OCTOBER 28, 2021

RULES COMMITTEE PRINT 117—17

TEXT OF H.R. 5376, BUILD BACK BETTER ACT

[Showing the text of H.R. 5376, as reported by the Committee on the Budget, with modifications.]

TITLE I—COMMITTEE ON
AGRICULTURE
Subtitle A—General Provisions

SEC. 10001. DEFINITIONS.

In this title:

(1) The term “insular area” has the meaning given such term in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103).

(2) The term “Secretary” means the Secretary of Agriculture.

Subtitle B—Forestry

SEC. 11001. NATIONAL FOREST SYSTEM RESTORATION AND FUELS REDUCTION PROJECTS.

(a) APPROPRIATIONS.—In addition to amounts otherwise available, there are appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to remain available until September 30, 2031—
Subtitle O—Department of Commerce Inspector General

SEC. 31601. FUNDING FOR THE OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF COMMERCE.

In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $5,000,000, to remain available until September 30, 2030, to the Office of Inspector General of the Department of Commerce for oversight of activities supported with funds appropriated to the Department of Commerce in this Act.

TITLE IV—COMMITTEE ON FINANCIAL SERVICES

Subtitle A—Creating and Preserving Affordable, Equitable and Accessible Housing for the 21st Century

SEC. 40001. PUBLIC HOUSING INVESTMENTS.

(a) APPROPRIATION.—In addition to amounts otherwise made available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”) for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) $10,000,000,000, to remain available until September 30, 2031, for the Capital Fund under...
section 9(d) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d)) pursuant to the same formula as in fiscal year 2021, to be made available within 60 days of the date of the enactment of this Act;

(2) $53,000,000,000, to remain available until September 30, 2026, for eligible activities under section 9(d)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d)(1)) for priority investments as determined by the Secretary to repair, replace, or construct properties assisted under such section 9;

(3) $1,200,000,000, to remain available until September 30, 2026, for competitive grants under section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) (in this section referred to as “section 24”), under the terms and conditions in subsection (b), for transformation, rehabilitation, and replacement housing needs of public and assisted housing, and to transform neighborhoods of poverty into functioning, sustainable mixed-income neighborhoods;

(4) $750,000,000, to remain available until September 30, 2031, for the costs to the Secretary of administering and overseeing the implementation
of this section and the Public Housing Capital Fund
and the section 24 grant program generally, includ-
ing information technology, financial reporting, re-
search and evaluation, other cross-program costs in
support of programs administered by the Secretary
in this title, and other costs; and

(5) $50,000,000, to remain available until Sep-
tember 30, 2031, to make new awards or increase
prior awards to existing technical assistance pro-
viders to provide an increase in capacity building
and technical assistance available to entities eligible
for funding for activities or projects consistent with
this section.

(b) TERMS AND CONDITIONS FOR SECTION 24
GRANTS.—Grants awarded under subsection (a)(3) shall
be subject to terms and conditions determined by the Sec-
retary, which shall include the following:

(1) USE.—Grant funds may be used for resi-
dent and community services, community develop-
ment and revitalization, and affordable housing
needs in the community.

(2) APPLICANTS.—Eligible recipients of grants
shall include lead applicants and joint applicants, as
follows:
(A) **LEAD APPLICANTS.**—A lead applicant shall be a local government, a public housing agency, or an owner of an assisted housing property.

(B) **JOINT APPLICANTS.**—A nonprofit organization or a for-profit developer may apply jointly as a joint applicant with such public entities specified in subparagraph (A).

(3) **PERIOD OF AFFORDABILITY.**—Grantees shall commit to a period of affordability determined by the Secretary of not fewer than 20 years, but the Secretary may specify a period of affordability that is fewer than 20 years with respect to homeowner-ship units developed with section 24 grants.

(4) **ENVIRONMENTAL REVIEW.**—For purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x).

(5) **LOW-INCOME AND AFFORDABLE HOUSING.**—Amounts made available under this section shall be used for low-income housing (as such term is defined under section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))), assisted housing, and affordable housing, which shall
be housing for which the owner of the project shall
record an affordability use restriction approved by
the Secretary for households earning up to 120 per-
cent of the area median income and is subject to the
period of affordability under paragraph (3) of this
subsection.

(c) OTHER TERMS AND CONDITIONS.—Grants
awarded under this section shall be subject to the fol-
lowing terms and conditions:

(1) LIMITATION.—Amounts provided pursuant
to this section may not be used for operating costs
or rental assistance.

(2) DEVELOPMENT OF NEW UNITS.—Paragraph
(3) of section 9(g) of the United States Housing Act
of 1937 (42 U.S.C. 1437g(g)(3)) shall not apply to
new funds made available under this section.

(3) HEALTH AND SAFETY.—Amounts made
available under this section shall be used to address
health, safety, and environmental hazards, including
lead, fire, carbon monoxide, mold, asbestos, radon,
pest infestation, and other hazards as defined by the
Secretary.

(4) ENERGY EFFICIENCY AND RESILIENCE.—
Amounts made available under this section shall ad-
OCTOBER 28, 2021 (1:31 p.m.)
or climate and disaster resilience in housing assisted under this section.

(5) RECAPTURE.—If the Secretary recaptures funding allocated by formula from a public housing agency under subsection (a)(1), such recaptured amounts shall be added to the amounts available under subsection (a)(2), and shall be obligated by the Secretary prior to the expiration of such funds.

(6) SUPPLEMENTATION OF FUNDS.—The Secretary shall ensure that amounts provided pursuant to this section shall serve to supplement and not supplant other amounts generated by a recipient of such amounts or amounts provided by other Federal, State, or local sources.

(7) WAIVERS AND ALTERNATIVE REQUIREMENTS.—The Secretary may waive or specify alternative requirements for subsections (d)(1), (d)(2), (e), and (j) of section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) and associated regulations in connection with the use of amounts made available under this section other than requirements related to tenant rights and protections, fair housing, nondiscrimination, labor standards, and the environment, upon a finding that the waiver or alter-
native requirement is necessary to facilitate the use
of amounts made available under this section.
(d) IMPLEMENTATION.—The Secretary shall have au-
thority to issue such regulations or notices, or other guid-
ance, forms, instructions, and publications to carry out the
programs, projects, or activities authorized under this sec-
tion to ensure that such programs, projects, or activities
are completed in a timely and effective manner.

SEC. 40002. INVESTMENTS IN AFFORDABLE AND ACCES-
SIBLE HOUSING PRODUCTION.

(a) APPROPRIATION.—In addition to amounts other-
wise made available, there is appropriated to the Secretary
of Housing and Urban Development (in this section re-
ferred to as the “Secretary”) for fiscal year 2022, out of
any money in the Treasury not otherwise appropriated—
(1) $9,925,000,000, to remain available until
September 30, 2026, for activities and assistance for
the HOME Investment Partnerships Program (in
this section referred to as the “HOME program”),
as authorized under sections 201 through 253 and
255 through 290 of the Cranston-Gonzalez National
Affordable Housing Act (42 U.S.C. 12721-12753,
42 U.S.C. 12755-12840) (in this section referred to
as “NAHA”), subject to the terms and conditions
paragraph (1)(A) of subsection (b);
(2) $14,925,000,000, to remain available until September 30, 2026, for activities and assistance for the HOME Investment Partnerships Program, as authorized under sections 201 through 253 and 255 through 290 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721-12753, 42 U.S.C. 12755-12840), subject to the terms and conditions in paragraphs (1)(B) and (2) of subsection (b);

(3) $50,000,000, to remain available until September 30, 2031, to make new awards or increase prior awards to existing technical assistance providers to provide an increase in capacity building and technical assistance available to any grantees implementing activities or projects consistent with this section; and

(4) $100,000,000, to remain available until September 30, 2031, for the costs to the Secretary of administering and overseeing the implementation of this section and the HOME and Housing Trust Fund programs generally, including information technology, financial reporting, research and evaluations, and other cross-program costs in support of programs administered by the Secretary in this title, and other costs.
(b) **Terms and Conditions.**—

(1) **Formulas.**—

(A) The Secretary shall allocate amounts made available under subsection (a)(1) pursuant to section 217 of NAHA (42 U.S.C. 12747) to grantees that received allocations pursuant to that same formula in fiscal year 2021 and shall make such allocations within 60 days of the enactment of this Act.

(B) The Secretary shall allocate amounts made available under subsection (a)(2) pursuant to the formula specified in section 1338(c)(3) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4568(c)(3)) to grantees that received Housing Trust Fund allocations pursuant to that same formula in fiscal year 2021 and shall make such allocations within 60 days of the date of the enactment of this Act.

(2) **Eligible Activities.**—Other than as provided in paragraph (5) of this subsection, funds made available under subsection (a)(2) may only be used for eligible activities described in subparagraphs (A) through (B)(i) of section 1338(c)(7) of the Federal Housing Enterprises Financial Safety
and Soundness Act of 1992 (12 U.S.C. 4568(e)(7)),
except that not more than 10 percent of funds made
available may be used for activities under such sub-
paragraph (B)(i).

(3) FUNDING RESTRICTIONS.—The commit-
ment requirements in section 218(g) (42 U.S.C.
12748(g)) of NAHA, the matching requirements in
section 220 (42 U.S.C. 12750) of NAHA, and the
set-aside for housing developed, sponsored, or owned
by community housing development organizations re-
quired in section 231 of NAHA (42 U.S.C. 12771)
shall not apply for amounts made available under
this section.

(4) REALLOCATION.—For funds provided under
paragraphs (1) and (2) of subsection (a), the Sec-
retary may recapture certain amounts remaining
available to a grantee under this section or amounts
declined by a grantee, and reallocate such amounts
to other grantees under that paragraph to ensure
fund expenditure, geographic diversity, and avail-
ability of funding to communities within the State
from which the funds have been recaptured.

(5) ADMINISTRATION.— Notwithstanding sub-
sections (c) and (d)(1) of section 212 of NAHA (42
U.S.C. 12742), grantees may use not more than 15
percent of their allocations under this section for administrative and planning costs.

(c) **WAIVERS.**—The Secretary may waive or specify alternative requirements for any provision of subsection (a)(1) or (a)(2) or regulation for the administration of the amounts made available under this section other than requirements related to tenant rights and protections, fair housing, nondiscrimination, labor standards, and the environment, upon a finding that the waiver or alternative requirement is necessary to facilitate the use of amounts made available under this section.

(d) **IMPLEMENTATION.**—The Secretary shall have authority to issue such regulations, notices, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this section to ensure that such programs, projects, or activities are completed in a timely and effective manner.

**SEC. 40003. HOUSING INVESTMENT FUND.**

(a) **APPROPRIATION.**—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to remain available until September 30, 2026—

(1) $200,000,000 to the Department of the Treasury to establish the Housing Investment Fund established by this section within the Community
Development Financial Institutions Fund (in this section referred to as the “CDFI Fund”) to make grants to increase investment in the development, preservation, rehabilitation, financing, or purchase of affordable housing primarily for low-, very-low, and extremely low-income families who are renters, and for homeowners with incomes up to 120 percent of the area median income, and for economic development and community facilities related to such housing and to further fair housing; and

(2) $50,000,000 for the costs to the CDFI Fund of administering and overseeing the implementation of this section, including information technology, financial reporting, research and evaluations, and other costs.

(b) ELIGIBLE GRANTEES.—A grant under this section may be made, pursuant to such requirements as the CDFI Fund shall establish, only to—

(1) a CDFI Fund certified community development financial institution, as such term is defined in section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4702);

(2) a nonprofit organization having as one of its principal purposes the creation, development, or
preservation of affordable housing and that is not
found to be out of compliance with the obligation to
affirmatively further fair housing, as applicable, in-
cluding a subsidiary of a public housing authority;
or
(3) a consortium comprised of certified commu-
nity development financial institutions, eligible non-
profit housing organizations, or a combination of
both.

c) ELIGIBLE USES.—Eligible uses for grant
amounts awarded from the Housing Investment Fund
pursuant to this section shall—
(1) be reasonably expected to result in eligible
affordable housing activities that support or sustain
affordable housing funded by a grant under this sec-
tion and capital from other public and private
sources; and
(2) include activities—
(A) to capitalize an acquisition fund to ac-
quire residential, industrial, or commercial
property and land for the purpose of the preser-
vation, development, or rehabilitation of afford-
able housing, including to support the creation,
preservation, or rehabilitation of resident-owned
manufactured housing communities;
(B) to capitalize an affordable housing fund, for development, preservation, rehabilitation, or financing of affordable housing and economic development activities, including community facilities, if part of a mixed-use project, or activities described in this paragraph related to transit-oriented development, which may also be designated as a focus of such a fund; and

(C) to capitalize an affordable housing mortgage fund, to facilitate the origination of mortgages to buyers that may experience significant barriers to accessing affordable mortgage credit, including mortgages having low original principal obligations;

(D) for risk-sharing loans;

(E) to provide loan guarantees; and

(F) to fund rental housing operations.

