this section shall not be ex-
7 panded until the reports required under subsection (g) are
8 submitted to the Congress.

9 (g) REPORT TO CONGRESS.—The Secretary shall sub-
10 mit to the Congress every three months after the date of
11 enactment of this Act a report describing and assessing the
12 programs carried out under the demonstrations. The Sec-
13 retary shall also submit a final report to the Congress not
14 later than six months after the end of the demonstrations.
15 The final report shall include findings and recommenda-
16 tions for any legislative action appropriate to establish a
17 permanent program based on the findings under the dem-
18 onstrations. The final report shall also include a description
19 of the status of each multifamily housing project selected
20 for the demonstrations under this section. The final report
21 shall include—

22 (1) the size of the projects;

23 (2) the geographic locations of the projects, by
24 State and region;

1 (3) *the physical and financial condition of the*
2 *projects;*

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

7 (5) *a description of actions undertaken pursuant*
8 *to this section, including a description of the effective-*
9 *ness of such actions and any impediments to the*
10 *transfer or sale of multifamily housing projects;*

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

14 (7) *a description of any of the functions per-*
15 *formed in connection with this section that are trans-*
16 *ferred or contracted out to public or private entities*
17 *or to States;*

18 (8) *a description of the impact to which the dem-*
19 *onstrations under this section have affected the local-*
20 *ities and communities where the selected multifamily*
21 *housing projects are located; and*

22 (9) *a description of the extent to which the dem-*
23 *onstrations under this section have affected the owners*
24 *of multifamily housing projects.*

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

3 *SEC. 214. SECTION 8 CONTRACT RENEWAL.*

4 (a) *IN GENERAL.*—*Notwithstanding any other provi-*
5 *sion of law, the Secretary shall renew upon expiration each*
6 *contract for project-based assistance under section 8 of the*
7 *United States Housing Act of 1937 that expires during fis-*
8 *cal year 1996 in accordance with this subsection.*

9 (b) *CONTRACT TERM.*—*Each contract described in sub-*
10 *section (a) may be renewed for a term not to exceed 2 years.*

11 “(c) *RENTS AND OTHER CONTRACT TERMS.*—*Except*
12 *as provided in subsections (d) and (e), the Secretary shall*
13 *offer to renew each contract described in subsection (a) (in-*
14 *cluding any contract relating to a multifamily project*
15 *whose mortgage is insured or assisted under the new con-*
16 *struction and substantial rehabilitation program under sec-*
17 *tion 8 of the United States Housing Act of 1937)—*

18 (1) *at a rent equal to the budget-based rent for*
19 *the project;*

20 (2) *at the current rent, where the current rent*
21 *does not exceed 120 percent of the fair market rent for*
22 *the jurisdiction in which the project is located; or*

23 (3) *at the current rent, pending the implementa-*
24 *tion of guidelines for budget-based rents.*

1 (d) *LOAN MANAGEMENT SET-ASIDE CONTRACTS.*—The
2 Secretary shall offer to renew each loan management set-
3 aside contract at a rent equal to the budget-based rent for
4 the unit, as determined by the Secretary, for a period not
5 to exceed 1 year.

6 (e) *TENANT-BASED ASSISTANCE OPTION.*—Notwith-
7 standing any other provision of law, the Secretary may,
8 with the consent of the owner of a project that is subject
9 to a contract described in subsection (a) and with notice
10 to and in consultation with the tenants, agree to provide
11 tenant-based rental assistance under section 8(b) or 8(o) in
12 lieu of renewing a contract to provide project-based rental
13 assistance under subsection (a). Subject to advance appro-
14 priations, the Secretary may offer an owner incentives to
15 convert to tenant-based rental assistance.

16 (f) *DEMONSTRATION PROGRAM.*—If a contract de-
17 scribed in subsection (a) is eligible for the demonstration
18 program under section 213, the Secretary may make the
19 contract subject to the requirements of section 213.

20 (g) *DEFINITIONS.*—

21 (1) *BUDGET-BASED RENT.*—For purposes of this
22 section, the term “budget-based rent”, with respect to
23 a multifamily housing project, means the rent that is
24 established by the Secretary, based on the actual and
25 projected costs of operating the project, at a level that

1 *will provide income sufficient, with respect to the*
2 *project, to support—*

3 *(A) the debt service of the project;*

4 *(B) the operating expenses of the project, in-*
5 *cluding—*

6 *(i) contributions to actual reserves;*

7 *(ii) the costs of maintenance and nec-*
8 *essary rehabilitation, as determined by the*
9 *Secretary;*

10 *(iii) other costs permitted under sec-*
11 *tion 8 of the United States Housing Act of*
12 *1937, as determined by the Secretary;*

13 *(C) an adequate allowance for potential and*
14 *reasonable operating losses due to vacancies and*
15 *failure to collect rents, as determined by the Sec-*
16 *retary;*

17 *(D) an allowance for a rate of return on eq-*
18 *uity to the owner not to exceed 6 percent;*

19 *(E) other expenses, as determined to be nec-*
20 *essary by the Secretary.*

21 *(2) BASIC RENTAL CHARGE FOR SECTION 236.—*

22 *A basic rental charge determined or approved by the*
23 *Secretary for a project receiving interest reduction*
24 *payments under section 236 of the National Housing*

1 *Act shall be deemed a budget-based rent within the*
2 *meaning of this section.*

3 (3) *SECRETARY.*—*The term “Secretary” refers to*
4 *the Secretary of Housing and Urban development.*

5 *PRESERVATION REFORM*

6 *SEC. 215. 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 subsections (a)(2) (D), (E)*
9 *and (F) and renumbering the remaining sub-*
10 *paragraphs.*

11 *(2) Amend subsection (a)(2)(G) to read as*
12 *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—*

20 (A) *striking out in the first sentence*
21 *“low-income” and inserting in lieu thereof*
22 *“very low-income”; and*

23 (B) *striking out “eligible low income*
24 *housing” and inserting in lieu thereof*

1 *“housing financed under the programs set*
2 *forth in section 229(1)(A) of this Act”.*

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

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

9 *“(ii) that is displaced within 180 days after*
10 *such prepayment; and*

11 *“(iii) whose rent and utility cost imme-*
12 *diately prior to displacement exceeded 30 percent*
13 *of adjusted income. Provided, however, that such*
14 *relocation payment shall not exceed \$1,500 per*
15 *family.”.*

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

17 *(l) Strike out section 224.*

18 *(m) Section 225(c) is amended by—*

19 *(1) striking out in the first sentence all that*
20 *follows “shall” and inserting in lieu thereof*
21 *“provide the incentives, and, in addition, shall*
22 *pay the owner of the eligible housing a return*
23 *equal to 8 percent of the preservation equity*
24 *from the date that the Secretary should have*
25 *complied with such time limitation”;* and

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

3 (n) Section 226(b)(2) is amended by inserting
4 “mutual housing association” between “limited equity
5 cooperative ownership)” and “and fee simple owner-
6 ship.”

7 (o) Section 229 is amended as follows:

8 (1) Paragraph (1)(B) is amended to read as
9 follows:

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

14 “(i) on or before December 31, 1996, and
15 the owner of such housing filed a notice of intent
16 on or before February 28, 1995 under title VI of
17 the Low Income Housing Preservation and Resi-
18 dent Homeownership Act of 1990 or under title
19 II of the Emergency Low Income Housing Pres-
20 ervation Act of 1987; or

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

24 (2) Paragraph (8) is amended—

1 (A) by deleting in subparagraph (A)
2 the words “determining the authorized re-
3 turn under section 219(b)(6)(ii)”

4 (B) by deleting in subparagraph (B)
5 “and 221”; and

6 (C) by deleting in subparagraph (B)
7 the words “acquisition loans under the pro-
8 visions of section 241(f)(3) of the National
9 Housing Act” and inserting in lieu thereof,
10 “acquisition grant under the provisions of
11 section 220(d)(2)”.

12 (3) Paragraph (11) is amended by inserting
13 after “association”: “(including such an organi-
14 zation or its affiliate that is a general partner
15 in a limited partnership)”.

16 (4) Insert a new definition (12) as follows:

17 “(12) The term ‘Community Based Non-Profit
18 Organization’ is defined as set forth in 24 C.F.R.
19 248.101, except that a private nonprofit organization
20 shall be deemed to include an organization or its af-
21 filiate that is a general partner in a limited partner-
22 ship.”.

23 (5) Insert a new definition (13) as follows:

24 “(13) Mutual Housing Association. A private en-
25 tity organized under State law that has been deter-

1 *mined to be a tax-exempt entity under section 501c*
2 *of the Internal Revenue Code of 1986 (including such*
3 *an entity or its affiliate that is a general partner in*
4 *a limited partnership), and that owns, manages, and*
5 *continuously develops affordable housing by providing*
6 *long-term housing for low and moderate income indi-*
7 *viduals and families. The residents of mutual housing*
8 *participate in the ongoing management of the hous-*
9 *ing, and through the purchase of membership interests*
10 *in the associations have the right to continue residing*
11 *in the housing as long as they own memberships in*
12 *the associations.”.*

13 *(6) Paragraph (1) is amended by inserting*
14 *new subparagraph (C) after subparagraph (B):*

15 *“(C) that has been determined to have pres-*
16 *ervation equity equivalent to the lesser of \$5,000/*
17 *unit or \$500,000 per project or the equivalent of*
18 *8 times the most recently published fair market*
19 *rent for the area in which the project is located*
20 *and the appropriate unit size for all of the units*
21 *in the eligible project.”.*

22 *(p) Section 231(a) is amended by inserting be-*
23 *fore the period the following: “; and (C) any resident*
24 *council, community-based non-profit organization,*
25 *mutual housing association, or their affiliate that acts*

1 *as a general partner in a limited partnership and*
2 *agrees to maintain low-income affordability restric-*
3 *tions for the remaining useful life of the housing as*
4 *determined under section 222(c).”.*

5 *(q) Section 232(a)(2) is amended to read as fol-*
6 *lows:*

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

10 *(r) Inserting after section 235, the following new*
11 *section:*

12 **“SEC. 236. IMPLEMENTING PROVISIONS FOR CAPITAL**
13 **LOANS AND GRANTS.**

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

1 “(b) *PAYMENT OF EQUITY LOAN.*—The Secretary shall
2 fund the loan pursuant to section 219(b)(6) within 180 days
3 after the approval of the plan of action, but shall pay an
4 8 percent return on preservation equity from 60 days after
5 approval of the plan of action. The Secretary may provide
6 funding for the capital loan provided under section
7 219(b)(8) equally over a five-year period, except that the
8 rehabilitation portion of the loan shall be funded in the first
9 installment. The Secretary shall pay the owner of the eligi-
10 ble housing interest on the unpaid portion of the loan at
11 the applicable federal rate at the time that the plan of ac-
12 tion is approved. If the Secretary fails to make the second
13 or subsequent installment payments on said loan within 60
14 days of its due date, the owner may prepay the mortgage
15 pursuant to section 211 and retain the amount of any in-
16 stallment previously paid.