(d) IMPLEMENTATION.—The CDFI Fund shall have the authority to issue such regulations, notice, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this section to ensure that such programs, projects, or activities are completed in a timely and effective manner.
SEC. 40004. SECTION 811 SUPPORTIVE HOUSING FOR PEOPLE WITH DISABILITIES.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”) for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) $450,000,000 for capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811(b)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(b)(2)) (in this section referred to as the “Act”), and subject to subsections (a) through (h)(4), (h)(6) through (i)(1)(C), and (i)(2) through (m) of such section 811 (42 U.S.C. 8013(a)-42 U.S.C. 8013(h)(4), 42 U.S.C. 8013(h)(6)-42 U.S.C. 8013(i)(1)(C), 42 U.S.C. 8013(i)(2)-42 U.S.C. 8013(m)), and for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of the Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), for project rental assistance to State housing finance agencies and other appropriate entities as
authorized under section 811(b)(3) of the Act, for
State housing finance agencies;

(2) $7,500,000 for providing technical assist-
ance to support State-level efforts to integrate hous-
ing assistance and voluntary supportive services for
residents of housing receiving such assistance, which
funding may also be used to provide technical assist-
ance to applicants and potential applicants to under-
stand program requirements and develop effective
applications, and the Secretary may use amounts
made available under this paragraph to increase
prior awards to existing technical assistance pro-
viders to provide an immediate increase in capacity
building and technical assistance; and

(3) $42,500,000 for the costs to the Secretary
of administering and overseeing the implementation
of this section and the Supportive Housing for Per-
sons with Disabilities program generally, including
information technology, financial reporting, research
and evaluations, other cross-program costs in sup-
port of programs administered by the Secretary in
this title, and other costs.

Amounts appropriated by this section shall remain avail-
able until September 30, 2031.
(b) LIMITATIONS ON COSTS.—When awarding grants under paragraph (1) of subsection (a), the Secretary shall establish and assess reasonable development cost limitations by market area for various types and sizes of supportive housing for persons with disabilities. The Secretary shall not count owner or sponsor contributions of other funding or assistance against the overall cost of a project.

(c) OCCUPANCY STANDARDS.—The owner or sponsor of housing assisted with funds provided under this section may, with the approval of the Secretary, limit occupancy with the housing to persons with disabilities who can benefit from the supportive services offered in connection with the housing.

(d) WAIVERS.—The Secretary may waive or specify alternative requirements for subsection (c) or (bb) of section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f (c), 1437f(bb)) upon a finding that the waiver or alternative requirement is necessary to facilitate the use of amounts made available under this section.

(e) IMPLEMENTATION.—The Secretary shall have authority to issue such regulations, notices, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this sec-
tion to ensure that such programs, projects, or activities are completed in a timely and effective manner.

3 **SEC. 40005. SECTION 202 SUPPORTIVE HOUSING FOR THE ELDERLY PROGRAM.**

(a) **APPROPRIATION.**—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the "Secretary") for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) $450,000,000 for the Supportive Housing for the Elderly Program authorized under section 202 of the Housing Act of 1959, and subject to subsections (a) through (g), (h)(2) through (h)(5), and (i) through (m) of such section 202 (12 U.S.C. 1701q(a)-12 U.S.C. 1701q(g), 12 U.S.C. 1701q(h)(2)-12 U.S.C. 1701q(h)(5), 12 U.S.C. 1701q(i)-12 U.S.C. 1701q(m)) (in this section referred to as the "Act"), which shall be used—

(A) for capital advance awards in accordance with section 202(c)(1) of the Act to recipients that are eligible under the Act;

(B) for new section 8 project-based rental assistance contracts under section 8(b) of the United States Housing Act of 1937 Act (42 U.S.C. 1437f(b)), subject to subsection (c) of
this section, with the Secretary setting the terms of such project-based rental assistance contracts, including the duration and provisions regarding rent setting and rent adjustment, to support the capital advance projects funded under this section; and

(C) for service coordinators;

(2) $7,500,000, to provide technical assistance to support State-level efforts to improve the design and delivery of voluntary supportive services for residents of any housing assisted under the Act and other housing supporting low-income older adults, in order to support residents to age-in-place and avoid institutional care, as well as to assist applicants and potential applicants with project-specific design, and the Secretary may use amounts made available under this paragraph to increase prior awards to existing technical assistance providers to provide an immediate increase in capacity building and technical assistance; and

(3) $42,500,000 for the costs to the Secretary of administering and overseeing the implementation of this section and the Supportive Housing for the Elderly program generally, including information technology, financial reporting, research and evalua-
tion, other cross-program costs in support of programs administered by the Secretary in this title, and other costs.

Amounts appropriated by this section shall remain available until September 30, 2031.

(b) LIMITATION ON COSTS.—When awarding grants under paragraph (1) of subsection (a), the Secretary shall establish and assess reasonable development cost limitations by market area for various types and sizes of supportive housing for the elderly. The Secretary shall not count owner or sponsor contributions of other funding or assistance against the overall cost of a project.

(c) WAIVERS.—The Secretary may waive or specify alternative requirements for any provision of subsection (c) or (bb) of section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f (c), 1437f(bb)) upon a finding that the waiver or alternative requirement is necessary to facilitate the use of amounts made available under this section.

(d) IMPLEMENTATION.—The Secretary shall have authority to issue such regulations, notices, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this section to ensure that such programs, projects, or activities are completed in a timely and effective manner.
SEC. 40006. IMPROVING ENERGY EFFICIENCY OR WATER EFFICIENCY OR CLIMATE RESILIENCE OF AFFORDABLE HOUSING.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”) for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) $1,770,000,000, to remain available until September 30, 2028, for the cost of providing direct loans, including the costs of modifying such loans, and for grants, as provided for and subject to terms and conditions in subsection (b), including to subsidize gross obligations for the principal amount of direct loans, not to exceed $4,000,000,000, to fund projects that improve the energy or water efficiency, indoor air quality and sustainability improvements, implement low-emission technologies, materials, or processes, including zero-emission electricity generation, energy storage, or building electrification, electric car charging station installations, or address climate resilience of multifamily properties;

(2) $25,000,000, to remain available until September 30, 2030, for the costs to the Secretary of administering and overseeing the implementation of this section, including information technology, finan-
cial reporting, research and evaluation, other cross-
program costs in support of programs administered
by the Secretary in this title, and other costs;

(3) $120,000,000, to remain available until
September 30, 2029, for expenses of contracts ad-
ministered by the Secretary, including to carry out
property climate risk, energy, or water assessments,
due diligence, and underwriting functions for such
grant and direct loan program; and

(4) $85,000,000, to remain available until Sep-

tember 30, 2028, for energy and water
benchmarking of properties eligible to receive grants
or loans under this section, regardless of whether
they actually received such grants, along with associ-
ated data analysis and evaluation at the property
and portfolio level, including the development of in-
formation technology systems necessary for the col-
lection, evaluation, and analysis of such data.

(b) LOAN AND GRANT TERMS AND CONDITIONS.—

Amounts made available under this section shall be for
direct loans, grants, and direct loans that can be converted
to grants to eligible recipients that agree to an extended
period of affordability for the property.

(c) DEFINITIONS.—As used in this section—
(1) the term "eligible recipient" means any
owner or sponsor of an eligible property; and
(2) the term "eligible property" means a prop-
erty receiving—

(A) project-based assistance pursuant to
section 202 of the Housing Act of 1959 (12
U.S.C. 1701q);

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

(C) section 8(b) of the United States
Housing Act of 1937 (42 U.S.C. 1437f(b))

(d) WAIVER.—The Secretary may waive or specify al-
ternative requirements for any provision of subsection (e)
or (bb) of section 8 of the United States Housing Act of
1937 (42 U.S.C. 1437f(e), 1437f(bb)) upon a finding that
the waiver or alternative requirement is necessary to facili-
tate the use of amounts made available under this section.

(e) IMPLEMENTATION.—The Secretary shall have au-
thority to issue such regulations, notices, or other guid-
ance, forms, instructions, and publications to carry out the
programs, projects, or activities authorized under this sec-
tion to ensure that such programs, projects, or activities
are completed in a timely and effective manner.
SEC. 40007. REVITALIZATION OF DISTRESSED MULTI-
FAMILY PROPERTIES.

(a) APPROPRIATION.—In addition to amounts other-
wise available, there is appropriated to the Secretary of
Housing and Urban Development (in this section referred
to as the “Secretary”) for fiscal year 2022, out of any
money in the Treasury not otherwise appropriated—

(1) $1,450,000,000 for providing direct loans,
which may be forgivable, to owners of distressed
properties for the purpose of making necessary phys-
ical improvements, including to subsidize gross obli-
gations for the principal amount of direct loans not
to exceed $6,000,000,000, subject to the terms and
conditions in subsection (b); and

(2) $50,000,000 for the costs to the Secretary
of administering and overseeing the implementation
of this section and the Office of Housing programs
generally, including information technology, financial
reporting, research and evaluations, other cross-pro-
gram costs in support of programs administered by
the Secretary in this title, and other costs.

Amounts appropriated by this section shall remain avail-
able until September 30, 2029.

(b) LOAN TERMS AND CONDITIONS.—

(1) ELIGIBILITY.—Owners or sponsors of multi-
family housing projects who meet each of the fol-
lowing requirements shall be eligible for loan assist-
ance under this section:

(A) The multifamily housing project, in-
cluding any project from which assistance has
been approved to be transferred has deficiencies
that cause the project to be at risk of physical
obsolescence or economic non-viability.

(B) The actual rents received by the owner
or sponsor of the distressed property would not
adequately sustain the debt needed to make
necessary physical improvements.

(C) The owner or sponsor meets any such
additional eligibility criteria as the Secretary
determines to be appropriate, considering fac-
tors that contributed to the project’s defi-
ciences.

(2) USE OF LOAN FUNDS.—Each recipient of
loan assistance under this section may only use such
loan assistance to make necessary physical improve-
ments.

(3) LOAN AVAILABILITY.—The Secretary shall
only provide loan assistance to an owner or sponsor
of a multifamily housing project when such assis-
tance, considered with other financial resources avail-
able to the owner or sponsor, is needed to make the
necessary physical improvements.

(4) INTEREST RATES AND LENGTH.—Loans
provided under this section shall bear interest at 1
percent, and at origination shall have a repayment
period coterminous with the affordability period es-

tablished under paragraph (6), with the frequency
and amount of repayments to be determined by re-
quirements established by the Secretary.

(5) LOAN MODIFICATIONS OR FORGIVENESS.—
With respect to loans provided under this section,
the Secretary may take any of the following actions
if the Secretary determines that doing so will pre-
serve affordability of the project:

(A) Waive any due on sale or due on refi-
nancing restriction.

(B) Consent to the terms of new debt to
which the loans may be subordinate, even if
such new debt would impact the repayment of
the loans.

(C) Extend the term of the loan.

(D) Forgive the loan in whole or in part.

(6) EXTENDED AFFORDABILITY PERIOD.—Each
recipient of loan assistance under this section shall
agree to an extended affordability period for the
project that is subject to the loan by extending any
existing affordable housing use agreements for an
additional 30 years or, if the project is not currently
subject to a use agreement establishing affordability
requirements, by establishing a use agreement for
30 years.

(7) Matching Contribution.—Each recipient
of loan assistance under this section shall secure at
least 20 percent of the total cost needed to make the
necessary physical improvements from non-Federal
sources, except in cases where the Secretary deter-
mines that a lack of financial resources qualifies a
loan recipient for—

(A) a reduced contribution below 20 per-
cent; or

(B) an exemption to the matching con-
tribution requirement.

(8) Additional Loan Conditions.—The Sec-
retary may establish additional conditions for loan
eligibility provided under this section as the Sec-
retary determines to be appropriate.