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

23 “(d) *ELIHPA ELIGIBILITY.*—An owner of eligible
24 housing who is processing an application under title II of
25 the Emergency Low Income Housing Preservation Act of

1 1987 on the effective date of this title may apply for the
2 incentives provided in this title or exercise its right of pre-
3 payment pursuant to section 211.”.

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

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

9 (1) in the first sentence, by striking “September
10 30, 1995” and inserting “September 30, 1996”; and

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

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

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

22 *SEC. 218.* During fiscal year 1996, notwithstanding
23 any other provision of law, the number of individuals em-
24 ployed by the Department of Housing and Urban Develop-

1 *ment in other than “career appointee” positions in the Sen-*
2 *ior Executive Service shall not exceed 20.*

3 *SEC. 219. Of the \$93,400,000 earmarked in Public*
4 *Law 101–144 (103 Stat 850), as amended by Public Law*
5 *101–302 (104 Stat 237), for special projects and purposes,*
6 *any amounts remaining of the \$500,000 made available to*
7 *Bethlehem House in Highland, California, for site planning*
8 *and land acquisition shall instead be made available to the*
9 *County of San Bernardino in California to assist with the*
10 *expansion of the Los Padrinos Gang Intervention Program*
11 *and the Unity Home Domestic Violence Shelter.*

12 *SEC. 220. PERMISSIBLE ADJUSTMENT TO MODERNIZA-*
13 *TION FORMULA.—Section 14(k) of the United States Hous-*
14 *ing Act of 1937 is amended—*

15 *(1) in paragraph (2)(B)—*

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

19 *(B) by inserting after the first sentence the*
20 *following: “The Secretary may adjust the*
21 *amount allocated under this subparagraph as*
22 *necessary to provide additional weight for back-*
23 *log needs.”;*

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

1 (3) in paragraph (8)—

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

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

8 SEC. 221. (a) Section 1011 of Title X—Residential
9 Lead-Based Paint Hazard Reduction Act of 1992 is amend-
10 ed as follows: Strike “priority housing” wherever it appears
11 in said section and insert “housing”.

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

16 “(1) for grants made to assist rental housing, at
17 least 50 percent of the units must be occupied by or
18 made available to families with incomes at or below
19 50 percent of the area median income level and the
20 remaining units shall be occupied or made available
21 to families with incomes at or below 80 percent of the
22 area median income level, and in all cases the land-
23 lord shall give priority in renting units assisted
24 under this section, for not less than 3 years following

1 *the completion of lead abatement activities, to fami-*
2 *lies with a child under the age of six years—*

3 “(A) *except that buildings with five or more*
4 *units may have 20 percent of the units occupied*
5 *by families with incomes above 80 percent of*
6 *area median income level;*

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

16 “(3) *notwithstanding paragraphs (1) and (2),*
17 *Round II grantees who receive assistance under this*
18 *section may use such assistance for priority hous-*
19 *ing.”.*

20 *SEC. 222. EXTENSION PERIOD FOR SHARING UTILITY*
21 *COST SAVINGS WITH PHAS.—Section 9(a)(3)(B)(i) is*
22 *amended by striking “for a period not to exceed 6 years”.*

23 *SEC. 223. The first sentence of section*
24 *221(g)(4)(C)(viii) of the National Housing Act is amended*

1 *by striking “September 30, 1995” and inserting in lieu*
2 *thereof “September 30, 1996”.*

3 **(59)***SEC. 224. None of the funds provided in this Act*
4 *may be used during fiscal year 1996 to investigate or pros-*
5 *ecute under the Fair Housing Act (42 U.S.C. 3601, et seq.)*
6 *any otherwise lawful activity engaged in by one or more*
7 *persons, including the filing or maintaining of non-frivo-*
8 *lous legal action, that is engaged in solely for the purposes*
9 *of achieving or preventing action by a Government official,*
10 *entity, or court of competent jurisdiction.*

11 **(60)***SEC. 225. None of the funds provided in this Act*
12 *may be used to take any enforcement action with respect*
13 *to a complaint of discrimination under the Fair Housing*
14 *Act (42 U.S.C. 3601, et seq.) on the basis of familial status*
15 *and which involves an occupancy standard established by*
16 *the housing provider except to the extent that it is found*
17 *that there has been discrimination in contravention of the*
18 *standards provided in the March 20, 1991 Memorandum*
19 *from the General Counsel of the Department of Housing and*
20 *Urban Development to all Regional Counsel or until such*
21 *time that HUD issues a final rule in accordance with sec-*
22 *tion 553 of title 5, United States Code.*

23 **(61)***SEC. 226. CDBG Eligible Activities.*

24 *Section 105(a) of the Housing and Community Devel-*
25 *opment Act of 1974 (42 U.S.C. 5305(a)) is amended—*

1 (1) in paragraph (4)—

2 (A) by inserting “reconstruction,” after “re-
3 moval,”; and

4 (B) by striking “acquisition for rehabilita-
5 tion, and rehabilitation” and inserting “acqui-
6 sition for reconstruction or rehabilitation, and re-
7 construction or rehabilitation”;

8 (2) in paragraph (13), by striking “and” at the
9 end;

10 (3) by striking paragraph (19);

11 (4) in paragraph (24), by striking “and” at the
12 end;

13 (5) in paragraph (25), by striking the period at
14 the end and inserting “; and”;

15 (6) by redesignating paragraphs (20) through
16 (25) as paragraphs (19) through (24), respectively;
17 and

18 (7) by redesignating paragraph (21) (as added
19 by section 1012(f)(3) of the Housing and Community
20 Development Act of 1992) as paragraph (25).

21 **(62)** SEC. 227. REPORT ON IMPACT OF COMMUNITY
22 DEVELOPMENT FUNDS ON PLAN RELOCATIONS AND JOB
23 DISLOCATION.

24 Not later than October 1, 1996, the Secretary of the
25 Department of Housing and Urban Development shall sub-

1 *mit to the appropriate Committees of the Congress a report*
2 *on—*

3 (1) *the extent to which funds provided under sec-*
4 *tion 106 (Community Development Block Grants),*
5 *section 107 (Special Purpose Grants), and Section*
6 *108(q) (Economic Development Grants) of the Hous-*
7 *ing and Community Development Act of 1974, have*
8 *been directly used to facilitate the closing of an indus-*
9 *trial or commercial plant or the substantial reduction*
10 *of operations of a plant and result in the relocation*
11 *or expansion of a plant from one State to another;*

12 (2) *the extent to which the availability of such*
13 *funds has been a substantial factor in the decision to*
14 *relocate a plant from one State to another;*

15 (3) *an analysis of the extent to which provisions*
16 *in other laws prohibiting the use of Federal funds to*
17 *facilitate the closing of an industrial or commercial*
18 *plant or the substantial reduction in the operations of*
19 *such plant and the relocation or expansion of a plant*
20 *have been effective; and*

21 (4) *recommendations as to how Federal pro-*
22 *grams can be designed to prevent the use of Federal*
23 *funds to directly facilitate the transfer of jobs from*
24 *one State to another.*

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 ~~(63)~~Of the funds appropriated under this heading
 20 in Public Law 103-327, the Corporation for National and
 21 Community Service shall use such amounts of such funds
 22 as may be necessary to carry out the orderly termination
 23 of (1) the programs, activities, and initiatives under the
 24 National 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 *For necessary expenses for the Corporation for Na-*
4 *tional and Community Service in carrying out the orderly*
5 *terminations of programs, activities, and initiatives under*
6 *the National and Community Service Act of 1990, as*
7 *amended (Public Law 103–82), \$6,000,000: Provided, That*
8 *such amount shall be utilized to resolve all responsibilities*
9 *and obligations in connection with said Corporation and*
10 *the Corporation’s Office of Inspector General.*

11 COURT OF VETERANS APPEALS

12 SALARIES AND EXPENSES

13 For necessary expenses for the operation of the Unit-
14 ed States Court of Veterans Appeals as authorized by 38
15 U.S.C. sections 7251–7292, \$9,000,000, of which not to
16 exceed \$678,000, to remain available until September 30,
17 1997, shall be available for the purpose of providing finan-
18 cial assistance as described, and in accordance with the
19 process and reporting procedures set forth, under this
20 head in Public Law 102–229.

21 DEPARTMENT OF DEFENSE—CIVIL

22 CEMETERIAL EXPENSES, ARMY

23 SALARIES AND EXPENSES

24 For necessary expenses, as authorized by law, for
25 maintenance, operation, and improvement of Arlington

1 National Cemetery and Soldiers' and Airmen's Home Na-
 2 tional Cemetery, and not to exceed \$1,000 for official re-
 3 ception and representation expenses; ~~(64)\$11,296,000~~
 4 *\$11,946,000*, to remain available until expended.

5 ENVIRONMENTAL PROTECTION AGENCY

6 ~~(65)~~RESEARCH AND DEVELOPMENT

7 For research and development activities, including
 8 procurement of laboratory equipment and supplies; other
 9 operating expenses in support of research and develop-
 10 ment; and construction, alteration, repair, rehabilitation
 11 and renovation of facilities, not to exceed \$75,000 per
 12 project; ~~\$384,052,000~~, to remain available until Septem-
 13 ber 30, 1997.

14 ~~(65)~~SCIENCE AND TECHNOLOGY

15 *For science and technology, including research and de-*
 16 *velopment activities; necessary expenses for personnel and*
 17 *related costs and travel expenses, including uniforms, or al-*
 18 *lowances therefore, as authorized by 5 U.S.C. 5901-5902;*
 19 *services as authorized by 5 U.S.C. 3109, but at rates for*
 20 *individuals not to exceed the per diem rate equivalent to*
 21 *the rate for GS-18; procurement of laboratory equipment*
 22 *and supplies; other operating expenses in support of re-*
 23 *search and development; construction, alteration, repair, re-*
 24 *habilitation and renovation of facilities, not to exceed*

1 \$75,000 per project; \$500,000,000, which shall remain
2 available until September 30, 1997.

3 ~~(66)~~ ENVIRONMENTAL PROGRAMS AND COMPLIANCE

4 For environmental programs and compliance activi-
5 ties, including hire of passenger motor vehicles; hire,
6 maintenance, and operation of aircraft; purchases of re-
7 prints; library memberships in societies or associations
8 which issue publications to members only or at a price to
9 members lower than to subscribers who are not members;
10 construction, alteration, repair, rehabilitation, and renova-
11 tion of facilities, not to exceed \$75,000 per project; and
12 not to exceed \$6,000 for official reception and representa-
13 tion expenses; and for necessary expenses, not otherwise
14 provided for, for personnel and related costs and for travel
15 expenses, including uniforms, or allowances therefor, as
16 authorized by 5 U.S.C. 5901-5902; and for services as
17 authorized by 5 U.S.C. 3109, but at rates for individuals
18 not to exceed the per diem rate equivalent to the rate for
19 GS-18; \$1,881,614,000, to remain available until ex-
20 pended: *Provided*, That none of the funds appropriated
21 under this heading shall be available to the National Oee-
22 anic and Atmospheric Administration pursuant to section
23 118(h)(3) of the Federal Water Pollution Control Act, as
24 amended: *Provided further*, That from funds appropriated
25 under this heading, the Administrator may make grants

1 to federally recognized Indian governments for the devel-
2 opment of multimedia environmental programs: *Provided*
3 *further*, That for this fiscal year and thereafter, any indus-
4 trial discharger to the Kalamazoo Water Reclamation
5 Plant is exempt from categorical pretreatment standards
6 under section 307(b) of the Federal Water Pollution Con-
7 trol Act, as amended, if the following conditions are met:
8 (1) the Kalamazoo Water Reclamation Plant applies to the
9 State of Michigan for an exemption for its industry and
10 (2) the State or the Administrator, as applicable, approves
11 such exemption request based upon a determination that
12 there exists an operative financial contract between the
13 City of Kalamazoo and the industrial user and an ap-
14 proved local pretreatment program, including a joint mon-
15 itoring program and local controls to prevent against in-
16 terference and pass through: *Provided further*, That none
17 of the funds appropriated under this heading shall be obli-
18 gated or expended to implement or enforce section
19 118(c)(2)(C) of the Federal Water Pollution Control Act,
20 as amended: *Provided further*, That none of the funds ap-
21 propriated under this heading may be made available for
22 the implementation or enforcement of the stormwater per-
23 mitting program under section 402(p) of the Federal
24 Water Pollution Control Act, as amended: *Provided fur-*
25 *ther*, That none of the funds appropriated under this head-

1 ing shall be made available for the enforcement of permit
2 limits or compliance schedules for combined sewer over-
3 flows or sanitary sewer overflows under section 402 of the
4 Federal Water Pollution Control Act, as amended: *Pro-*
5 *vided further,* That none of the funds appropriated under
6 this heading may be used to implement or enforce section
7 404 of the Federal Water Pollution Control Act, as
8 amended: *Provided further,* That none of the funds appro-
9 priated under this heading may be made available for the
10 development and implementation of new or revised efflu-
11 ent limitation guidelines and standards, pretreatment
12 standards, or new source performance standards under
13 the Federal Water Pollution Control Act, as amended:
14 *Provided further,* That the limitations on the use of funds
15 set forth in the previous five provisos shall have no force
16 and effect upon enactment of legislation which further
17 amends the named sections of the Federal Water Pollution
18 Control Act, as amended, in each of the previous four pro-
19 visos: *Provided further,* That none of the funds appro-
20 priated under this heading may be used by the Environ-
21 mental Protection Agency to impose or enforce any re-
22 quirement that a State implement trip reduction measures
23 to reduce vehicular emissions. Section 304 of the Clean
24 Air Act, as amended, shall not apply with respect to any
25 such requirement: *Provided further,* That none of the

1 funds appropriated under this heading may be used to as-
2 sign less than full credit for automobile emissions inspec-
3 tions programs required under section 182 (c), (d), or (e)
4 of the Clean Air Act, as amended, on the basis of network
5 design equipment unless the Administrator determines,
6 based on data collected from at least two full cycles of
7 the program, that less than full credit is appropriate: *Pro-*
8 *vided further,* That beginning in fiscal year 1996 and each
9 fiscal year thereafter, and notwithstanding any other pro-
10 vision of law, the Administrator is authorized to make
11 grants annually from funds appropriated under this head-
12 ing, subject to such terms and conditions as the Adminis-
13 trator shall establish, to any State or federally recognized
14 Indian tribe for multimedia or single media pollution pre-
15 vention, control and abatement and related environmental
16 activities at the request of the Governor or other appro-
17 priate State official or the tribe: *Provided further,* That
18 none of the funds appropriated under this heading may
19 be used to develop, propose, promulgate, issue, enforce,
20 or to set or enforce compliance deadlines or issuance
21 schedules for maximum achievable control technology
22 standards pursuant to section 112(d) of the Clean Air Act,
23 as amended, for the category proposed to be regulated at
24 Vol. 59, Federal Register, No. 135, page 36130, dated
25 July 15, 1994, and for purposes of this provision, section

1 304 of the Clean Air Act shall not apply: *Provided further,*
2 That none of the funds appropriated under this heading
3 shall be obligated or expended to take any action to extend
4 the risk management plan requirements under section
5 112(r) of the Clean Air Act, as amended, to the domestic
6 oil and gas exploration and production and natural gas
7 processing industry: *Provided further,* That none of the
8 funds appropriated under this heading may be used by the
9 Administrator or the Administrator's designee for signing
10 and publishing a national primary drinking water regula-
11 tion for radon and other radionuclei: *Provided further,*
12 That none of the funds appropriated under this heading
13 may be used by the Administrator or the Administrator's
14 designee for signing and publishing any proposed national
15 primary drinking water regulation for arsenic: *Provided*
16 *further,* That none of the funds appropriated under this
17 heading may be used to issue or enforce any requirement
18 not otherwise authorized under existing law or regulation
19 with respect to combustion of hazardous waste prior to
20 promulgation of final regulations pursuant to a rule-
21 making proceeding under the Administrative Procedure
22 Act or to impose or enforce any requirement or condition
23 of a permit, including the use of an indirect risk assess-
24 ment, or to deny a permit pursuant to section 3005(c)(3)
25 of the Resource Conservation and Recovery Act, as

1 amended, unless the Environmental Protection Agency fol-
2 lows the procedures governing the use of authority under
3 such section which it has set forth at 56 Fed. Reg. 7145,
4 note 8, February 21, 1991: *Provided further*, That none
5 of the funds appropriated under this heading may be used
6 to issue or enforce any regulatory standard for maximum
7 achievable control technology (MACT) for hazardous
8 waste combustion under any statute other than the Clean
9 Air Act, as amended, issue any such standard without first
10 determining that in calculating the MACT floor emission
11 levels for existing sources under section 112(d)(3) of the
12 Clean Air Act, as amended, one-half of the currently oper-
13 ating facilities in the group of sources that make up the
14 floor pool for that category or subcategory actually achieve
15 the MACT floor levels for all of the hazardous air pollut-
16 ants to be regulated: *Provided further*, That none of the
17 funds appropriated under this heading may be used to
18 promulgate, implement, or enforce sections 502(d)(2),
19 502(d)(3), or 502(i)(4) of the Clean Air Act, as amended,
20 against a State which is involved in litigation regarding
21 provisions of title V of the Clean Air Act, as amended:
22 *Provided further*, That none of the funds appropriated
23 under this heading may be obligated or expended to re-
24 quire facilities to submit any data pursuant to section
25 313(a) of the Emergency Planning and Community Right-

1 to Know Act or section 8 of the Toxic Substances Control
2 Act, as amended, that is not specifically enumerated in
3 said sections, including mass balance, materials account-
4 ing, or other chemical use data: *Provided further,* That
5 none of the funds appropriated under this heading may
6 be used to revoke, or require the issuance of, a food addi-
7 tive regulation under section 409 of the Federal Food,
8 Drug and Cosmetic Act for a pesticide in processed food
9 where there is a tolerance established under section 408
10 of said Act for the pesticide on the raw commodity from
11 which the processed food was made, and may not be used
12 to revoke, or deny the issuance of, a section 408 tolerance
13 for a pesticide on a raw agricultural commodity solely on
14 the basis that a food additive regulation cannot be issued
15 or maintained under section 409 of said Act for the pes-
16 ticide in a processed form of the commodity: *Provided fur-*
17 *ther,* That none of the funds appropriated under this head-
18 ing may be used to exclusively regulate whole agricultural
19 plants subject to regulation by another federal agency:
20 *Provided further,* That none of the funds appropriated
21 under this heading may be used to obtain a voluntary envi-
22 ronmental audit report or to assess an administrative, civil
23 or criminal negligence penalty, in any matter subject to
24 a state law providing a privilege for voluntary environ-

1 ~~mental audit reports or protections or immunities for the~~
2 ~~voluntary disclosure of environmental concerns.~~