(9) Properties Insured by the Sec-
retary.—In the case of any property with respect
to which assistance is provided under this section
that has a mortgage insured by the Secretary, the
Secretary may use funds available under this section as necessary to pay for the costs of modifying such loan.

(c) DEFINITIONS.—As used in this section—

(1) the term “multifamily housing project” means a project consisting of five or more dwelling units assisted or approved to receive a transfer of assistance, insured, or with a loan held by the Secretary or a State or State agency in part or in whole pursuant to—

(A) section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), not including subsection (o)(13) of such section;

(B) section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as amended by section 801 of the Cranston-Gonzalez National Affordable Housing Act;

(C) section 202 of the Housing Act of 1959 (former 12 U.S.C. 1701q), as such section existed before the enactment of the Cranston-Gonzalez National Affordable Housing Act;

(D) section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013); or
(E) section 236 of the National Housing Act (12 U.S.C. 1715z-1); and

(2) the term “necessary physical improvements” means new construction or capital improvements to an existing multifamily housing project that the Secretary determines are necessary to address the deficiencies or that rise to such a level that delaying physical improvements to the project would be detrimental to the longevity of the project as suitable housing for occupancy.

(d) WAIVER.—The Secretary may waive or specify alternative requirements for any provision of subsection (c) or (bb) of section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f(c), 1437f(bb)) upon a finding that the waiver or alternative requirement is necessary to facilitate the use of amounts made available under this section.

(e) IMPLEMENTATION.—The Secretary shall have the authority to issue such regulations, notices, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this section to ensure that such programs, projects, or activities are completed in a timely and effective manner.

SEC. 40008. INVESTMENTS IN RURAL RENTAL HOUSING.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Rural Housing
Service of the Department of Agriculture for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) $1,800,000,000, to remain available until September 30, 2029, for carrying out new construction, improvements to energy and water efficiency or climate resilience, the removal of health and safety hazards, and the preservation and revitalization of housing authorized under section 514 of the Housing Act of 1949 (42 U.S.C. 1484), subsections (a)(1) through (a)(2), (b)(1) through (b)(3), (b)(5) through (aa)(2)(A), and (aa)(4) of section 515 of such Act (42 U.S.C. 1485(a)(1)-42 U.S.C. 1485(a)(2), 42 U.S.C. 1485(b)(1)-(b)(3), 42 U.S.C. 1485(b)(5)-42 U.S.C. 1485(aa)(2)(A), 42 U.S.C. 1485(aa)(4)), and 516 of such act (42 U.S.C. 1486), subject to the terms and conditions in subsection (b);

(2) $100,000,000, to remain available until September 30, 2029, to provide continued assistance pursuant to section 3203 of the American Rescue Plan Act of 2021; and

(3) $100,000,000, to remain available until September 30, 2030, for the costs to the Rural Housing Service of the Department of Agriculture of
administering and overseeing the implementation of
this section, including information technology, finan-
cial reporting, research and evaluations, other cross-
program costs in support of programs administered
by the Secretary in this title, and other costs.

(b) **Preservation and Revitalization Terms
and Conditions.—**

(1) **Loans and Grants and Other Assistance.—** The Administrator of the Rural Housing
Service of the Department of Agriculture shall pro-
vide direct loans and grants, including the cost of
modifying loans, to restructure existing Department
of Agriculture multi-family housing loans expressly
for the purposes of ensuring the project has suffi-
cient resources to preserve the project for the pur-
pose of providing safe and affordable housing for
low-income residents and farm laborers, including—

(A) reducing or eliminating interest;

(B) deferring loan payments;

(C) subordinating, reducing, or re-amor-
tizing loan debt; and

(D) providing other financial assistance,
including advances, payments, and incentives
(including the ability of owners to obtain rea-
sonable returns on investment) required by the
Secretary, including such assistance to non-profit entities and public housing authorities.

(2) Restrictive Use Agreement.—The Administrator of the Rural Housing Service of the Department of Agriculture shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring.

(c) Implementation.—The Administrator of the Rural Housing Service of the Department of Agriculture shall have authority to issue such regulations, notices, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this section to ensure that such programs, projects, or activities are completed in a timely and effective manner.

SEC. 40009. HOUSING VOUCHERS.

(a) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the "Secretary") for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) $15,000,000,000 for—

(A) incremental tenant-based rental assistance for extremely low-income families under
section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o));

(B) renewals of such tenant-based rental assistance; and

(C) fees for the costs of administering tenant-based rental assistance and other eligible expenses, which may include the cost of facilitating the use of voucher assistance provided under paragraph (5);

(2) $7,100,000,000 for—

(A) incremental tenant-based rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) for households experiencing or at risk of homelessness, survivors of domestic violence, dating violence, sexual assault, and stalking, and survivors of trafficking;

(B) renewals of such tenant-based rental assistance; and

(C) fees for the costs of administering tenant-based rental assistance and other eligible expenses, which may include the cost of facilitating the use of voucher assistance provided under paragraph (5);

(3) $1,000,000,000 for—
(A) tenant protection vouchers for relocation and replacement of public housing units demolished or disposed as part of a public housing preservation or project-based replacement transaction using funds made available under this title;

(B) renewals of such tenant-based rental assistance; and

(C) fees for the costs of administering tenant-based rental assistance and other eligible expenses, which may include the cost of facilitating the use of voucher assistance provided under paragraph (5);

(4) $300,000,000 for competitive grants, subject to terms and conditions determined by the Secretary, to public housing agencies for mobility-related services for voucher families, including families with children, and service coordination;

(5) $230,000,000 for eligible expenses to facilitate the use of voucher assistance under this section and for other voucher assistance under section 8(o) of the United States Housing Act of 1937, as determined by the Secretary, in addition to amounts otherwise available for such expenses, including property owner outreach and retention activities such as
incentive payments, security deposit payments and loss reserves, landlord liaisons, and other uses of funds designed primarily—

(A) to recruit owners of dwelling units, particularly dwelling units in census tracts with a poverty rate of less than 20 percent, to enter into housing assistance payment contracts; and

(B) to encourage owners that enter into housing assistance payment contracts as described in subparagraph (A) to continue to lease their dwelling units to tenants assisted under section 8(o) of the United States Housing Act of 1937;

(6) $300,000,000 for the costs to the Secretary of administering and overseeing the implementation of this section and the Housing Choice Voucher program generally, including information technology, financial reporting, research and evaluations, other cross-program costs in support of programs administered by the Secretary in this title, and other costs; and

(7) $70,000,000 for making new awards or increasing prior awards to existing technical assistance providers to provide an increase in capacity building
and technical assistance available to public housing
agencies.

Amounts appropriated by this section shall remain avail-
able until September 30, 2031.

(b) TERMS AND CONDITIONS.—

(1) ALLOCATION.—The Secretary shall allocate
initial incremental assistance provided for rental as-
sistance under subsection (a)(1) and (2) in each fis-
cal year commencing in 2022 and ending in 2026 in
accordance with a formula or formulas that include
measures of severe housing need among extremely
low-income renters and public housing agency capac-
ity, and ensures geographic diversity among public
housing agencies administering the Housing Choice
Voucher program.

(2) ELECTION TO ADMINISTER.—The Secretary
shall establish a procedure for public housing agen-
cies to accept or decline the incremental vouchers
made available under this section.

(3) FAILURE TO USE VOUCHERS PROMPTLY.—
If a public housing agency fails to lease the author-
ized vouchers it has received under this subsection
on behalf of eligible families within a reasonable pe-
period of time, the Secretary may offset the agency’s
voucher renewal allocations and may revoke and re-
distribute any unleased vouchers and associated funds, which may include administrative fees and amounts allocated under subsections (a)(3) and (a)(4), to other public housing agencies.

(4) LIMITATION OF USE OF FUNDS.—Public housing agencies may use funds received under this section only for the activities listed in subsection (a) for which the funds were provided to such agency.

(5) CAP ON PROJECT-BASED VOUCHERS FOR VULNERABLE POPULATIONS.—Upon request by a public housing agency, the Secretary may designate a number of the public housing agency’s vouchers allocated under this section as excepted units that do not count against the percentage limitation on the number of authorized units a public housing agency may project-base under section 8(o)(13)(B) of the United States Housing Act of 1937, in accordance with the conditions established by the Secretary. This paragraph may not be construed to waive, limit, or specify alternative requirements, or permit such waivers, limitations, or alternative requirements, related to fair housing and nondiscrimination, including the requirement to provide housing and services to individuals with disabilities in integrated settings.
(6) Homeless waiver authority.— In administering the voucher assistance targeted for households experiencing or at risk of homelessness, survivors of domestic violence, dating violence sexual assault, and stalking, and survivors of trafficking under subsection (a)(1), the Secretary may, upon a finding that a waiver or alternative requirement is necessary to facilitate the use of such assistance, waive or specify alternative requirements for—

(A) section 8(o)(6)(A) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(6)(A)) and regulatory provisions related to the administration of waiting lists and local preferences;

(B) section 214(d)(2) of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a(d)(2)), section 576(a), (b), and (c) of the Quality Housing and Work Responsibility Act of 1998 (42 U.S.C. 13661(a), (b), and (c)), and regulatory provisions related to the verification of eligibility, eligibility requirements, and the admissions process;

(C) section 8(o)((7)(A) of the United States Housing Act of 1937 (42 U.S.C.
1437f(o)(7)(A)) and regulatory provisions related to the initial lease term;

(D) section 8(r)(B)(i) of the United States Housing Act of 1937 (42 U.S.C. 1437f(r)(B)(i)) and regulatory provisions related to portability moves by non-resident applicants; and

(E) regulatory provisions related to the establishment of payment standards.

(c) IMPLEMENTATION.—The Secretary shall have authority to issue such regulations, notices, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this section to ensure that such programs, projects, or activities are completed in a timely and effective manner.

SEC. 40010. PROJECT-BASED RENTAL ASSISTANCE.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”) for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) $880,000,000 for the project-based rental assistance program, as authorized under section 8(b) of the United States Housing Act of 1937 (42 U.S.C. 1437f(b)), (in this section referred to as the
“Act”), subject to the terms and conditions of sub-
section (b) of this section;

(2) $20,000,000 for providing technical assis-
tance to recipients of or applicants for project-based
rental assistance or to States allocating the project-
based rental assistance; and

(3) $100,000,000 for the costs to the Secretary
of administering and overseeing the implementation
of this section and the section 8 project-based rental
assistance program generally, including information
technology, financial reporting, research and evalua-
tions, other cross-program costs in support of pro-
grams administered by the Secretary in this title,
and other costs.

Amounts appropriated by this section shall remain avail-
able until September 30, 2031.

(b) TERMS AND CONDITIONS.—

(1) AUTHORITY.—Notwithstanding section 8(a)
the Act (42 U.S.C. 1437f(a)), the Secretary may use
amounts made available under this section to pro-
vide assistance payments with respect to newly con-
structed housing, existing housing, or substantially
rehabilitated non-housing structures for use as new
multifamily housing in accordance with this section
and the provisions of section 8 of the Act. In addi-
tion, the Secretary may use amounts made available under this section for performance-based contract administrators for section 8 project-based assistance, for carrying out this section and section 8 of the Act.

(2) **PROJECT-BASED RENTAL ASSISTANCE.**—

The Secretary may make assistance payments using amounts made available under this section pursuant to contracts with owners or prospective owners who agree to construct housing, to substantially rehabilitate existing housing, to substantially rehabilitate non-housing structures for use as new multifamily housing, or to attach the assistance to newly constructed housing in which some or all of the units shall be available for occupancy by very low-income families in accordance with the provisions of section 8 of the Act. In awarding contracts pursuant to this section, the Secretary shall give priority to owners or prospective owners of multifamily housing projects located or to be located in areas of high opportunity, as defined by the Secretary, in areas experiencing economic growth or rising housing prices to prevent displacement or secure affordable housing for low-income households, or that serve people at risk of homelessness or that integrate additional units that
are accessible for persons with mobility impairments
and persons with hearing or visual impairments be-
yond those required by applicable Federal accessi-
ability standards.

(3) ALLOCATION.—The Secretary shall make
awards with amounts made available under this sec-
tion using the following mechanisms, alone or in
combination:

(A) A competitive process, which the Sec-
retary may carry out in multiple rounds of com-
petition, each of which may have its own selec-
tion, performance, and reporting criteria as es-
established by the Secretary.

(B) Selecting proposals submitted through
FHA loan applications that meet specified cri-
teria.