3 PROGRAM ADMINISTRATION AND MANAGEMENT

4 *For program administration and management activi-*
5 *ties, including necessary expenses for personnel and related*
6 *costs and travel expenses, including uniforms, or allowances*
7 *therefore, as authorized by 5 U.S.C. 5901–5902; services as*
8 *authorized by 5 U.S.C. 3109, but at rates for individuals*
9 *not to exceed the per diem rate equivalent to the rate for*
10 *GS–18; hire of passenger motor vehicles; hire, maintenance,*
11 *and operation of aircraft; purchase of reprints; library*
12 *memberships in societies or associations which issue publi-*
13 *cations to members only or at a price to members lower*
14 *than to subscribers who are not members; construction, al-*
15 *teration, repair, rehabilitation, and renovation of facilities,*
16 *not to exceed \$75,000 per project; and not to exceed \$6,000*
17 *for official reception and representation expenses;*
18 *\$1,670,000,000, which shall remain available until Septem-*
19 *ber 30, 1997.*

20 OFFICE OF INSPECTOR GENERAL

21 **(67)** *(INCLUDING TRANSFER OF FUNDS)*

22 For necessary expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Act of 1978, as amended, and for construction,
25 alteration, repair, rehabilitation, and renovation of facili-

1 ties, not to exceed \$75,000 per project, ~~(68)\$28,542,000~~
2 *\$27,700,000.*

3 BUILDINGS AND FACILITIES

4 For construction, repair, improvement, extension, al-
5 teration, and purchase of fixed equipment or facilities of,
6 or use by, the Environmental Protection Agency,
7 ~~(69)\$28,820,000~~ *\$60,000,000*, to remain available until
8 expended.

9 HAZARDOUS SUBSTANCE SUPERFUND

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses to carry out the Comprehen-
12 sive Environmental Response, Compensation and Liability
13 Act of 1980 (CERCLA), as amended, including sections
14 111 (c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611),
15 and for construction, alteration, repair, rehabilitation, and
16 renovation of facilities, not to exceed \$75,000 per project;
17 not to exceed \$1,003,400,000 to remain available until ex-
18 pended, ~~(70)to be derived from general revenues~~ *consist-*
19 *ing of \$753,400,000 as authorized by section 517(a) of the*
20 *Superfund Amendments and Reauthorization Act of 1986*
21 *(SARA), as amended by Public Law 101-508, and*
22 *\$250,000,000 as a payment from general revenues to the*
23 *Hazardous Substance Superfund as authorized by section*
24 *517(b) of SARA, as amended by Public Law 101-508: Pro-*
25 *vided, That funds appropriated under this heading may*
26 be allocated to other Federal agencies in accordance with

1 section 111(a) of CERCLA: *Provided further*, That
2 ~~(71)~~\$5,000,000 \$11,700,000 of the funds appropriated
3 under this heading shall be transferred to the Office of
4 Inspector General appropriation to remain available until
5 September 30, 1996: *Provided further*, That notwithstand-
6 ing section 111(m) of CERCLA or any other provision of
7 law, not to exceed ~~(72)~~\$62,000,000 \$55,000,000 of the
8 funds appropriated under this heading shall be available
9 to the Agency for Toxic Substances and Disease Registry
10 to carry out activities described in sections 104(i),
11 111(c)(4), and 111(c)(14) of CERCLA and section 118(f)
12 of the Superfund Amendments and Reauthorization Act
13 of 1986: *Provided further*, That none of the funds appro-
14 priated under this heading shall be available for the Agen-
15 cy for Toxic Substances and Disease Registry to issue in
16 excess of 40 toxicological profiles pursuant to section
17 104(i) of CERCLA during fiscal year 1996~~(73)~~:~~*Pro-*~~
18 ~~*vided further*~~, That no part of any appropriation made
19 under this heading shall remain available for obligation
20 beyond December 31, 1995, unless the Comprehensive En-
21 vironmental Response Compensation, and Liability Act of
22 1980 has been reauthorized~~(74)~~: *Provided further*, That
23 none of the funds made available under this heading may
24 be used by the Environmental Protection Agency to propose
25 for listing or to list any additional facilities on the Na-

1 *tional Priorities List established by section 105 of the Com-*
 2 *prehensive Environmental Response, Compensation and Li-*
 3 *ability Act (CERCLA), as amended (42 U.S.C. 9605), un-*
 4 *less the Administrator receives a written request to propose*
 5 *for listing or to list a facility from the Governor of the State*
 6 *in which the facility is located, or appropriate tribal leader,*
 7 *or unless legislation to reauthorize CERCLA is en-*
 8 *acted(75): Provided further, That the Administrator shall*
 9 *continue funding the Brownfields Economic Redevelopment*
 10 *Initiative from available funds at a level necessary to com-*
 11 *plete the award of 50 cumulative Brownfields Pilots*
 12 *planned for award by the end of fiscal year 1996 and carry*
 13 *out other elements of the Brownfields Action Agenda in*
 14 *order to facilitate economic redevelopment at Brownfields*
 15 *sites.*

16 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
 17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses to carry out leaking under-
 19 ground storage tank cleanup activities authorized by sec-
 20 tion 205 of the Superfund Amendments and Reauthoriza-
 21 tion Act of 1986, and for construction, alteration, repair,
 22 rehabilitation, and renovation of facilities, not to exceed
 23 \$75,000 per project, \$45,827,000, to remain available
 24 until expended: *Provided, That no more than*
 25 ~~(76)\$5,285,000~~ \$8,000,000 shall be available for adminis-
 26 trative expenses: *Provided further, That (77)\$426,000*

1 \$600,000 shall be transferred to the Office of Inspector
 2 General appropriation to remain available until September
 3 30, 1996.

4 OIL SPILL RESPONSE

5 (INCLUDING TRANSFER OF FUNDS)

6 For expenses necessary to carry out the Environ-
 7 mental Protection Agency's responsibilities under the Oil
 8 Pollution Act of 1990, ~~(78)\$20,000,000~~ \$15,000,000, to
 9 be derived from the Oil Spill Liability trust fund, and to
 10 remain available until expended: *Provided*, That not more
 11 than ~~(79)\$8,420,000~~ \$8,000,000 of these funds shall be
 12 available for administrative expenses.

13 ~~(80)WATER INFRASTRUCTURE/STATE REVOLVING FUNDS~~

14 For necessary expenses for capitalization grants for
 15 State Revolving Funds to support wastewater infrastruc-
 16 ture financing, and to carry out the purposes of the Fed-
 17 eral Water Pollution Control Act, as amended, the Water
 18 Quality Act of 1987, and section 1443(a) of the Public
 19 Health Service Act, \$1,500,175,000, to remain available
 20 until expended, of which \$1,000,000,000 shall be for cap-
 21 italization grants for Clean Water State Revolving Funds
 22 under title VI of the Federal Water Pollution Control Act,
 23 as amended; \$100,000,000 for architectural, engineering,
 24 design, construction, and related activities in connection
 25 with the construction of high priority wastewater facilities
 26 in the area of the United States-Mexico Border, after con-

1 sultation with the appropriate border commissions;
2 \$50,000,000 for grants to the State of Texas, which shall
3 be matched by an equal amount of State funds from State
4 sources, for the purpose of improving wastewater treat-
5 ment for colonias; \$15,000,000 for grants to the State of
6 Alaska, subject to an appropriate cost share as determined
7 by the Administrator, to address wastewater infrastruc-
8 ture needs of rural and Alaska Native Villages;
9 \$22,500,000 for making grants under section 104(b)(3)
10 of the Federal Water Pollution Control Act, as amended;
11 \$100,000,000 for making grants under section 319 of the
12 Federal Water Pollution Control Act, as amended;
13 \$75,000,000 for making grants under section 1443(a) of
14 the Public Health Service Act; and, notwithstanding any
15 other provision of law, \$137,675,000 for making grants
16 for the construction of wastewater treatment facilities and
17 the development of groundwater in accordance with the
18 terms and conditions set forth in the House Report accom-
19 panying this Act: *Provided*, That of the funds made avail-
20 able under this heading in Public Law 103-327 and in
21 Public Law 103-124 for capitalization grants for State
22 Revolving Funds to support water infrastructure financ-
23 ing, \$225,000,000 shall be made available for capitaliza-
24 tion grants for State Revolving Funds under title VI of
25 the Federal Water Pollution Control Act, as amended:

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

17 *PROGRAM AND INFRASTRUCTURE ASSISTANCE*

18 *For environmental programs and infrastructure as-*
19 *sistance, including capitalization grants for state revolving*
20 *funds and performance partnership grants, \$2,340,000,000,*
21 *to remain available until expended, of which*
22 *\$1,500,000,000 shall be for making capitalization grants for*
23 *State revolving funds to support water infrastructure fi-*
24 *nancing; \$100,000,000 for architectural, engineering, de-*
25 *sign, construction and related activities in connection with*
26 *the construction of high priority water and wastewater fa-*

1 *ilities in the area of the United States-Mexico Border, after*
2 *consultation with the appropriate border commission;*
3 *\$50,000,000 for grants to the State of Texas, which shall*
4 *be matched by an equal amount of State funds from State*
5 *resources, for the purpose of improving wastewater treat-*
6 *ment for colonias; and \$15,000,000 for grants to the State*
7 *of Alaska, subject to an appropriate cost share as deter-*
8 *mined by the Administrator, to address wastewater infra-*
9 *structure needs of Alaska Native villages: Provided, That*
10 *beginning in fiscal year 1996 and each fiscal year there-*
11 *after, and notwithstanding any other provision of law, the*
12 *Administrator is authorized to make grants annually from*
13 *funds appropriated under this heading, subject to such*
14 *terms and conditions as the Administrator shall establish,*
15 *to any State or federally recognized Indian tribe for multi-*
16 *media or single media pollution prevention, control and*
17 *abatement and related environmental activities at the re-*
18 *quest of the Governor or other appropriate State official or*
19 *the tribe: Provided further, That from funds appropriated*
20 *under this heading, the Administrator may make grants to*
21 *federally recognized Indian governments for the develop-*
22 *ment of multimedia environmental programs: Provided fur-*
23 *ther, That of the \$1,500,000,000 for capitalization grants*
24 *for State revolving funds to support water infrastructure*
25 *financing, \$500,000,000 shall be for drinking water State*

1 revolving funds, but if no drinking water State revolving
2 fund legislation is enacted by April 30, 1996, these funds
3 shall immediately be available for making capitalization
4 grants under title VI of the Federal Water Pollution Control
5 Act, as amended: Provided further, That of the funds made
6 available under this heading in Public Law 103–327 and
7 in Public Law 103–124 for capitalization grants for State
8 revolving funds to support water infrastructure financing,
9 \$225,000,000 shall be made available for capitalization
10 grants for State revolving funds under title VI of the Fed-
11 eral Water Pollution Control Act, as amended, if no drink-
12 ing water State revolving fund legislation is enacted by
13 April 30, 1996: Provided further, That of the funds appro-
14 priated in the Construction Grants and Water Infrastruc-
15 ture/State Revolving Funds accounts since the appropria-
16 tion for the fiscal year ending September 30, 1992, and
17 hereafter, for making grants for wastewater treatment works
18 construction projects, portions may be provided by the re-
19 cipients to States for managing construction grant activi-
20 ties, on condition that the States agree to reimburse the re-
21 cipients from State funding sources.

22 **(81) ADMINISTRATIVE PROVISIONS**

23 **SEC. 301. MORATORIUM ON CERTAIN EMISSIONS TESTING**
24 **REQUIREMENTS.**

25 (a) MORATORIUM.—

1 (1) *IN GENERAL.*—*The Administrator of the Environmental Protection Agency (referred to in this*
2 *subsection as the “Administrator”)* shall not require
3 *adoption or implementation by a State of a test-only*
4 *or I/M240 enhanced vehicle inspection and maintenance*
5 *program as a means of compliance with section*
6 *182 of the Clean Air Act (42 U.S.C. 7511a), but the*
7 *Administrator may approve such a program if a*
8 *State chooses to adopt the program as a means of*
9 *compliance.*

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

14 (b) *PLAN APPROVAL.*—

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

23 (2) *CREDIT.*—*If a State provides data for a pro-*
24 *posed inspection and maintenance system for which*
25 *credits are appropriate under section 182 of the Clean*

1 *Air Act (42 U.S.C. 7511a), the Administrator shall*
2 *allow the full amount of credit for the system that is*
3 *appropriate without regard to any regulation that*
4 *implements that section by requiring centralized*
5 *emissions testing.*

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

11 **(82)** *SEC. 302. None of the funds made available in*
12 *this Act may be used by the Environmental Protection*
13 *Agency to impose or enforce any requirement that a State*
14 *implement trip reduction measures to reduce vehicular*
15 *emissions. Section 304 of the Clean Air Act (42 U.S.C.*
16 *7604) shall not apply with respect to any such requirement*
17 *during the period beginning on the date of the enactment*
18 *of this Act and ending September 30, 1996.*

19 **(83)** *SEC. 303. None of the funds provided in this Act*
20 *may be used within the Environmental Protection Agency*
21 *for any final action by the Administrator or her delegate*
22 *for signing and publishing for promulgation a rule concern-*
23 *ing any new standard for arsenic (for its carcinogenic ef-*
24 *fects), sulfates, radon, ground water disinfection, or the con-*

1 *taminants in phase VI B in drinking water, unless the Safe*
2 *Drinking Water Act of 1986 has been reauthorized.*

3 **(84)***SEC. 304. None of the funds provided in this Act*
4 *may be used during fiscal year 1996 to sign, promulgate,*
5 *implement or enforce the requirement proposed as “Regula-*
6 *tion of Fuels and Fuel Additives: Individual Foreign Refin-*
7 *ery Baseline Requirements for Reformulated Gasoline” at*
8 *volume 59 of the Federal Register at pages 22800 through*
9 *22814.*

10 **(85)***SEC. 305. None of the funds appropriated to the*
11 *Environmental Protection Agency for fiscal year 1996 may*
12 *be used to implement section 404(c) of the Federal Water*
13 *Pollution Control Act, as amended. No pending action by*
14 *the Environmental Protection Agency to implement section*
15 *404(c) with respect to an individual permit shall remain*
16 *in effect after the date of enactment of this Act.*

17 **(86)***SEC. 306. Notwithstanding any other provision*
18 *of law, for this fiscal year and hereafter, an industrial dis-*
19 *charger that is a pharmaceutical manufacturing facility*
20 *and discharged to the Kalamazoo Water Reclamation Plant*
21 *(an advanced wastewater treatment plant with activated*
22 *carbon) prior to the date of enactment of this Act may be*
23 *exempted from categorical pretreatment standards under*
24 *section 307(b) of the Federal Water Pollution Control Act,*
25 *as amended, if the following conditions are met: (1) the*

1 owner or operator of the Kalamazoo Water Reclamation
2 Plant applies to the State of Michigan for an exemption
3 for such industrial discharger, (2) the State or Adminis-
4 trator, as applicable, approves such exemption request based
5 upon a determination that the Kalamazoo Water Reclama-
6 tion Plant will provide treatment and pollution removal
7 consistent with or better than treatment and pollution re-
8 moval requirements set forth by the Environmental Protec-
9 tion Agency, the State determines that the total removal of
10 each pollutant released into the environment will not be
11 lesser than the total removal of such pollutants that would
12 occur in the absence of the exemption, and (3) compliance
13 with paragraph (2) is addressed by the provisions and con-
14 ditions of a permit issued to the Kalamazoo Water Rec-
15 lamation Plant under section 402 of such Act, and there
16 exists an operative financial contract between the City of
17 Kalamazoo and the industrial user and an approved local
18 pretreatment program, including a joint monitoring pro-
19 gram and local controls to prevent against interference and
20 pass through.

21 **(87)** SEC. 307. No funds appropriated by this Act may
22 be used during fiscal year 1996 to enforce the requirements
23 of section 211(m)(2) of the Clean Air Act that require fuel
24 refiners, marketers, or persons who sell or dispense fuel to
25 ultimate consumers in any carbon monoxide nonattainment

1 *area in Alaska to use methyl tertiary butyl ether (MTBE)*
2 *to meet the oxygen requirements of that section.*

3 **(88)***SEC. 308. None of the funds appropriated under*
4 *this Act may be used to implement the requirements of sec-*
5 *tion 186(b)(2), section 187(b) or section 211(m) of the Clean*
6 *Air Act (42 U.S.C. 7512(b)(2), 7512a(b), or 7545(m)) with*
7 *respect to any moderate nonattainment area in which the*
8 *average daily winter temperature is below 0 degrees Fahr-*
9 *enheit. The preceding sentence shall not be interpreted to*
10 *preclude assistance from the Environmental Protection*
11 *Agency to the State of Alaska to make progress toward meet-*
12 *ing the carbon monoxide standard in such areas and to re-*
13 *solve remaining issues regarding the use of oxygenated fuels*
14 *in such areas.*

15 **(89)***SEC. 309. ENERGY EFFICIENCY AND ENERGY*
16 *SUPPLY PROGRAMS.*

17 *(a) PRIORITY FOR SMALL BUSINESSES.—During fis-*
18 *cal year 1996 the Administrator of the Environmental Pro-*
19 *tection Agency shall give priority in providing assistance*
20 *in its Energy Efficiency and Energy Supply programs to*
21 *organizations that are recognized as small business concerns*
22 *under section 3(a) of the Small Business Act (15 U.S.C.*
23 *632(a)).*

24 *(b) STUDY.—The Administrator shall perform a study*
25 *to determine the feasibility of establishing fees to recover*

1 *all reasonable costs incurred by EPA for assistance rendered*
2 *businesses in its Energy Efficiency and Energy Supply*
3 *program. The study shall include, among other things, an*
4 *evaluation of making the Energy Efficiency and Energy*
5 *Supply Program self-sustaining, the value of the assistance*
6 *rendered to businesses, providing exemptions for small busi-*
7 *nesses, and making the fees payable directly to a fund that*
8 *would be available for use by EPA as needed for this pro-*
9 *gram. The Administrator shall report to Congress by March*
10 *15, 1996 on the results of this study and EPA's plan for*
11 *implementation.*

12 (c) *FUNDING.—For fiscal year 1996, up to*
13 *\$100,000,000 of the funds appropriated to the Environ-*
14 *mental Protection Agency may be used by the Adminis-*
15 *trator to support global participation in the Montreal Pro-*
16 *tol facilitation fund and for the climate change action*
17 *plan programs including the green programs.*

18 **(90)** *SEC. 310. The Administrator of the Environ-*
19 *mental Protection Agency shall not, under authority of sec-*
20 *tion 6 of the Toxic Substances Control Act (15 U.S.C.*
21 *2605), take final action on the proposed rule dated Feb-*
22 *ruary 28, 1994 (59 Fed. Reg. 11122 (March 9, 1994)) to*
23 *prohibit or otherwise restrict the manufacturing, process-*
24 *ing, distributing, or use of any fishing sinkers or lures con-*
25 *taining lead, zinc, or brass unless the Administrator finds*

1 *that the risk to waterfowl cannot be addressed through alter-*
2 *native means in which case, the rule making may proceed*
3 *180 days after Congress is notified of the finding.*

4 **(91)***SEC. 11. Not later than 90 days after the date*
5 *of enactment of this Act, the Administrator of the Environ-*
6 *mental Protection Agency (EPA) shall enter into an ar-*
7 *rangement with the National Academy of Sciences to inves-*
8 *tigate and report on the scientific bases for the public rec-*
9 *ommendations of the EPA with respect to indoor radon and*
10 *other naturally occurring radioactive materials (NORM).*
11 *The National Academy shall examine EPA's guidelines in*
12 *light of the recommendations of the National Council on*
13 *Radiation Protection and Measurements, and other peer-*
14 *reviewed research by the National Cancer Institute, the Cen-*
15 *ters for Disease Control, and others, on radon and NORM.*
16 *The National Academy shall summarize the principal areas*
17 *of agreement and disagreement among the above, and shall*
18 *evaluate the scientific and technical basis for any dif-*
19 *ferences that exist. Not later than 18 months after the date*
20 *of enactment of this Act, the Administrator shall submit*
21 *to Congress the report of the National Academy and a state-*
22 *ment of the Administrator's views on the need to revise*
23 *guidelines for radon and NORM in response to the evalua-*
24 *tion of the National Academy. Such statement shall explain*