(C) Delegating to States the awarding of
contracts, including related determinations such
as the maximum monthly rent, subject to the
requirements of section 8 of the Act, as deter-
mined by the Secretary.

(4) CONTRACT TERM, RENT SETTING, AND
RENT ADJUSTMENTS.—The Secretary may set the
terms of the contract, including the duration and
provisions regarding rent setting and rent adjustments.

(c) WAIVERS.—The Secretary may waive or specify alternative requirements for any provision of subsection (c) or (bb) of section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f(c), 1437f(bb)) upon a finding that the waiver or alternative requirement is necessary to facilitate the use of amounts made available under this section.

(d) IMPLEMENTATION.—The Secretary shall have the authority to issue such regulations, notices, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this section to ensure that such programs, projects, or activities are completed in a timely and effective manner.

SEC. 40011. INVESTMENTS IN NATIVE AMERICAN COMMUNITIES.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”) for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) $277,500,000 for grants authorized under of section 101(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (in
this section referred to as "NAHASDA") (25 U.S.C. 4111(a)), and the Secretary shall distribute such amount according to the same funding formula used in fiscal year 2021;

(2) $200,000,000 for grants authorized under section 802(a) of NAHASDA (25 U.S.C. 4222 (a));

(3) $277,500,000 for competitive grants to eligible recipients authorized under section 101(a) of NAHASDA (25 U.S.C. 4111(a)), which may be used for—

(A) new construction and rehabilitation of affordable housing;

(B) improving water or energy efficiency or increasing resilience to natural hazards for housing assisted by amounts made available under this subsection; or

(C) other eligible affordable housing activities under NAHASDA;

(4) $200,000,000 for—

(A) competitive single-purpose Indian community development block grants for Indian tribes under section 106(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(a)(1)); and
(B) imminent threat Indian community development block grants under section 106(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(a)(1)) for Indian tribes, or a tribal organization, governmental entity, or nonprofit organization designated by the Indian tribe to apply for a grant on its behalf, which may be used to—

(i) address environmental threats, including long-term environmental threats;

(ii) assist Indian tribes with relocating a portion of or entire communities due to changes to the local environment; or

(iii) assist Indian tribes with addressing other threats to health and safety;

(5) $25,000,000 for the costs to the Secretary of administering and overseeing the implementation of this section and Native American and Native Hawaiian programs generally, including information technology, financial reporting, research and evaluations, other cross-program costs in support of programs administered by the Secretary in this title, and other costs; and

(6) $20,000,000 to make new awards or increase prior awards to existing technical assistance
providers to provide an immediate increase in capacity building and technical assistance to grantees.

Amounts appropriated by this section shall remain available until September 30, 2031.

(b) **Preliminary Funding.**—

(1) **Use of Imminent Threat Grant Amounts.**—Of any amounts made available in subsection (a)(4)(B), and in consultation with the Department of the Interior, the Secretary may award preliminary grants of up to $2,000,000 each to applicants that have applied for a grant under subsection (a)(4)(B) before making a final determination as to whether to award a grant under subsection (a)(4)(B) to such applicant.

(2) **Need and Capacity.**—Prior to awarding a preliminary grant under this subsection, the Secretary must determine, based on a preliminary assessment of need and administrative capacity, that the applicant is likely able to carry out the grant successfully but would need additional administrative and planning resources to develop a comprehensive implementation plan and additional administrative capacity in order to successfully administer a grant under subsection (a)(4)(B).
3 (3) **INAPPLICABILITY.**—Such preliminary grants are not subject to administrative and planning caps.

c) **REALLOCATION.**—Amounts made available under subsection (a)(1) that are not accepted within a time specified by the Secretary, are voluntarily returned, or are otherwise recaptured for any reason may be used to fund grants under paragraph (3) or (4) of subsection (a).

d) **UNDISBURSED FUNDS.**—Amounts provided under this Act that remain undisbursed may not be used as a basis to reduce any grant allocation under section 302 of NAHASDA (25 U.S.C. 4152) to an Indian tribe in any fiscal year.

e) **PROHIBITION ON INVESTMENTS.**—Amounts made available under this section may not be invested in investment securities and other obligations.

f) **WAIVERS.**—With respect to amounts made available under this section, the Secretary may, upon a finding that a waiver or alternative requirement is necessary to facilitate the use of such amounts, waive or specify alternative requirements for—

   (1) sections 101(b), 102, and 103 of NAHASDA (25 U.S.C. 4111(b), 4112, 4113) and regulatory provisions related to the submission and review of Indian Housing Plans;
(2) regulatory provisions related to exceeding
the maximum caps on total development costs; and
(3) with respect to amounts made available
under subsection (a)(4)—

(A) regulatory provisions related to the ap-
lication process and funding criteria necessary
to facilitate the use of such amounts; and

(B) section 105(a) of the Housing and
Community Development Act of 1974 (42
U.S.C. 5305(a)) and regulatory provisions re-
lated to new housing construction and the pur-
chase of equipment.

(g) IMPLEMENTATION.—The Secretary shall have au-
thority to issue such regulations, notices, or other guid-
ance, forms, instructions, and publications to carry out the
programs, projects, or activities authorized under this sec-
tion to ensure that such programs, projects, or activities
are completed in a timely and effective manner.
Subtitle B—21st Century Sustainable and Equitable Communities

SEC. 40101. COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR AFFORDABLE HOUSING AND INFRASTRUCTURE.

(a) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”) for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) $1,685,000,000 for grants under sections 101, 102, 103, 104(a) through 104(i), 104(l), 104(m), 105(a) through 105(g), 106(a)(2), 106(a)(4), 106(b) through 106(f), 109, 110, 111, 113, 115, 116, 120, and 122 of the Housing and Community Development Act of 1974 (42 U.S.C. 5301, 5302, 5303, 5304(a)-(i), 5304(l), 5304(m), 5305(a)-(g), 5306(a)(2), 5306(a)(4), 5306(b)-(f), 5309, 5310, 5311, 5313, 5314, 5315, 5316, 5319, and 5321) to grantees under subsections (a)(2) and (4) of section 106 of such Act (42 U.S.C. 5306(a)(2), (4)), subject to subsection (b) of this section, except that for purposes of amounts made available by this paragraph, paragraph (2) of such section 106(a)
shall be applied by substituting "$70,000,000" for "$7,000,000";

(2) $700,000,000 for grants under sections 101, 102, 103, 104(a) through 104(i), 104(l), 104(m), 105(a) through 105(g), 106(a)(2), 106(a)(4), 106(b) through 106(f), 109, 110, 111, 113, 115, 116, 120, and 122 of title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301, 5302, 5303, 5304(a)-(i), 5304(l), 5304(m), 5305(a)-(g), 5306(a)(2), 5306(a)(4), 5306(b)-(f), 5309, 5310, 5311, 5313, 5314, 5315, 5316, 5319, and 5321) for assistance under the community development block grant program under title I of the Housing and Community Development Act of 1974 to community development block grant grantees, as determined by the Secretary, under subsections (a)(2), (a)(4), and (b) through (f) of section 106 of such Act (5306(a)(2), 5306(a)(4), and 5306(b)-(f)), only for colonias, to address the community and housing infrastructure needs of existing colonia residents based on a formula that takes into account persons in poverty in the colonia areas, except that grantees may use funds in colonias outside of the 150-mile border area upon approval of the Secretary;
(3) $500,000,000 for grants under sections 101, 102, 103, 104(a) through 104(i), 104(l), 104(m), 105(a) through 105(g), 106(a)(2), 106(a)(4), 106(b) through 106(f), 109, 110, 111, 113, 115, 116, 120, and 122 of title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301, 5302, 5303, 5304(a)-(i), 5304(l), 5304(m), 5305(a)-(g), 5306(a)(2), 5306(a)(4), 5306(b)-(f), 5309, 5310, 5311, 5313, 5314, 5315, 5316, 5319, and 5321), to eligible recipients under subsection (c) of this section for manufactured housing infrastructure improvements in eligible manufactured home communities;

(4) $87,500,000 for the costs to the Secretary of administering and overseeing the implementation of this section, the Community Development Block Grant program, and the manufactured home construction and safety standards program generally, including information technology, financial reporting, research and evaluations, other cross-program costs in support of programs administered by the Secretary in this title, and other costs; and

(5) $27,500,000 for providing technical assistance to recipients of or applicants for grants under this section.
Amounts appropriated by this section shall remain available until September 30, 2031.

(b) HOUSING CONSTRUCTION.—Expenditures on new construction of housing shall be an eligible expense for a recipient of funds made available under this section that is not a recipient of funds under section 40002 of this title.

(c) MANUFACTURED HOUSING COMMUNITY IMPROVEMENT GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary of Housing and Urban Development shall carry out a competitive grant program to award funds appropriated under subsection (a)(3) to eligible recipients to carry out eligible projects for improvements in eligible manufactured home communities.

(2) ELIGIBLE PROJECTS.—Amounts from grants under this subsection shall be used to assist in carrying out a project for construction, reconstruction, repair, or clearance of housing, facilities and improvements in or serving a manufactured housing community that is necessary to protect the health and safety of the residents of the manufactured housing community and the long-term sustainability of the community.
(d) WAIVERS.—The Secretary may waive or specify alternative requirements for any provision of subsection (a)(1), (a)(2), or (a)(3), or regulation that the Secretary administers in connection with use of amounts made available under this section other than requirements related to fair housing, nondiscrimination, labor standards, and the environment, upon a finding that the waiver or alternative requirement is not inconsistent with the overall purposes of such Act and that the waiver or alternative requirement is necessary to facilitate the use of amounts made available under this section.

(e) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) COLONIA AREA.—The term “colonia area” means any census tract that—

(A) is an area of the United States within 150 miles of the contiguous border between the United States and Mexico, except as otherwise determined by the Secretary; and

(B) lacks potable water supply, adequate sewage systems, or decent, safe, sanitary housing, or other objective criteria as approved by the Secretary.
(2) Eligible Manufactured Home Community.—The term “eligible manufactured home community” means a community that—

(A) is affordable to low- and moderate-income persons (as such term is defined in section 102(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a))); and

(B)(i) is owned by the residents of the manufactured housing community through a resident-controlled entity, as defined by the Secretary, in which at least two-thirds of residents are member-owners of the land-owning entity; or

(ii) will be maintained as such a community, and remain affordable for low- and moderate-income families, to the maximum extent practicable and for the longest period feasible.

(3) Eligible Recipient.—The term “eligible recipient” means a partnership of—

(A) a grantee under paragraph (2) or (4) of section 106(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(a)); and
(B) an eligible manufactured home community, a nonprofit entity, or a consortia of nonprofit entities working with an eligible manufactured home community.

(4) MANUFACTURED HOME COMMUNITY.—The term "manufactured home community" means any community, court, or park equipped to accommodate manufactured homes for which pad sites, with or without existing manufactured homes or other allowed homes, or other suitable sites, are used primarily for residential purposes, with any additional requirements as determined by the Secretary, including any manufactured housing community as such term is used for purposes of the program of the Federal National Mortgage Association for multifamily loans for manufactured housing communities and the program of the Federal Home Loan Mortgage Corporation for loans for manufactured housing communities.

(f) IMPLEMENTATION.—The Secretary shall have authority to issue such regulations, notices, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this section to ensure that such programs, projects, or activities are completed in a timely and effective manner.
SEC. 40102. LEAD-BASED PAINT HAZARD CONTROL AND
HOUSING-RELATED HEALTH AND SAFETY
HAZARD MITIGATION IN HOUSING OF FAMILIES WITH LOWER INCOMES.

(a) APPROPRIATION.—In addition to amounts otherwise made available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the "Secretary") for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) $3,425,000,000 for grants to States, units of general local government, Indian tribes or their tribally designated housing entities, and nonprofit organizations for the activities under subsection (c) in target housing units that do not receive Federal housing assistance other than assistance provided under subsection 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)), excluding paragraph (o)(13) of such section, and common areas servicing such units, where low-income families reside or are expected to reside;

(2) $250,000,000 for grants to States or units of general local government or nonprofit entities for the activities in subsection (c) in target housing units, and common areas servicing such units, that are being assisted under the Weatherization Assistance Program authorized under part A of title IV of
the Energy Conservation and Production Act (42 U.S.C. 6861-6872) but are not assisted under any other Federal housing program other than subsection 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)), excluding paragraph 8(o)(13) of such section;

(3) $1,000,000,000 for grants to owners of a property receiving project-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), including under subsection (o)(13) of such section, that meets the definition of target housing and that has not received a grant for similar purposes under this Act for the activities in subsection (c), except for abatement of lead-based paint by enclosure or encapsulation, or interim controls of lead-based paint hazards in target housing units receiving such assistance and common areas servicing such units;

(4) $75,000,000 for costs related to training and technical assistance to support identification and mitigation of lead and housing-related health and safety hazards, research, and evaluation; and

(5) $250,000,000 for the costs to the Secretary of administering and overseeing the implementation of this section, and the Secretary’s lead hazard re-
duction and related programs generally including in-
formation technology, financial reporting, research
and evaluations, other cross-program costs in sup-
port of programs administered by the Secretary in
this title, and other costs.