1 *and differentiate the technical and policy bases for such*
2 *views.*

3 **(92)** *SEC. 312. EPA Research and Development Ac-*
4 *tivities and Staffing.*

5 *(a) STAR PROGRAM.—The Administrator of the Envi-*
6 *ronmental Protection Agency may not use any funds made*
7 *available under this Act to implement the Science to*
8 *Achieve Results (STAR) program unless—*

9 *(1) the use of the funds would not reduce any*
10 *funding available to the laboratories of the Agency for*
11 *staffing, cooperative agreements, grants, or support*
12 *contracts; or*

13 *(2) the Appropriations committees of the Senate*
14 *and House of Representatives grant prior approval.*
15 *Transfers of funds to support STAR activities shall be*
16 *considered a reprogramming of funds. Further, said*
17 *approval shall be contingent upon submission of a re-*
18 *port to the Committees as specified in section (c)(2)*
19 *below.*

20 *(b) CONTRACTOR CONVERSION.—The Administrator of*
21 *the Environmental Protection Agency may not use any*
22 *funds to—*

23 *(1) hire employees and create any new staff posi-*
24 *tions under the contractor conversion program in the*
25 *Office of Research and Development.*

1 (c) *REPORT.*—*Not later than January 1, 1996, the Ad-*
2 *ministrators shall submit to the Appropriations Committees*
3 *of the Senate and House of Representatives a report*
4 *which—*

5 (1) *provides a staffing plan for the Office of Re-*
6 *search and Development indicating the use of Federal*
7 *and contract employees;*

8 (2) *identifies the amount of funds to be repro-*
9 *grammed to STAR activities; and*

10 (3) *provides a listing of any resource reductions*
11 *below fiscal year 1995 funding levels, by specific lab-*
12 *oratory, from Federal staffing, cooperative agree-*
13 *ments, grants, or support contracts as a result of*
14 *funding for the STAR program.*

15 EXECUTIVE OFFICE OF THE PRESIDENT

16 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

17 For necessary expenses of the Office of Science and
18 Technology Policy, in carrying out the purposes of the Na-
19 tional Science and Technology Policy, Organization, and
20 Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire
21 of passenger motor vehicles, services as authorized by 5
22 U.S.C. 3109, not to exceed \$2,500 for official reception
23 and representation expenses, and rental of conference
24 rooms in the District of Columbia, \$4,981,000: *Provided,*
25 That the Office of Science and Technology Policy shall

1 reimburse other agencies for not less than one-half of the
 2 personnel compensation costs of individuals detailed to it.

3 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF
 4 ENVIRONMENTAL QUALITY

5 ~~(93)~~To carry out the orderly termination of the pro-
 6 grams and activities authorized by *For necessary expenses*
 7 *to continue functions assigned to the Council on Environ-*
 8 *mental Quality and Office of Environmental Quality pur-*
 9 *suant to the National Environmental Policy Act of 1969,*
 10 *the Environmental Improvement Act of 1970 and Reorga-*
 11 *nization Plan No. 1 of 1977, \$1,000,000.*

12 FEDERAL EMERGENCY MANAGEMENT AGENCY

13 ~~(94)~~DISASTER RELIEF

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

18 DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

19 For the cost of direct loans, \$2,155,000, as author-
 20 ized by section 319 of the Robert T. Stafford Disaster Re-
 21 lief and Emergency Assistance Act (42 U.S.C. 5121 et
 22 seq.): *Provided*, That such costs, including the cost of
 23 modifying such loans, shall be as defined in section 502
 24 of the Congressional Budget Act of 1974, as amended:
 25 *Provided further*, That these funds are available to sub-

1 sidize gross obligations for the principal amount of direct
2 loans not to exceed \$25,000,000.

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

5 SALARIES AND EXPENSES

6 For necessary expenses, not otherwise provided for,
7 including hire and purchase of motor vehicles (31 U.S.C.
8 1343); uniforms, or allowances therefor, as authorized by
9 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C.
10 3109, but at rates for individuals not to exceed the per
11 diem rate equivalent to the rate for GS–18; expenses of
12 attendance of cooperating officials and individuals at
13 meetings concerned with the work of emergency prepared-
14 ness; transportation in connection with the continuity of
15 Government programs to the same extent and in the same
16 manner as permitted the Secretary of a Military Depart-
17 ment under 10 U.S.C. 2632; and not to exceed \$2,500
18 for official reception and representation expenses;
19 ~~(95)\$162,000,000~~ *\$168,900,000*.

20 OFFICE OF THE INSPECTOR GENERAL

21 For necessary expenses of the Office of the Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, as amended, ~~(96)\$4,400,000~~
24 *\$4,673,000*.

1 EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

2 For necessary expenses, not otherwise provided for,
3 to carry out activities under the National Flood Insurance
4 Act of 1968, as amended, and the Flood Disaster Protec-
5 tion Act of 1973, as amended (42 U.S.C. 4001 et seq.),
6 the Robert T. Stafford Disaster Relief and Emergency As-
7 sistance Act (42 U.S.C. 5121 et seq.), the Earthquake
8 Hazards Reduction Act of 1977, as amended (42 U.S.C.
9 7701 et seq.), the Federal Fire Prevention and Control
10 Act of 1974, as amended (15 U.S.C. 2201 et seq.),
11 ~~(97)the Federal Civil Defense Act of 1950, as amended~~
12 ~~(50 U.S.C. App. 2251 et seq.)~~, the Defense Production
13 Act of 1950, as amended (50 U.S.C. App. 2061 et seq.),
14 sections 107 and 303 of the National Security Act of
15 1947, as amended (50 U.S.C. 404–405), and Reorganiza-
16 tion Plan No. 3 of 1978, \$203,044,000.

17 EMERGENCY FOOD AND SHELTER PROGRAM

18 There is hereby appropriated ~~(98)\$100,000,000~~
19 *\$114,173,000* to the Federal Emergency Management
20 Agency to carry out an emergency food and shelter pro-
21 gram pursuant to title III of Public Law 100–77, as
22 amended: *Provided*, That total administrative costs shall
23 not exceed three and one-half per centum of the total ap-
24 propriation.

1 NATIONAL FLOOD INSURANCE FUND

2 For activities under the National Flood Insurance
3 Act of 1968, the Flood Disaster Protection Act of 1973,
4 and the National Flood Insurance Reform Act of 1994,
5 not to exceed \$20,562,000 for salaries and expenses asso-
6 ciated with flood mitigation and flood insurance oper-
7 ations, and not to exceed \$70,464,000 for flood mitigation,
8 including up to \$12,000,000 for expenses under section
9 1366 of the National Flood Insurance Act of 1968, as
10 amended, which amount shall be available until September
11 30, 1997. In fiscal year 1996, no funds in excess of (1)
12 \$47,000,000 for operating expenses, (2) \$292,526,000 for
13 agents' commissions and taxes, and (3) \$3,500,000 for in-
14 terest on Treasury borrowings shall be available from the
15 National Flood Insurance Fund without prior notice to the
16 Committees on Appropriations **(99)**:~~Provided, That none~~
17 of the funds appropriated in this Act for the Federal
18 Emergency Management Agency (FEMA) shall be avail-
19 able for any further work on effective Flood Insurance
20 Rate Maps for the City of Stockton and San Joaquin
21 County, California based on FEMA's restudy of flood haz-
22 ards on South Paddy Creek, Middle Paddy Creek, Paddy
23 Creek, Bear Creek, Mosher Slough, Calaveras River, Pot-
24 ter A Slough, Potter B Slough, Mormon Slough, and the
25 Diversion Channel.

1 ADMINISTRATIVE PROVISION

2 The Director of the Federal Emergency Management
3 Agency shall promulgate through rulemaking a methodol-
4 ogy for assessment and collection of fees to be assessed
5 and collected beginning in fiscal year 1996 applicable to
6 persons subject to the Federal Emergency Management
7 Agency's radiological emergency preparedness regulations.
8 The aggregate charges assessed pursuant to this section
9 during fiscal year 1996 shall approximate, but not be less
10 than, 100 per centum of the amounts anticipated by the
11 Federal Emergency Management Agency to be obligated
12 for its radiological emergency preparedness program for
13 such fiscal year. The methodology for assessment and col-
14 lection of fees shall be fair and equitable, and shall reflect
15 the full amount of costs of providing radiological emer-
16 gency planning, preparedness, response and associated
17 services. Such fees will be assessed in a manner that re-
18 flects the use of agency resources for classes of regulated
19 persons and the administrative costs of collecting such
20 fees. Fees received pursuant to this section shall be depos-
21 ited in the general fund of the Treasury as offsetting re-
22 ceipts. Assessment and collection of such fees are only au-
23 thorized during fiscal year 1996.

1 GENERAL SERVICES ADMINISTRATION
2 CONSUMER INFORMATION CENTER

3 For necessary expenses of the Consumer Information
4 Center, including services authorized by 5 U.S.C. 3109,
5 \$2,061,000, to be deposited into the Consumer Informa-
6 tion Center Fund: *Provided*, That the appropriations, rev-
7 enues and collections deposited into the fund shall be
8 available for necessary expenses of Consumer Information
9 Center activities in the aggregate amount of \$7,500,000.
10 Administrative expenses of the Consumer Information
11 Center in fiscal year 1996 shall not exceed
12 ~~(100)\$2,502,000~~ \$2,602,000. Appropriations, revenues,
13 and collections accruing to this fund during fiscal year
14 1996 in excess of \$7,500,000 shall remain in the fund and
15 shall not be available for expenditure except as authorized
16 in appropriations Acts.