Amounts appropriated by this section shall remain avail-
able until September 30, 2031.

(b) TERMS AND CONDITIONS.—

(1) INCOME ELIGIBILITY DETERMINATIONS.—
The Secretary may make income determinations of
eligibility for enrollment of housing units for assist-
ance under this section that are consistent with eli-
gency requirements for grants awarded under other
Federal means-tested programs, provided such deter-
mination does not require additional action by other
Federal agencies.

(2) HOUSING FAMILIES WITH YOUNG CHIL-
DREN.—An owner of rental property that receives
assistance under subsection (a)(3) shall give priority
in renting units for which the lead-based paint has
been abated pursuant to subsection (a)(3), for not
less than 3 years following the completion of lead
abatement activities, to families with a child under
the age of 6 years.
(3) ADMINISTRATIVE EXPENSES.—A recipient of a grant under this section may use up to 10 percent of the grant for administrative expenses associated with the activities funded by this section.

(c) ELIGIBLE ACTIVITIES.—Grants awarded under this section shall be used for purposes of building capacity and conducting activities relating to testing, evaluating, and mitigating lead-based paint, lead-based paint hazards, and housing-related health and safety hazards; outreach, education, and engagement with community stakeholders, including stakeholders in disadvantaged communities; program evaluation and research; grant administration, and other activities that directly or indirectly support the work under this section, as applicable, that without which such activities could not be conducted.

(d) DEFINITIONS.—For purposes of this section, the following definitions, and definitions in paragraphs (1), (2), (3), (5), (6), (7), (10) through (17), and (20) through (27) of section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b(1)-(3), 42 U.S.C. 4851b(5)-(7), 42 U.S.C. 4851b(10)-(17). 42 U.S.C. 4851b(20)-(27), shall apply:

(1) NONPROFIT; NONPROFIT ORGANIZATION.—The terms “nonprofit” and “nonprofit organization” mean a corporation, community chest, fund, or foun-
dation not organized for profit, but organized and
operated exclusively for religious, charitable, sci-
entific, testing for public safety, literary, or edu-
cational purposes; or an organization not organized
for profit but operated exclusively for the promotion
of social welfare.

(2) Public housing; public housing agency; low-income family.—The terms “public hous-
ing”, “public housing agency”, and “low-income
family” have the same meaning given such terms in
section 3(b) of the United States Housing Act of
1937 (42 U.S.C. 1437a(b)).

(3) State; unit of general local govern-
ment.—The terms “State” and “unit of general
local government” have the same meaning given
such terms in section 102 of the Housing and Com-

(4) Tribally designated housing entity;
Indian tribe.—The terms “tribally designated
housing entity” and “Indian tribe” have the same
meaning given such terms in section 4 of the Native
American Housing Assistance and Self-Determi-

(e) Grant compliance.—For any grant of assist-
ance under this section, a State or unit of general local
government may assume responsibilities for elements of
grant compliance, regardless of whether it is the grant re-
cipient, if the State or unit of general local government
is permitted to assume responsibility for the applicable ele-
ment of grant compliance for grants for which it is the
recipient under section 1011 of the Residential Lead-
Based Paint Hazard Reduction Act of 1992 (42 U.S.C.
4852).

(f) IMPLEMENTATION.—The Secretary shall have the
authority to issue such regulations, notices, or other guid-
ance, forms, instructions, and publications to carry out the
programs, projects, or activities authorized under this sec-
tion to ensure that such programs, projects, or activities
are completed in a timely and effective manner.

SEC. 40103. UNLOCKING POSSIBILITIES PROGRAM.

(a) APPROPRIATION.—In addition to amounts other-
wise available, there is appropriated to the Secretary of
Housing and Urban Development for fiscal year 2022, out
of any money in the Treasury not otherwise appro-
priated—

(1) $1,646,000,000 for awarding grants under
section 101, 102, 103, 104(a) through 104(i),
104(l), 104(m), 105(a) through 105(g), 106(a)(2),
106(a)(4), 106(b) through 106(f), 109, 110, 111,
113, 115, 116, 120, and 122 of the Housing and
Community Development Act of 1974 (42 U.S.C.
5301, 5302, 5303, 5304(a)-(i), 5304(l), 5304(m),
5305(a)-(g), 5306(a)(2), 5306(a)(4), 5306(b)-(f),
5309, 5310, 5311, 5313, 5314, 5315, 5316, 5319,
and 5321) awarded on a competitive basis to eligible
recipients to carry out grants under subsection (c)
of this section;

(2) $8,000,000 for research and evaluation re-
lated to housing planning and other associated costs;

(3) $30,000,000 to provide technical assistance
to grantees or applicants for grants made available
by this section; and

(4) $66,000,000 for the costs to the Secretary
of administering and overseeing the implementation
of this section and community and economic develop-
ment programs overseen by the Secretary generally,
including information technology, financial report-
ing, research and evaluations, and other cross-pro-
gram costs in support of programs administered by
the Secretary in this title, and other costs.

Amounts appropriated by this section shall remain avail-
able until September 30, 2031.

(b) PROGRAM ESTABLISHMENT.—The Secretary of
Housing and Urban Development shall establish a com-
petitive grant program for—
(1) planning grants to develop and evaluate housing plans and substantially improve housing strategies;

(2) streamlining regulatory requirements and shorten processes, reform zoning codes, increasing capacity to conduct housing inspections, or other initiatives that reduce barriers to housing supply elasticity and affordability;

(3) developing and evaluating local or regional plans for community development to substantially improve community development strategies related to sustainability, fair housing, and location efficiency;

(4) implementation and livable community investment grants; and

(5) research and evaluation.

(c) GRANTS.—

(1) PLANNING GRANTS.—The Secretary shall, under selection criteria determined by the Secretary, award grants under this paragraph on a competitive basis to eligible entities to assist planning activities, including administration of such activities, engagement with community stakeholders and housing practitioners, to—

(A) develop housing plans;
(B) substantially improve State or local housing strategies;

(C) develop new regulatory requirements and processes, reform zoning codes, increasing capacity to conduct housing inspections, or undertake other initiatives to reduce barriers to housing supply elasticity and affordability;

(D) develop local or regional plans for community development; and

(E) substantially improve community development strategies, including strategies to increase availability and access to affordable housing, to further access to public transportation or to advance other sustainable or location-efficient community development goals.

(2) IMPLEMENTATION AND LIVABLE COMMUNITY INVESTMENT GRANTS.—The Secretary shall award implementation grants under this paragraph on a competitive basis to eligible entities for the purpose of implementing and administering—

(A) completed housing strategies and housing plans and any planning to affirmatively further fair housing within the meaning of subsections (d) and (e) of section 808 of the Fair Housing Act (42 U.S.C. 608) and applicable
regulations and for community investments that support the goals identified in such housing strategies or housing plans;

(B) new regulatory requirements and processes, reformed zoning codes, increased capacity to conduct housing inspections, or other initiatives to reduce barriers to housing supply elasticity and affordability that are consistent with a plan under subparagraph (A);

(C) completed local or regional plans for community development and any planning to increase availability and access to affordable housing, access to public transportation and other sustainable or location-efficient community development goals.

(d) Coordination With FTA Administrator.—To the extent practicable, the Secretary shall coordinate with the Federal Transit Administrator in carrying out this section.

(e) Definitions.—For purposes of this section, the following definitions apply:

(1) Eligible Entity.—The term “eligible entity” means—

(A) a State, insular area, metropolitan city, or urban county, as such terms are defined
in section 102 of the Housing and Community
Development Act of 1974 (42 U.S.C. 5302); or
(B) for purposes of grants under sub-
section (b)(1), a regional planning agency or
consortia.

(2) HOUSING PLAN; HOUSING STRATEGY.—

(A) HOUSING PLAN.—The term "housing
plan" means a plan of an eligible entity to, with
respect to the area within the jurisdiction of the
eligible entity—

(i) match the creation of housing sup-
ply to existing demand and projected de-
mand growth in the area, with attention to
preventing displacement of residents, re-
ducing the concentration of poverty, and
meaningfully reducing and not perpet-
uating housing segregation on the basis of
race, color, religion, natural origin, sex,
disability, or familial status;

(ii) increase the affordability of hous-
ing in the area, increase the accessibility of
housing in the area for people with disabil-
ities, including location-efficient housing,
and preserve or improve the quality of
housing in the area;
(iii) reduce barriers to housing development in the area, with consideration for location efficiency, affordability, and accessibility; and

(iv) coordinate with the metropolitan transportation plan of the area under the jurisdiction of the eligible entity, or other regional plan.

(B) HOUSING STRATEGY.—The term “housing strategy” means the housing strategy required under section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705).

(f) COSTS TO GRANTEES.—Up to 15 percent of a recipient’s grant may be used for administrative costs.

(g) RULES OF CONSTRUCTION.—

(1) IN GENERAL.—Except as otherwise provided by this section, amounts appropriated or otherwise made available under this section shall be subject to the community development block grant program requirements under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301-5321).

(2) EXCEPTIONS.—
(A) Housing Construction.—Expenditures on new construction of housing shall be an eligible expense under this section.

(B) Buildings for General Conduct of Government.—Expenditures on building for the general conduct of government, other than the Federal Government, shall be eligible under this section when necessary and appropriate as a part of a natural hazard mitigation project.

(h) Waivers.—The Secretary may waive or specify alternative requirements for any provision of subsection (a)(1) or regulation for the administration of the amounts made available under this section other than requirements related to fair housing, nondiscrimination, labor standards, and the environment, upon a finding that the waiver or alternative requirement is not inconsistent with the overall purposes of such Act and that the waiver or alternative requirement is necessary to facilitate the use of amounts made available under this section.

(i) Implementation.—The Secretary shall have the authority to issue such regulations notices, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this sec-
tion to ensure that such programs, projects, or activities are completed in a timely and effective manner.

SEC. 40104. STRENGTHENING RESILIENCE UNDER NATIONAL FLOOD INSURANCE PROGRAM.

(a) NFIP Program Activities.—

(1) Cancellation.—All indebtedness of the Administrator of the Federal Emergency Management Agency under any notes or other obligations issued pursuant to section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) and section 15(e) of the Federal Insurance Act of 1956 (42 U.S.C. 2414(e)), and outstanding as of the date of the enactment of this Act, is hereby cancelled, the Administrator and the National Flood Insurance Fund are relieved of all liability to the Secretary of the Treasury under any such notes or other obligations, including for any interest due, including capitalized interest, and any other fees and charges payable in connection with such notes and obligations, and the total amount of notes and obligations issued by the Administrator pursuant to such section shall be considered to be reduced by such amount for purposes of the limitation on such total amount under section 1309(a) (42 U.S.C. 4016(a)).
(2) Use of Savings for Flood Mapping.—In addition to amounts otherwise available, for each of fiscal years 2022 and 2023, an amount equal to the interest the National Flood Insurance Program would have accrued from servicing the canceled debt under paragraph (1) in that fiscal year, which shall be derived from offsetting amounts collected under section 1310(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(d)), shall remain available until expended for activities identified in section 100216 (b)(1)(A) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101b(b)(1)(A)) and related salaries and administrative expenses.

(b) Means-Tested Assistance for National Flood Insurance Program Policyholders.—

(1) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Administrator of the Federal Emergency Management Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $600,000,000, to remain available until September 30, 2026, to provide assistance to eligible policyholders in the form of graduated discounts for insurance costs with respect to covered properties.
(2) Terms and Conditions.—

(A) Discounts.—The Administrator shall use funds provided under this subsection to establish graduated discounts available to eligible policyholders under this subsection, with respect to covered properties, which may be based on the following factors:

(i) The percentage by which the household income of the eligible policyholder is equal to, or less than, 120 percent of the area median income for the area in which the property to which the policy applies is located.

(ii) The number of eligible policyholders participating in the program authorized under this subsection.

(iii) The availability of funding.

(B) Distribution of Premium.—With respect to the amount of the discounts provided under this subsection in a fiscal year, and any administrative expenses incurred in carrying out this subsection for that fiscal year, the Administrator shall, from amounts made available to carry out this subsection for that fiscal year, deposit in the National Flood Insurance Fund
established under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017) an amount equal to those discounts and administrative expenses, except to the extent that section 1310A of the National Flood Insurance Act of 1968 (42 U.S.C. 4017a) applies to any portion of those discounts or administrative expenses, in which case the Administrator shall deposit an amount equal to those amounts to which such section 1310A applies in the National Flood Insurance Reserve Fund established under such section 1310A.

(C) REQUIREMENT ON TIMING.—Not later than 21 months after the date of the enactment of this section, the Administrator shall issue interim guidance to implement this subsection which shall expire on the later of—

(i) the date that is 60 months after the date of the enactment of this section;
or
(ii) the date on which a final rule issued to implement this subsection takes effect.

(3) DEFINITIONS.—In this subsection:
(A) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Federal Emergency Management Agency.

(B) COVERED PROPERTY.—The term "covered property" means—

(i) a primary residential dwelling designed for the occupancy of from 1 to 4 families; or

(ii) personal property relating to a dwelling described in clause (i) or personal property in the primary residential dwelling of a renter.

(C) ELIGIBLE POLICYHOLDER.—The term "eligible policyholder" means a policyholder with a household income that is not more than 120 percent of the area median income for the area in which the property to which the policy applies is located.

(D) INSURANCE COSTS.—The term "insurance costs" means insurance premiums, fees, and surcharges charged under the National Flood Insurance Program, with respect to a covered property for a year.
SEC. 40105. COMMUNITY RESTORATION AND REVITALIZATION FUND.

(a) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Community Restoration and Revitalization Fund established under subsection (b) for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to remain available until September 30, 2031—

(1) $2,000,000,000 for awards of planning and implementation grants under section 101, 102, 103, 104(a) through 104(i), 104(l), 104(m), 105(a) through 105(g), 106(a)(2), 106(a)(4), 106(b) through 106(f), 109, 110, 111, 113, 115, 116, 120, and 122 of the Housing and Community Development Act of 1974 (42 U.S.C. 5301, 5302, 5303, 5304(a)-(i), 5304(l), 5304(m), 5305(a)-(g), 5306(a)(2), 5306(a)(4), 5306(b)-(f), 5309, 5310, 5311, 5313, 5314, 5315, 5316, 5319, and 5321), awarded on a competitive basis to eligible recipients, as defined under subsection (c)(2) of this section, to carry out community-led projects to create equitable civic infrastructure and create or preserve affordable, accessible housing, including creating, expanding, and maintaining community land trusts and shared equity homeownership programs;
(2) $500,000,000 for planning and implementation grants under section 101, 102, 103, 104(a) through 104(i), 104(l), 104(m), 105(a) through 105(g), 106(a)(2), 106(a)(4), 106(b) through 106(f), 109, 110, 111, 113, 115, 116, 120, and 122 of the Housing and Community Development Act of 1974 (42 U.S.C. 5301, 5302, 5303, 5304(a)-(i), 5304(l), 5304(m), 5305(a)-(g), 5306(a)(2), 5306(a)(4), 5306(b)-(f), 5309, 5310, 5311, 5313, 5314, 5315, 5316, 5319, and 5321), awarded on a competitive basis to eligible recipients to create, expand, and maintain community land trusts and shared equity homeownership, including through the acquisition, rehabilitation, and new construction of affordable, accessible housing;

(3) $400,000,000 for the Secretary to provide technical assistance, capacity building, and program support to applicants, potential applicants, and recipients of amounts appropriated for grants under this section; and

(4) $100,000,000 for the costs to the Secretary of administering and overseeing the implementation of this section and community and economic development programs overseen by the Secretary generally, including information technology, financial report-
ing, research and evaluations, and other cross-pro-
gram costs in support of programs administered by
the Secretary in this title, and other costs.

(b) Establishment of Fund.—The Secretary of
Housing and Urban Development (in this section referred
to as the “Secretary”) shall establish a Community Rest-
oration and Revitalization Fund (in this section referred
to as the “Fund”) to award planning and implementation
grants on a competitive basis to eligible recipients as de-
fined in this section for activities authorized under sub-
sections (a) through (g) of section 105 of the Housing and
Community Development Act of 1974 (42 U.S.C. 5305)
and under this section for community-led affordable hous-
ing and civic infrastructure projects.

(c) Eligible Geographical Areas, Recipients,
and Applicants.—

(1) Geographical areas.—The Secretary
shall award grants from the Fund to eligible recipi-
ents within geographical areas at the neighborhood,
county, or census tract level, including census tracts
adjacent to the project area that are areas in need
of investment, as demonstrated by two or more of
the following factors:

(A) High and persistent rates of poverty.
(B) Population at risk of displacement due to rising housing costs.

(C) Dwelling unit sales prices that are lower than the cost to acquire and rehabilitate, or build, a new dwelling unit.

(D) High proportions of residential and commercial properties that are vacant due to foreclosure, eviction, abandonment, or other causes.

(E) Low rates of homeownership by race and ethnicity, relative to the national homeownership rate.

(2) ELIGIBLE RECIPIENT.—An eligible recipient of a planning or implementation grant under subsection (b)(1) or an implementation grant under subsection (b)(2) shall be a local partnership of a lead applicant and one or more joint applicants with the ability to administer the grant. An eligible recipient of a planning grant under subsection (b)(2) shall be a lead applicant with the ability to administer the grant, including a regional, State, or national nonprofit.

(d) ELIGIBLE RECIPIENTS AND APPLICANTS.—
(1) **LEAD APPLICANT.**—An eligible lead applicant for a grant awarded under this section shall be—

(A)(i) a nonprofit organization that is located within or serves the geographical area of the project or that derives its mission and operational priorities from the needs of the geographical area of the project, demonstrates a commitment to anti-displacement efforts, and has expertise in community planning, engagement, organizing, housing and community development;

(ii) if the geographical area of the project is located in any area where no such local nonprofit organization exists, a national nonprofit organization with such expertise;

(B) a community development corporation, that is located within or serves the geographical area of the project and can demonstrate a track record of making investments in the geographical area of the project, and demonstrates a commitment to anti-displacement efforts;

(C) a community housing development organization, defined in section 104 of the Cranston-Gonzalez National Affordable Housing Act
(42 U.S.C. 12704) or a community-based development organization, that is located within or serves the geographical area of the project and experienced in neighborhood revitalization, community-based economic development, housing development activities, and demonstrates a commitment to anti-displacement efforts; or

(D) a community development financial institution, as defined by section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4702), that is located within or serves the geographical area of the project, demonstrates a commitment to anti-displacement efforts, and has a track record of making investments in the geographic project area.

(2) **JOINT APPLICANTS.**—A joint applicant shall be a local, regional or national entity that is an eligible lead applicant or a local, regional, or national nonprofit, governmental, special purpose nonprofit, or public housing entity.

(e) **USES OF FUNDS.**—

(1) **IN GENERAL.**—Planning and implementation grants awarded under this section shall be used
to support civic infrastructure and housing-related activities.

(2) IMPLEMENTATION GRANTS.—Implementation grants awarded under this section may be used for activities eligible under subsections (a) through (g) of section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) and other activities to support civic infrastructure and housing-related activities, including—

(A) new construction of housing;

(B) demolition of abandoned or distressed structures, but only if such activity is part of a strategy that incorporates rehabilitation or new construction, anti-displacement efforts such as tenants’ right to return and right of first refusal to purchase, and efforts to increase affordable, accessible housing and homeownership, except that not more than 10 percent of any grant made under this section may be used for activities under this subparagraph unless the Secretary determines that such use is to the benefit of existing residents;

(C) facilitating the creation, maintenance, or availability of rental units, including units in mixed-use properties, affordable and accessible
to a household whose income does not exceed
80 percent of the median income for the area,
as determined by the Secretary, for a period of
not less than 30 years;

(D) facilitating the creation, maintenance,
or availability of homeownership units afford-
able and accessible to households whose incomes
do not exceed 120 percent of the median in-
come for the area, as determined by the Sec-
retary;

(E) establishing or operating land banks;

and

(F) providing assistance to existing resi-
dents experiencing economic distress or at risk
of displacement, including purchasing nonper-
forming mortgages and clearing and obtaining
formal title.

(3) COMMUNITY LAND TRUST GRANTS AND
SHARED EQUITY HOMEOWNERSHIP GRANTS.—An eli-
gible recipient of a community land trust grant
awarded for establishing and operating a community
land trust or shared equity homeownership program;
creation, subsidization, construction, acquisition, re-
habilitation, and preservation of housing in a com-
munity land trust or shared equity homeownership
program, and expanding the capacity of the recipient
to carry out the grant.

(f) **WAIVERS.**—The Secretary may waive or specify
alternative requirements for any provision of subsection
(a)(1) or (a)(2), or regulation for the administration of
the amounts made available under this section other than
requirements related to fair housing, nondiscrimination,
labor standards, and the environment, upon a finding that
the waiver or alternative requirement is not inconsistent
with the overall purposes of such Act and that the waiver
or alternative requirement is necessary to expedite or fa-
cilitate the use of amounts made available under this sec-
tion.

(g) **DEFINITIONS.**—For purposes of this section, the
following definitions shall apply:

(1) **COMMUNITY LAND TRUST.**—The term
“community land trust” means a nonprofit organi-
ization or State or local governments or instrument-
alities that—

(A) use a ground lease or deed covenant
with an affordability period of at least 30 years
or more to—

(i) make rental and homeownership
units affordable to households; and
(ii) stipulate a preemptive option to purchase the affordable rentals or homeownership units so that the affordability of the units is preserved for successive income-eligible households; and

(B) monitor properties to ensure affordability is preserved.

(2) Land Bank.—The term “land bank” means a government entity, agency, or program, or a special purpose nonprofit entity formed by one or more units of government in accordance with State or local land bank enabling law, that has been designated by one or more State or local governments to acquire, steward, and dispose of vacant, abandoned, or other problem properties in accordance with locally-determined priorities and goals.

(3) Shared Equity Homeownership Program.—The term “shared equity homeownership program” means a program to facilitate affordable homeownership preservation through a resale restriction program administered by a community land trust, other nonprofit organization, or State or local government or instrumentalities and that utilizes a ground lease, deed restriction, subordinate loan, or
similar mechanism that includes provisions ensuring
that the program shall—

(A) maintain the home as affordable for
subsequent very low-, low-, or moderate-income
families for an affordability term of at least 30
years after recordation;

(B) apply a resale formula that limits the
homeowner’s proceeds upon resale; and

(C) provide the program administrator or
such administrator’s assignee a preemptive op-
tion to purchase the homeownership unit from
the homeowner at resale.

(h) IMPLEMENTATION.—The Secretary shall have au-
authority to issue such regulations, notices, or other guid-
ance, forms, instructions, and publications to carry out the
programs, projects, or activities authorized under this sec-
tion to ensure that such programs, projects, or activities
are completed in a timely and effective manner.

SEC. 40106. FAIR HOUSING ACTIVITIES AND INVESTIGA-
TIONS.

(a) APPROPRIATION.—In addition to amounts other-
wise available, there is appropriated to the Secretary of
Housing and Urban Development (in this section referred
to as the “Secretary”) for fiscal year 2022, out of any
money in the Treasury not otherwise appropriated—
(1) $540,000,000, to remain available until September 30, 2026, for the Fair Housing Initiatives Program under section 561 of the Housing and Community Development Act of 1987 (42 U.S.C. 3616a) to ensure existing and new fair housing organizations have expanded and strengthened capacity to address fair housing inquiries and complaints, conduct local, regional, and national testing and investigations, conduct education and outreach activities, and address costs of delivering or adapting services to meet increased housing market activity and evolving business practices in the housing, housing-related, and lending markets. Amounts made available under this section shall support greater organizational continuity and capacity, including through up to 10-year grants; and

(2) $160,000,000, to remain available until September 30, 2031, for the costs to the Secretary of administering and overseeing the implementation of this section and the Fair Housing Initiatives and Fair Housing Assistance Programs generally, including information technology, financial reporting, research and evaluations, other cross-program costs in support of programs administered by the Secretary in this title, and other costs.
(b) IMPLEMENTATION.—The Secretary shall have authority to issue such regulations, notices, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this section to ensure that such programs, projects, or activities are completed in a timely and effective manner.