17 ~~(101)~~DEPARTMENT OF HEALTH AND HUMAN SERVICES
18 OFFICE OF CONSUMER AFFAIRS

19 For necessary expenses of the Office of Consumer Af-
20 fairs, including services authorized by 5 U.S.C. 3109,
21 \$1,811,000: *Provided*, That notwithstanding any other
22 provision of law, that Office may accept and deposit to
23 this account, during fiscal year 1996, gifts for the purpose
24 of defraying its costs of printing, publishing, and distrib-
25 uting consumer information and educational materials;

1 may expend up to \$1,110,000 of those gifts for those pur-
2 poses, in addition to amounts otherwise appropriated; and
3 the balance shall remain available for expenditure for such
4 purposes to the extent authorized in subsequent appro-
5 priations Acts: *Provided further*, That none of the funds
6 provided under this heading may be made available for
7 any other activities within the Department of Health and
8 Human Services.

9 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

10 HUMAN SPACE FLIGHT

11 For necessary expenses, not otherwise provided for,
12 in the conduct and support of human space flight research
13 and development activities, including research; develop-
14 ment; operations; services; maintenance; construction of
15 facilities including repair, rehabilitation, and modification
16 of real and personal property, and acquisition or con-
17 demnation of real property, as authorized by law; space
18 flight, spacecraft control and communications activities in-
19 cluding operations, production, and services; and pur-
20 chase, lease, charter, maintenance, and operation of mis-
21 sion and administrative aircraft; ~~(102)\$5,449,600,000~~
22 ~~\$5,337,600,000~~, to remain available until September 30,
23 1997 ~~(103)~~:—*Provided*, That of the funds made available
24 under this heading, ~~\$390,000,000~~ of funds provided for
25 Space Station shall not become available for obligation

1 until August 1, 1996 and shall remain available for obliga-
2 tion until September 30, 1997.

3 SCIENCE, AERONAUTICS AND TECHNOLOGY

4 For necessary expenses, not otherwise provided for,
5 for the conduct and support of science, aeronautics, and
6 technology research and development activities, including
7 research; development; operations; services; maintenance;
8 construction of facilities including repair, rehabilitation
9 and modification of real and personal property, and acqui-
10 sition or condemnation of real property, as authorized by
11 law; space flight, spacecraft control and communications
12 activities including operations, production, and services;
13 and purchase, lease, charter, maintenance, and operation
14 of mission and administrative aircraft;
15 ~~(104)\$5,588,000,000~~ *\$5,960,700,000*, to remain available
16 until September 30, 1997.

17 MISSION SUPPORT

18 For necessary expenses, not otherwise provided for,
19 in carrying out mission support for human space flight
20 programs and science, aeronautical, and technology pro-
21 grams, including research operations and support; space
22 communications activities including operations, produc-
23 tion, and services; maintenance; construction of facilities
24 including repair, rehabilitation, and modification of facili-
25 ties, minor construction of new facilities and additions to
26 existing facilities, facility planning and design, environ-

1 mental compliance and restoration, and acquisition or con-
2 demnation of real property, as authorized by law; program
3 management; personnel and related costs, including uni-
4 forms or allowances therefor, as authorized by law (5
5 U.S.C. 5901–5902); travel expenses; purchase, lease,
6 charter, maintenance, and operation of mission and ad-
7 ministrative aircraft; not to exceed \$35,000 for official re-
8 ception and representation expenses; and purchase (not to
9 exceed thirty-three for replacement only) and hire of pas-
10 senger motor vehicles; ~~(105)\$2,618,200,000~~
11 *\$2,484,200,000*, to remain available until September 30,
12 1997.

13 OFFICE OF INSPECTOR GENERAL

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

17 ADMINISTRATIVE PROVISIONS

18 (INCLUDING TRANSFER OF FUNDS)

19 Notwithstanding the limitation on the availability of
20 funds appropriated for “Human space flight”, “Science,
21 aeronautics and technology”, or “Mission support” by this
22 appropriations Act, when any activity has been initiated
23 by the incurrence of obligations for construction of facili-
24 ties as authorized by law, the amount available for such
25 activity shall remain available until expended. This provi-
26 sion does not apply to the amounts appropriated in “Mis-

1 sion support” pursuant to the authorization for repair, re-
2 habilitation and modification of facilities, minor construc-
3 tion of new facilities and additions to existing facilities,
4 and facility planning and design.

5 Notwithstanding the limitation on the availability of
6 funds appropriated for “Human space flight”, “Science,
7 aeronautics and technology”, or “Mission support” by this
8 appropriations Act, the amounts appropriated for con-
9 struction of facilities shall remain available until Septem-
10 ber 30, 1998.

11 Notwithstanding the limitation on the availability of
12 funds appropriated for “Mission support” and “Office of
13 Inspector General”, amounts made available by this Act
14 for personnel and related costs and travel expenses of the
15 National Aeronautics and Space Administration shall re-
16 main available until September 30, 1996 and may be used
17 to enter into contracts for training, investigations, cost as-
18 sociated with personnel relocation, and for other services,
19 to be provided during the next fiscal year.

20 ~~(106) No amount appropriated pursuant to this or~~
21 ~~any other Act may be used for the lease or construction~~
22 ~~of a new contractor funded facility for exclusive use in~~
23 ~~support of a contract or contracts with the National Aero-~~
24 ~~nautics and Space Administration under which the Admin-~~
25 ~~istration would be required to substantially amortize~~

1 through payment or reimbursement such contractor in
2 vestment, unless an appropriations Act specifies the lease
3 or contract pursuant to which such facilities are to be con-
4 structed or leased or such facility is otherwise identified
5 in such Act. The Administrator may authorize such facil-
6 ity lease or construction, if he determines, in consultation
7 with the Committees on Appropriations, that deferral of
8 such action until the enactment of the next appropriations
9 Act would be inconsistent with the interest of the Nation
10 in aeronautical and space activities.

11 The unexpired balances of prior appropriations to
12 NASA for activities for which funds are provided under
13 this Act may be transferred to the new account established
14 for the appropriation that provides funds for such activity
15 under this Act. Balances so transferred may be merged
16 with funds in the newly established account and thereafter
17 may be accounted for as one fund to be available for the
18 same purposes and under the same terms and conditions.

19 Notwithstanding any other provision of law or regula-
20 tion, the National Aeronautics and Space Administration
21 shall convey, without reimbursement, to the State of Mis-
22 sissippi, all rights, title and interest of the United States
23 in the property known as the Yellow Creek Facility and
24 consisting of approximately 1,200 acres near the city of
25 Iuka, Mississippi, including all improvements thereon and

1 also including any personal property owned by NASA that
2 is currently located on-site and which the State of Mis-
3 sissippi requires to facilitate the transfer: *Provided*, That
4 appropriated funds shall be used to effect this conveyance:
5 *Provided further*, That \$10,000,000 in appropriated funds
6 otherwise available to the National Aeronautics and Space
7 Administration shall be transferred to the State of Mis-
8 sissippi to be used in the transition of the facility **(107)**:
9 *Provided further*, That each Federal agency with prior con-
10 tact to the site shall remain responsible for any and all
11 environmental remediation made necessary as a result of
12 its activities on the site: *Provided further*, That in consider-
13 ation of this conveyance, the National Aeronautics and
14 Space Administration may require such other terms and
15 conditions as the Administrator deems appropriate to pro-
16 tect the interests of the United States: *Provided further*,
17 That the conveyance of the site and the transfer of the
18 funds to the State of Mississippi shall occur not later than
19 thirty days from the date of enactment of this Act.

20 **(108)**The Administrator of the National Aeronautics
21 and Space Administration shall conduct a study of the
22 closing or re-structuring of Space Flight Centers and Re-
23 search Centers. The study shall include an analysis of
24 functions currently being performed at each Center, the
25 cost of performing each function at its current location

1 and at logical alternative Centers, the schedule for
2 transitioning functions to alternative Centers, and the
3 overall cost savings which will be derived from the closing
4 or re-structuring of each Center. The findings of the
5 study, including a detailed schedule for completion of the
6 re-structuring, shall be submitted to the Congress no later
7 than March 31, 1996. Closure or re-structuring of these
8 Centers shall be completed no later than October 1, 1998.

9 **(109)** *Of the funds made available by this Act under*
10 *the heading "Human Space Flight", \$390,000,000 of funds*
11 *provided for Space Station shall not become available for*
12 *obligation until August 1, 1996 and shall remain available*
13 *for obligation until September 30, 1997.*

14 NATIONAL CREDIT UNION ADMINISTRATION

15 CENTRAL LIQUIDITY FACILITY

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

1 NATIONAL SCIENCE FOUNDATION

2 RESEARCH AND RELATED ACTIVITIES

3 For necessary expenses in carrying out the purposes
4 of the National Science Foundation Act of 1950, as
5 amended (42 U.S.C. 1861–1875), and the Act to establish
6 a National Medal of Science (42 U.S.C. 1880–1881); serv-
7 ices as authorized by 5 U.S.C. 3109; maintenance and op-
8 eration of aircraft and purchase of flight services for re-
9 search support; acquisition of aircraft;
10 ~~(110)\$2,254,000,000~~ \$2,294,000,000, of which not to ex-
11 ceed \$235,000,000 shall remain available until expended
12 for Polar research and operations support, and for reim-
13 bursement to other Federal agencies for operational and
14 science support and logistical and other related activities
15 for the United States Antarctic program; the balance to
16 remain available until September 30, 1997: *Provided,*
17 That receipts for scientific support services and materials
18 furnished by the National Research Centers and other Na-
19 tional Science Foundation supported research facilities
20 may be credited to this appropriation: *Provided further,*
21 That to the extent that the amount appropriated is less
22 than the total amount authorized to be appropriated for
23 included program activities, all amounts, including floors
24 and ceilings, specified in the authorizing Act for those pro-

1 gram activities or their subactivities shall be reduced pro-
2 portionally.