Subtitle C—Homeownership Investments

SEC. 40201. FIRST-GENERATION DOWNPAYMENT ASSISTANCE.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the First Generation Downpayment Fund to increase equal access to homeownership, established under subsection (b) for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) $6,825,000,000, to remain available until September 30, 2026, for the First-Generation Downpayment Assistance Fund under this section for allocation among States in accordance with a formula established by the Secretary, which shall take into consideration best available data to approximate the number of potential qualified homebuyers as defined in subsection (e)(5) as well as median area home
prices, to carry out the eligible uses of the Fund as described in subsection (c);

(2) $2,275,000,000, to remain available until September 30, 2026, for the First-Generation Downpayment Assistance Program under this section for competitive grants to eligible entities to carry out the eligible uses of the Fund as described in subsection (d);

(3) $500,000,000, to remain available until September 30, 2031, for the costs of providing housing counseling required under the First-Generation Downpayment Assistance Program under subsection (c)(1); and

(4) $400,000,000, to remain available until September 30, 2031, for the costs to the Secretary of Housing and Urban Development of administering and overseeing the implementation of the First-Generation Downpayment Assistance Program, including information technology, financial reporting, programmatic reporting, ensuring fair housing and fair lending compliance, research and evaluations, which shall include the program’s impact on racial and ethnic disparities in homeownership rates, technical assistance to recipients of amounts under this section, and other cross-program costs in sup-
port to programs administered by the Secretary in
this Act, and other costs.

(b) **ESTABLISHMENT.**—The Secretary of Housing
and Urban Development shall establish and manage a
fund to be known as the First Generation Downpayment
Fund (in this section referred to as the “Fund”) for the
uses set forth in subsection (d).

(c) **ALLOCATION OF FUNDS.**—

(1) **INITIAL ALLOCATION.**—The Secretary shall
allocate and award funding provided by subsection
(a) as provided under such subsection not later than
12 months after the date of the enactment of this
section.

(2) **REALLOCATION.**—If a State or eligible enti-
ty does not demonstrate the capacity to expend
grant funds provided under this section, the Sec-
retary may recapture amounts remaining available
to a grantee that has not demonstrated the capacity
to expend such funds in a manner that furthers the
purposes of this section and shall reallocate such
amounts among any other States or eligible entities
that have demonstrated to the Secretary the capac-
ity to expend such amounts in a manner that fur-
thers the purposes of this section.
(d) TERMS AND CONDITIONS OF GRANTS ALLO-
CATED OR AWARDED FROM FUND.—

(1) USES OF FUNDS.—States and eligible enti-
ties receiving grants from the Fund shall use such
grants to provide assistance to or on behalf of a
qualified homebuyer who has completed a program
of housing counseling provided through a housing
counseling agency approved by the Secretary or
other adequate homebuyer education before entering
into a sales purchase agreement for—

(A) costs in connection with the acquisi-
tion, involving an eligible mortgage loan, of an
eligible home, including downpayment costs,
closing costs, and costs to reduce the rates of
interest on eligible mortgage loans;

(B) subsidies to make shared equity homes
affordable to eligible homebuyers; and

(C) pre-occupancy home modifications to
accommodate qualified homebuyers or members
of their household with disabilities;

(2) AMOUNT OF ASSISTANCE.—Assistance
under this section—

(A) may be provided to or on behalf of any
qualified homebuyer only once in the form of
forgivable grants or non-amortizing, non-interest-bearing loans; and

(B) may not exceed the greater of $20,000 or 10 percent of the purchase price in the case of a qualified homebuyer, not to include assistance received under subsection (d)(1)(A)(iii) for disability related home modifications, except that the Secretary may increase such maximum limitation amounts in the case of a qualified homebuyer who is economically disadvantaged.

(3) **Prohibition of Priority.**—In selecting qualified homebuyers for assistance with grant amounts under this section, a State or eligible entity may not provide any priority or preference for homebuyers who are acquiring eligible homes with a mortgage loan made, insured, guaranteed, or otherwise assisted by the State housing finance agency for the State, any other housing agency of the State, or an eligible entity when applicable.

(4) **Repayment of Assistance.**—

(A) **Requirement.**—The Secretary shall require that, if a homebuyer to or on behalf of whom assistance is provided from grant amounts under this section fails or ceases to occupy the property acquired using such assist-
ance as the primary residence of the home-
buyer, except in the case of assistance provided
in connection with the purchase of a principal
residence through a shared equity homeowner-
ship program, the homebuyer shall repay to the
State or eligible entity, as applicable, in a pro-
portional amount of the assistance the home-
buyer receives based on the number of years
they have occupied the eligible home up to 5
years, except that no assistance shall be repaid
if the qualified homebuyer occupies the eligible
home as a primary residence for 5 years or
more.

(B) LIMITATION.—Notwithstanding sub-
paragraph (A), a homebuyer to or on behalf of
whom assistance is provided from grant
amounts under this section shall not be liable to
the State or eligible entity for the repayment of
the amount of such shortage if the homebuyer
fails or ceases to occupy the property acquired
using such assistance as the principal residence
of the homebuyer at least in part because of a
hardship, or sells the property acquired with
such assistance before the expiration of the 60-
month period beginning on such date of acquisi-
tion and the capital gains from such sale to a
bona fide purchaser in an arm’s length trans-
action are less than the amount the homebuyer
is required to repay the State or eligible entity
under subparagraph (A).

(5) RELIANCE ON BORROWER ATTESTATIONS.—
No additional documentation beyond the borrower’s
attestation shall be required to demonstrate eligi-
bility under subparagraphs (B) and (C) of sub-
section (e)(6) and no State, eligible entity, or cred-
itor shall be subject to liability based on the accu-
rracy of such attestation.

(e) DEFINITIONS.—For purposes of this section, the
following definitions shall apply:

(1) ELIGIBLE ENTITY.—The term “eligible enti-
ty” means—

(A) a minority depository institution, as
such term is defined in section 308 of the Fi-
nancial Institutions Reform, Recovery, and En-
forcement Act of 1989 (12 U.S.C. 1463 note);

(B) a community development financial in-
stitution, as such term is defined in section 103
of the Riegle Community Development and
Regulatory Improvement Act of 1994 (12
U.S.C. 4702), that is certified by the Secretary
of the Treasury and targets services to low-income and socially disadvantaged populations
and provides services in neighborhoods having high concentrations of minority, low-income, or
socially disadvantaged populations;

(C) any other nonprofit entity that the Secretary finds has a track record of providing
assistance to homeowners, targets services to low-income and socially disadvantaged popu-
lations, and provides services in neighborhoods having high concentrations of minority, low-in-
come, or socially disadvantaged populations;

and

(D) a unit of general local government, as such term is defined in section 102 of the
Housing and Community Development Act of 1974 (42 U.S.C. 5302).

(2) ELIGIBLE HOME.—The term "eligible home" means a residential dwelling that—

(A) consists of 1 to 4 dwelling units; and

(B) will be occupied by the qualified home-buyer as the primary residence of the home-

buyer.
(3) ELIGIBLE MORTGAGE LOAN.—The term "eligible mortgage loan" means a single-family residential mortgage loan that—

(A) meets the underwriting requirements and dollar amount limitations for acquisition by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation;

(B) is made, insured, or guaranteed under any program administered by the Secretary;

(C) is made, insured, or guaranteed by the Rural Housing Administrator of the Department of Agriculture;

(D) is a qualified mortgage, as such term is defined in section 129C(b)(2) of the Truth in Lending Act (15 U.S.C. 1639e(b)(2)); or

(E) is made, insured, or guaranteed for the benefit of a veteran.

(4) FIRST GENERATION HOMEBUYER.—The term "first-generation homebuyer" means a homebuyer that is, as attested by the homebuyer—

(A) an individual—

(i) whose parents or legal guardians do not, or did not at the time of their death, to the best of the individual’s knowledge, have any present ownership interest
in a principal residence in any State, ex-
cluding ownership of heir property; and

(ii) whose spouse or domestic partner
has not, during the 3-year period ending
upon acquisition of the eligible home to be
acquired using such assistance, had any
present ownership interest in a principal
residence in any State, excluding owner-
ship of heir property, whether the indi-
vidual is a co-borrower on the loan or not;
or

(B) an individual who has at any time
been placed in foster care or institutional care
whose spouse or domestic partner has not, dur-
ing the 3-year period ending upon acquisition of
the eligible home to be acquired using such as-
sistance, had any ownership interest in a prin-
cipal residence in any State, excluding owner-
ship of heir property, whether such individuals
are co-borrowers on the loan or not.

(5) HEIR PROPERTY.—The term “heir prop-
erty” means residential property for which title
passed by operation of law through intestacy and is
held by two or more heirs as tenants in common.
(6) Ownership interest.—The term "ownership interest" means any ownership, excluding any interest in heir property, in—

(A) real estate in fee simple;

(B) a leasehold on real estate under a lease for not less than ninety-nine years which is renewable; or

(C) a fee interest in, or long-term leasehold interest in, real estate consisting of a one-family unit in a multifamily project, including a project in which the dwelling units are attached, or are manufactured housing units, semi-detached, or detached, and an undivided interest in the common areas and facilities which serve the project.

(7) Qualified homebuyer.—The term "qualified homebuyer" means a homebuyer—

(A) having an annual household income that is less than or equal to—

(i) 120 percent of median income, as determined by the Secretary, for—

(I) the area in which the home to be acquired using such assistance is located; or
(II) the area in which the place
of residence of the homebuyer is lo-
cated; or

(ii) 140 percent of the median income,
as determined by the Secretary, for the
area within which the eligible home to be
acquired using such assistance is located if
the homebuyer is acquiring an eligible
home located in a high-cost area;

(B) who is a first-time homebuyer, as such
term is defined in section 104 of the Cranston-
Gonzalez National Affordable Housing Act (42
U.S.C. 12704), except that for the purposes of
this section the reference in such section 104 to
title II shall be considered to refer to this sec-
tion, and except that ownership of heir property
shall not be treated as owning a home for pur-
poses of determining whether a borrower quali-
fies as a first-time homebuyer; and

(C) who is a first-generation homebuyer.

(8) SECRETARY.—The term “Secretary” means
the Secretary of Housing and Urban Development.

(9) SHARED EQUITY HOMEOWNERSHIP PRO-
GRAM.—
(A) **In General.**—The term “shared equity homeownership program” means affordable homeownership preservation through a resale restriction program administered by a community land trust, other nonprofit organization, or State or local government or instrumentalities.

(B) **Affordability Requirements.**—Any such program under subparagraph (A) shall—

(i) provide affordable homeownership opportunities to households; and

(ii) utilize a ground lease, deed restriction, subordinate loan, or similar mechanism that includes provisions ensuring that the program shall—

(I) maintain the homeownership unit as affordable for subsequent very low-, low-, or moderate-income families for an affordability term of at least 30 years after recordation;

(II) apply a resale formula that limits the homeowner’s proceeds upon resale; and

(III) provide the program administrator or such administrator’s as-
signee a preemptive option to purchase the homeownership unit from the homeowner at resale.

(10) STATE.—The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

(f) IMPLEMENTATION.—The Secretary shall have authority to issue such regulations, notices, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this section to ensure that such programs, projects, or activities are completed in a timely and effective manner.

SEC. 40202. HOME LOAN PROGRAM.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, to remain available until September 30, 2031—

(1) $4,000,000,000 to the Secretary of Housing and Urban Development for the cost of guaranteed or insured loans and other obligations, including the cost of modifying such loans, under subsection (e)(1)(A);
(2) $500,000,000 to the Secretary of Housing and Urban Development for costs of carrying out the program under paragraph (1) and programs of the Federal Housing Administration and the Government National Mortgage Association generally, including information technology, financial reporting, and other cross-program costs;

(3) $150,000,000 to the Secretary of Agriculture for the cost of guaranteed and insured loans and other obligations, including the cost of modifying such loans, under subsection (e)(1)(B);

(4) $50,000,000 to the Secretary of Agriculture for the costs of carrying out the program under paragraph (3) and programs of the Rural Housing Service generally, including information technology and financial reporting in support of the Program administered by the Secretary of Agriculture in this title; and

(5) $300,000,000 to the Secretary of Treasury for the costs of carrying out the program under this section.

(b) USE OF FUNDS.—

(1) IN GENERAL.—

(A) The Secretary of Housing and Urban Development and the Secretary of Agriculture

---

(b) USE OF FUNDS.—

(1) IN GENERAL.—

(A) The Secretary of Housing and Urban Development and the Secretary of Agriculture
shall use the funds provided under subsections (a)(1), (a)(2), (a)(3), and (a)(4) to carry out the programs under subsections (a)(1) and (a)(3) to make covered mortgage loans.

(B) The Secretary of the Treasury shall use the funds provided under subsections (a)(5) and (b)(2) to—

(i) purchase, on behalf of the Secretary of Housing and Urban Development, securities that are secured by covered mortgage loans, and sell, manage, and exercise any rights received in connection with, any financial instruments or assets acquired pursuant to the authorities granted under this section, including, as appropriate, establishing and using vehicles to purchase, hold, and sell such financial instruments or assets;

(ii) designate one or more banks, security brokers or dealers, asset managers, or investment advisers, as a financial agent of the Federal Government to perform duties related to authorities granted under this section; and
(iii) use the services of the Department of Housing and Urban Development
on a reimbursable basis, and the Secretary of Housing and Urban Development is au-
thorized to provide services as requested by the Secretary of Treasury using all au-
thorities vested in or delegated to the Department of Housing and Urban Develop-
ment.

(2) Transfer of Amounts to Treasury.—
Such portions of the appropriation to the Secretary of Housing and Urban Development shall be trans-
ferred by the Secretary of Housing and Urban De-
velopment to the Department of the Treasury from
time-to-time in an amount equal to, as determined by the Secretary of the Treasury in consultation
with the Secretary of Housing and Urban Develop-
ment, the amount necessary for the purchase of se-
curities under the Program during the period for
which the funds are intended to be available.

(3) Use of Proceeds.—Revenues of and pro-
ceeds from the sale, exercise, or surrender of assets purchased or acquired under the Program under this
section shall be available to the Secretary of the
Treasury through September 30, 2031, for purposes of purchases under subsection (b)(1)(B)(i).

(c) LIMITATION ON AGGREGATE LOAN INSURANCE OR GUARANTEE AUTHORITY.—The aggregate original principal obligation of all covered mortgage loans insured or guaranteed under subsection (e)(1)(A) of this section may not exceed $48,000,000,000, and under section (e)(1)(B) may not exceed $12,000,000,000.

(d) GNMA GUARANTEE AUTHORITY AND FEE.—To carry out the purposes of this section, the Government National Mortgage Association may enter into new commitments to issue guarantees of securities based on or backed by mortgages insured or guaranteed under this section, not exceeding $60,000,000,000, and shall collect guaranty fees consistent with section 306(g)(1) of the National Housing Act (12 U.S.C. 1721(g)(1)) that are paid at securitization.

(e) DEFINITIONS.—In this section:

(1) COVERED MORTGAGE LOAN.—

(A) IN GENERAL.—The term “covered mortgage loan” means, for purposes of the Program established by the Secretary of Housing and Urban Development, a mortgage loan that—
(i) is insured by the Federal Housing Administration pursuant to section 203(b) of the National Housing Act, subject to the eligibility criteria set forth in this subsection, and has a case number issued on or before December 31, 2029;

(ii) is made for an original term of 20 years with a monthly mortgage payment of principal and interest that is not more than 110 percent and not less than 100 percent of the monthly payment of principal, interest, and periodic mortgage insurance premium associated with a newly originated 30-year mortgage loan with the same loan balance insured by the agency as determined by the Secretary;

(iii) subject to subparagraph (C) of this paragraph and notwithstanding section 203(c)(2) of the National Housing Act (12 U.S.C. 1709(c)(2)), has a mortgage insurance premium of not more than 4 percent of the loan balance that is paid at closing, financed into the principal balance of the loan, paid through an annual premium, or a combination thereof;
(iv) involves a rate of interest that is
fixed over the term of the mortgage loan;
and
(v) is secured by a single-family resi-
dence that is the principal residence of an
eligible homebuyer.

(B) The term “covered mortgage loan”
means, for purposes of the Program established
by the Secretary of Agriculture, a loan guaran-
teed under section 502(h) of the Housing Act
of 1949 (42 U.S.C. 1472(h)) that—

(i) notwithstanding section

502(h)(7)(A) of the Housing Act of 1949
(42 U.S.C. 1472(h)(7)(A)), is made for an
original term of 20 years with a monthly
mortgage payment of principal and interest
that is not more than 110 percent and not
less than 100 percent of the monthly pay-
ment of principal, interest, and loan guar-
antee fee associated with a newly origi-
nated 30-year mortgage loan with the
same loan balance guaranteed by the agen-
cy as determined by the Secretary; and

(ii) subject to subparagraph (C) of
this paragraph and notwithstanding sec-
tion 502(h)(8)(A) of the Housing Act of 1949 (42 U.S.C. 1472(h)(8)(A)), has a loan guarantee fee of not more than 4 percent of the principal obligation of the loan.

(C) WAIVER AND ALTERNATIVE REQUIREMENTS.—The Secretary of Housing and Urban Development and the Secretary of Agriculture, in consultation with the Secretary of the Treasury, and notwithstanding paragraph (8)(A) of section 502(h) of the Housing Act of 1949 (42 U.S.C. 1472(h)(8)(A)) for purposes of the Program established by the Secretary of Agriculture, may waive or specify alternative requirements for subsection (e)(1)(A)(ii) for covered mortgage loans in connection with the use of amounts made available under this section upon a finding that the waiver or alternative requirement is necessary to facilitate the use of amounts made available under this section.

(2) ELIGIBLE HOMEBUYER.—The term “eligible homebuyer” means an individual who—

(A) for purposes of the Program established by the Secretary of Housing and Urban Development—
778

(i) has an annual household income

that is less than or equal to—

(I) 120 percent of median income

for the area, as determined by the

Secretary of Housing and Urban De-

development for—

(aa) the area in which the

home to be acquired using such

assistance is located; or

(bb) the area in which the

place of residence of the home-

buyer is located; or

(II) if the homebuyer is acquiring

an eligible home that is located in a

high-cost area, 140 percent of the me-

dian income, as determined by the

Secretary, for the area within which

the eligible home to be acquired using

assistance provided under this section

is located;

(ii) is a first-time homebuyer, as de-

fined in paragraph (4) of this subsection;

and

(iii) is a first-generation homebuyer as

defined in paragraph (3) of this subsection;
(B) for purposes of the Program established by the Secretary of Agriculture—

(i) meets the applicable requirements in section 502(h) of the Housing Act of 1949 (42 U.S.C. 1472(h)); and

(ii) is a first-time homebuyer as defined in paragraph (4) of this subsection and a first-generation homebuyer as defined in paragraph (3) of this subsection.

(3) FIRST-GENERATION HOMEbuyer.—The term “first-generation homebuyer” means a homebuyer that, as attested by the homebuyer, is—

(A) an individual—

(i) whose parents or legal guardians do not, or did not at the time of their death, to the best of the individual’s knowledge, have any present ownership interest in a principal residence in any State, excluding ownership of heir property; and

(ii) whose spouse, or domestic partner has not, during the 3-year period ending upon acquisition of the eligible home to be acquired using such assistance, have any present ownership interest in a principal residence in any State, excluding owner-
ship of heir property, whether the individual is a co-borrower on the loan or not;
or
(B) an individual who has at any time been placed in foster care or institutional care whose spouse or domestic partner has not, during the 3-year period ending upon acquisition of the eligible home to be acquired using such assistance, had any ownership interest in a principal residence in any State, excluding ownership of heir property, whether such individuals are co-borrowers on the loan or not.

(4) First-time homebuyer.—The term "first-time homebuyer" means a homebuyer as defined in section 104 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12704), except that for the purposes of this section the reference in such section 12704(14) to title II shall be considered to refer to this section, and except that ownership of heir property shall not be treated as owning a home for purposes of determining whether a borrower qualifies as a first-time homebuyer.

(5) Heir property.—The term "heir property" means residential property for which title
passed by operation of law through intestacy and is held by two or more heirs as tenants in common.

(6) Ownership Interest.—The term "ownership interest" means any ownership, excluding any interest in heir property, in—

(A) real estate in fee simple;

(B) a leasehold on real estate under a lease for not less than ninety-nine years which is renewable; or

(C) a fee interest in, or long-term leasehold interest in, real estate consisting of a one-family unit in a multifamily project, including a project in which the dwelling units are attached, or are manufactured housing units, semi-detached, or detached, and an undivided interest in the common areas and facilities which serve the project.

(7) State.—The term "State" means the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States.
(f) RELIANCE ON BORROWER ATTESTATIONS.—No additional documentation beyond the borrower’s attestation shall be required to demonstrate eligibility under clauses (ii) and (iii) of subsection (e)(2)(A) and clause (ii) of subsection (e)(2)(B) and no State, eligible entity, or creditor shall be subject to liability based on the accuracy of such attestation.

(g) IMPLEMENTATION.—The Secretary of Housing and Urban Development, the Secretary of Agriculture, and the Secretary of Treasury shall have authority to issue such regulations, notices, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this section to ensure that such programs, projects, or activities are completed in a timely and effective manner.

SEC. 40203. INVESTMENTS IN RURAL HOMEOWNERSHIP.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Rural Housing Service of the Department of Agriculture, out of any money in the Treasury not otherwise appropriated, to remain available until expended—

(1) $90,000,000 for providing single family housing repair grants under section 504 of the Housing Act of 1949 (42 U.S.C. 1474), subject to
the terms and conditions in subsection (b) of this section;

(2) $10,000,000 for administrative expenses of the Rural Housing Service of the Department of Agriculture that in whole or in part support activities funded by this section and related activities.

(b) TERMS AND CONDITIONS.—

(1) ELIGIBILITY.—Eligibility for grants from amounts made available by subsection (a)(1) shall not be subject to the limitations in section 3550.103(b) of title 7, Code of Federal Regulations.

(2) USES.—Notwithstanding the limitations in section 3550.102(a) of title 7, Code of Federal Regulations, grants from amounts made available by subsection (a)(2) shall be available for the eligible purposes in section 3550.102(b) of title 7, Code of Federal Regulations.

(c) IMPLEMENTATION.—The Administrator of the Rural Housing Service shall have authority to issue such regulations, notices, or other guidance, forms, instructions, and publications to carry out the programs, projects, or activities authorized under this section to ensure that such programs, projects, or activities are completed in a timely and effective manner.
Subtitle D—HUD Administration,
Capacity Building, Technical
Assistance, and Agency Over-
sight

SEC. 40301. PROGRAM ADMINISTRATION, TRAINING, TECH-
NICAL ASSISTANCE, CAPACITY BUILDING,
AND OVERSIGHT.

(a) APPROPRIATION.—In addition to amounts other-
wise available, there is appropriated for fiscal year 2022,
out of any money in the Treasury not otherwise appro-
priated,—

(1) $949,250,000 to the Secretary of Housing
and Urban Development for—

(A) the costs to the Secretary of admin-
istering and overseeing the implementation of
this title and the Department’s programs gen-
erally, including information technology, inspec-
tions of housing units, research and evaluation,
financial reporting, and other costs; and

(B) new awards or increasing prior awards
to provide training, technical assistance, and ca-
pacity building related to the Department’s pro-
grams, including direct program support to pro-
gram recipients throughout the country, includ-
ing insular areas, that require such assistance
with daily operations;

(2) $43,250,000 to the Office of Inspector Gen-
eral of the Department of Housing and Urban De-
velopment for necessary salaries and expenses for
conducting oversight of amounts provided by this
title;

(3) $5,000,000 to the Office of Inspector Gen-
eral of the Department of the Treasury for nec-
essary salaries and expenses for conducting oversight
of amounts provided by this title; and

(4) $2,500,000 to the Office of Inspector Gen-
eral of the Department of the Agriculture for nec-
essary salaries and expenses for conducting oversight
of amounts provided by this title.

Amounts appropriated by this section shall remain avail-
able until September 30, 2031.

(b) IMPLEMENTATION.—The Secretary of Housing
and Urban Development shall have authority to issue such
regulations, notices, or other guidance, forms, instruc-
tions, and publications to carry out the programs,
projects, or activities authorized under this section to en-
sure that such programs, projects, or activities are com-
opleted in a timely and effective manner.