3 MAJOR RESEARCH EQUIPMENT

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

9 ACADEMIC RESEARCH INFRASTRUCTURE

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

17 EDUCATION AND HUMAN RESOURCES

18 For necessary expenses in carrying out science and
19 engineering education and human resources programs and
20 activities pursuant to the purposes of the National Science
21 Foundation Act of 1950, as amended (42 U.S.C. 1861–
22 1875), including services as authorized by 5 U.S.C. 3109
23 and rental of conference rooms in the District of Colum-
24 bia, \$599,000,000, to remain available until September
25 30, 1997: *Provided*, That to the extent that the amount
26 of this appropriation is less than the total amount author-

1 ized to be appropriated for included program activities, all
2 amounts, including floors and ceilings, specified in the au-
3 thorizing Act for those program activities or their
4 subactivities shall be reduced proportionally.

5 SALARIES AND EXPENSES

6 For necessary salaries and expenses in carrying out
7 the purposes of the National Science Foundation Act of
8 1950, as amended (42 U.S.C. 1861–1875); services au-
9 thorized by 5 U.S.C. 3109; hire of passenger motor vehi-
10 cles; not to exceed \$9,000 for official reception and rep-
11 resentation expenses; uniforms or allowances therefor, as
12 authorized by law (5 U.S.C. 5901–5902); rental of con-
13 ference rooms in the District of Columbia; reimbursement
14 of the General Services Administration for security guard
15 services; \$127,310,000: *Provided*, That contracts may be
16 entered into under salaries and expenses in fiscal year
17 1996 for maintenance and operation of facilities, and for
18 other services, to be provided during the next fiscal year.

19 OFFICE OF INSPECTOR GENERAL

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

1 NATIONAL SCIENCE FOUNDATION HEADQUARTERS

2 RELOCATION

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

8 NEIGHBORHOOD REINVESTMENT CORPORATION

9 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
10 CORPORATION

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

15 SELECTIVE SERVICE SYSTEM

16 SALARIES AND EXPENSES

17 For necessary expenses of the Selective Service Sys-
18 tem, including expenses of attendance at meetings and of
19 training for uniformed personnel assigned to the Selective
20 Service System, as authorized by law (5 U.S.C. 4101–
21 4118) for civilian employees; and not to exceed \$1,000 for
22 official reception and representation expenses;
23 \$22,930,000: *Provided*, That during the current fiscal
24 year, the President may exempt this appropriation from
25 the provisions of 31 U.S.C. 1341, whenever he deems such

1 action to be necessary in the interest of national defense:
2 *Provided further*, That none of the funds appropriated by
3 the Act may be expended for or in connection with the
4 induction of any person into the Armed Forces of the
5 United States.

6 **(111)** *DEPARTMENT OF JUSTICE*
7 *FAIR HOUSING AND EQUAL OPPORTUNITY*
8 *FAIR HOUSING ACTIVITIES*

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

18 *All functions, activities and responsibilities of the Sec-*
19 *retary of Housing and Urban Development relating to title*
20 *VIII of the Civil Rights Act of 1968, as amended by the*
21 *Fair Housing Amendments Act of 1988, and the Fair Hous-*
22 *ing Act, including any rights guaranteed under the Fair*
23 *Housing Act (including any functions relating to the Fair*
24 *Housing Initiatives program under section 561 of the Hous-*
25 *ing and Community Development Act of 1987), are hereby*

1 *transferred to the Attorney General of the United States ef-*
2 *fective April 1, 1997: Provided, That none of the aforemen-*
3 *tioned authority or responsibility for enforcement of the*
4 *Fair Housing Act shall be transferred to the Attorney Gen-*
5 *eral until adequate personnel and resources allocated to*
6 *such activity at the Department of Housing and Urban De-*
7 *velopment are transferred to the Department of Justice.*

8 **(112) DEPARTMENT OF THE TREASURY**

9 *OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT*

10 *For carrying out the Federal Housing Enterprise Fi-*
11 *nanacial 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 ~~(113)SECTION~~ *SEC. 501.* Where appropriations in ti-
25 tles I, II, and III of this Act are expendable for travel

1 expenses and no specific limitation has been placed there-
2 on, the expenditures for such travel expenses may not ex-
3 ceed the amounts set forth therefor in the budget esti-
4 mates submitted for the appropriations: *Provided*, That
5 this section shall not apply to travel performed by uncom-
6 pensated officials of local boards and appeal boards of the
7 Selective Service System; to travel performed directly in
8 connection with care and treatment of medical bene-
9 ficiaries of the Department of Veterans Affairs; to travel
10 performed in connection with major disasters or emer-
11 gencies declared or determined by the President under the
12 provisions of the Robert T. Stafford Disaster Relief and
13 Emergency Assistance Act; to travel performed by the Of-
14 fices of Inspector General in connection with audits and
15 investigations; or to payments to interagency motor pools
16 where separately set forth in the budget schedules: *Pro-*
17 *vided further*, That if appropriations in titles I, II, and
18 III exceed the amounts set forth in budget estimates ini-
19 tially submitted for such appropriations, the expenditures
20 for travel may correspondingly exceed the amounts there-
21 for set forth in the 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 ~~(114)SEC. 519. (a) CONTRACTOR CONVERSION.—~~
17 ~~The Administrator of the Environmental Protection Agen-~~
18 ~~cy shall cease any further hiring in the Agency's Office~~
19 ~~of Research 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 **(115)***SEC. 520. Such funds as may be necessary to*
2 *carry out the orderly termination of the Office of Consumer*
3 *Affairs shall be made available from funds appropriated to*
4 *the Department of Health and Human Services for fiscal*
5 *year 1996.*

6 **(116)***SEC. 521. Energy Savings at Federal Facilities.*

7 *(a) REDUCTION IN FACILITIES ENERGY COSTS.—*

8 *(1) IN GENERAL.—The head of each agency for*
9 *which funds are made available under this Act*
10 *shall—*

11 *(A) take all actions necessary to achieve*
12 *during fiscal year 1996 a 5 percent reduction,*
13 *from fiscal year 1995 levels, in the energy costs*
14 *of the facilities used by the agency; or*

15 *(B) enter into a sufficient number of energy*
16 *savings performance contracts with private sec-*
17 *tor energy service companies under title VIII of*
18 *the National Energy Conservation Policy Act (42*
19 *U.S.C. 8287 et seq.) to achieve during fiscal year*
20 *1996 at least a 5 percent reduction, from fiscal*
21 *year 1995 levels, in the energy use of the facili-*
22 *ties used by the agency.*

23 *(2) GOAL.—The activities described in para-*
24 *graph (1) should be a key component of agency pro-*
25 *grams that will by the year 2000 result in a 20 per-*

1 *cent reduction, from fiscal year 1985 levels, in the en-*
2 *ergy use of the facilities used by the agency, as re-*
3 *quired by section 543 of the National Energy Con-*
4 *servations Policy Act (42 U.S.C. 8253).*

5 *(b) USE OF COST SAVINGS.—An amount equal to the*
6 *amount of cost savings realized by an agency under sub-*
7 *section (a) shall remain available for obligation through the*
8 *end of fiscal year 2000, without further authorization or*
9 *appropriation, as follows:*

10 *(1) CONSERVATION MEASURES.—Fifty percent of*
11 *the amount shall remain available for the implemen-*
12 *tation of additional energy conservation measures*
13 *and for water conservation measures at such facilities*
14 *used by the agency as are designated by the head of*
15 *the agency.*

16 *(2) OTHER PURPOSES.—Fifty percent of the*
17 *amount shall remain available for use by the agency*
18 *for such purposes as are designated by the head of the*
19 *agency, consistent with applicable law.*

20 *(c) REPORTS.—*

21 *(1) BY AGENCY HEADS.—The head of each agen-*
22 *cy for which funds are made available under this Act*
23 *shall include in each report of the agency to the Sec-*
24 *retary of Energy under section 548(a) of the National*
25 *Energy Conservation Policy Act (42 U.S.C. 8258(a))*

1 *a description of the results of the activities carried out*
2 *under subsection (a) and recommendations concerning*
3 *how to further reduce energy costs and energy con-*
4 *sumption in the future.*

5 (2) *BY SECRETARY OF ENERGY.—The reports re-*
6 *quired under paragraph (1) shall be included in the*
7 *annual reports required to be submitted to Congress*
8 *by the Secretary of Energy under section 548(b) of the*
9 *Act (42 U.S.C. 8258(b)).*

10 (3) *CONTENTS.—With respect to the period since*
11 *the date of the preceding report, a report under para-*
12 *graph (1) or (2) shall—*

13 (A) *specify the total energy costs of the fa-*
14 *cilities used by the agency;*

15 (B) *identify the reductions achieved;*

16 (C) *specify the actions that resulted in the*
17 *reductions;*

18 (D) *with respect to the procurement proce-*
19 *dures of the agency, specify what actions have*
20 *been taken to—*

21 (i) *implement the procurement au-*
22 *thorities provided by subsections (a) and (c)*
23 *of section 546 of the National Energy Con-*
24 *servation Policy Act (42 U.S.C. 8256); and*

1 (ii) incorporate directly, or by ref-
2 erence, the requirements of the regulations
3 issued by the Secretary of Energy under
4 title VIII of the Act (42 U.S.C. 8287 et
5 seq.); and

6 (E) specify—

7 (i) the actions taken by the agency to
8 achieve the goal specified in subsection
9 (a)(2);

10 (ii) the procurement procedures and
11 methods used by the agency under section
12 546(a)(2) of the Act (42 U.S.C. 8256(a)(2));
13 and

14 (iii) the number of energy savings per-
15 formance contracts entered into by the agen-
16 cy under title VIII of the Act (42 U.S.C.
17 8287 et seq.).

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

Passed the House of Representatives July 31, 1995.

Attest: ROBIN H. CARLE,
Clerk.

Passed the Senate September 27 (legislative day,
September 25), 1995.

Attest: KELLY D. JOHNSTON,
Secretary.

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HR 2099 PP—4

HR 2099 PP—5

HR 2099 PP—6

HR 2099 PP—7

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