

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO COMMITTEE PRINT
OFFERED BY M . _____**

Strike the text of the Committee Print and insert the following:

1 **TITLE IV—COMMITTEE ON**
2 **FINANCIAL SERVICES**
3 **Subtitle A—Creating, Preserving,**
4 **and Greening Affordable Housing**

5 **SEC. 40001. PUBLIC HOUSING INVESTMENT.**

6 (a) APPROPRIATION.—

7 (1) IN GENERAL.—In addition to amounts oth-
8 erwise made available, there is appropriated to the
9 Secretary of Housing and Urban Development (in
10 this section referred to as the “Secretary”) for fiscal
11 year 2022, out of any money in the Treasury not
12 otherwise appropriated, \$80,000,000,000, to remain
13 available until September 30, 2031, for public hous-
14 ing preservation and creation, improvements to en-
15 ergy and water efficiency or climate resilience, or re-
16 moval of health and safety hazards in public hous-
17 ing.

1 (2) RESERVATION OF FUNDS.—Of the amount
2 appropriated by paragraph (1), the Secretary shall
3 reserve—

4 (A) \$10,000,000,000 for the Capital Fund
5 under section 9(d) of the United States Hous-
6 ing Act of 1937 (42 U.S.C. 1437g(d)) pursuant
7 to the same formula as in fiscal year 2021.

8 (B) \$66,500,000,000 shall be for eligible
9 activities under section 9(d)(1) of the United
10 States Housing Act of 1937 (42 U.S.C.
11 1437g(d)(1)) for priority investments as deter-
12 mined by the Secretary to repair, replace, or
13 construct properties assisted under such section
14 9, including properties for which assistance will
15 be converted to project-based assistance under
16 section 8 of such Act.

17 (C) \$2,750,000,000 shall be for competi-
18 tive grants under section 24 of the United
19 States Housing Act of 1937 (42 U.S.C. 1437v)
20 (in this section referred to as “section 24”) for
21 transformation, rehabilitation, and replacement
22 housing needs of public housing, to transform
23 neighborhoods of poverty into functioning, sus-
24 tainable mixed-income neighborhoods.

1 (D) \$750,000,000 shall be for the costs to
2 the Secretary of administering and overseeing
3 the implementation of this section and the Pub-
4 lic Housing Capital Fund and the section 24
5 grant program generally, including information
6 technology, financial reporting, research and
7 evaluation, cross-program costs in support of
8 programs administered by the Secretary in this
9 title, and other costs; the Secretary may trans-
10 fer and merge amounts set aside under this
11 subparagraph to section 40301.

12 (3) RECAPTURE.—If the Secretary recaptures
13 funding allocated by formula from a public housing
14 agency, such recaptured amounts shall be added to
15 the amounts available under paragraph (2)(B).

16 (b) SECTION 24 GRANTS.—Grants awarded under
17 subsection (a)(2)(C) shall be subject to terms and condi-
18 tions determined by the Secretary, which shall include the
19 following:

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

1 (2) APPLICANTS.—Eligible recipients of grants
2 shall include lead applicants and joint applicants, as
3 follows:

4 (A) LEAD APPLICANTS.—A lead applicant
5 shall be a local government or a public housing
6 agency.

7 (B) JOINT APPLICANTS.—A nonprofit or-
8 ganization or a for-profit developer may apply
9 jointly as a joint applicant with such public en-
10 tities specified in clause (i).

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

17 (4) ENVIRONMENTAL REVIEW.—For purposes
18 of environmental review, a grantee shall be treated
19 as a public housing agency under section 26 of the
20 United States Housing Act of 1937 (42 U.S.C.
21 1437x) and grants from amounts made available
22 under this heading shall be subject to the regula-
23 tions issued by the Secretary to implement such sec-
24 tion.

1 (5) PARTNERSHIPS.—Grantees shall create
2 partnerships with other local organizations, included
3 assisted housing owners, service agencies, and resi-
4 dent organizations.

5 (6) UNOBLIGATED BALANCES.—The Secretary
6 may, until September 30, 2031, obligate any avail-
7 able unobligated balances made available in this Act.

8 (7) LOW-INCOME HOUSING.—Amounts made
9 available under this section shall be used for low-in-
10 come housing and other affordable housing.

11 (c) TIMING.—

12 (1) IN GENERAL.—The Secretary shall obligate
13 amounts—

14 (A) made available under subsection
15 (a)(2)(A) within 60 days of the date of the en-
16 actment of this Act; and

17 (B) made available under subsection
18 (a)(2)(B) within 48 months of such date of en-
19 actment, one-third of which shall be obligated
20 within 18 months of such date of enactment.

21 (2) ALTERNATIVE DEADLINES.—The Secretary
22 shall establish, by notice, alternative deadlines to
23 those established in section 9(j) of the United States
24 Housing Act of 1937 (42 U.S.C. 1437g(j)) to pro-
25 vide public housing agencies reasonable periods of

1 time to obligate and expend funds authorized under
2 subparagraphs (A) and (B) of subsection (a)(2) of
3 this section.

4 (3) RECAPTURED FUNDS.—The Secretary shall
5 obligate any recaptured funds added to available pri-
6 ority investments pursuant to subsection (a)(3) prior
7 to the expiration of such funds.

8 (d) TERMS AND CONDITIONS.—

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

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

16 (3) HEALTH AND SAFETY.—In using amounts
17 made available under this section, grantees shall ad-
18 dress health, safety, and environmental hazards, in-
19 cluding lead, fire, carbon monoxide, mold, asbestos,
20 radon, pest infestation, and other hazards as defined
21 by the Secretary.

22 (4) ONE-FOR-ONE REPLACEMENT.—In using
23 amounts made available under this section, grantees
24 shall be required to replace each residential unit of
25 public housing that is demolished or disposed of with

1 a newly constructed, rehabilitated, or acquired public
2 housing unit or with a newly constructed, rehabili-
3 tated or acquired unit (including through project-
4 based assistance) that is subject to requirements re-
5 garding eligibility for occupancy, tenant contribution
6 toward rent, and long-term affordability restrictions
7 that are consistent with requirements for public
8 housing dwelling units under section (9)(d)(3) of the
9 United States Housing Act of 1937 (42 U.S.C.
10 1437g(d)(3)). The Secretary may issue guidance on
11 non-residential units used for non-residential pur-
12 poses including management offices, resident serv-
13 ices, and resident council spaces.

14 (e) SUPPLEMENTATION OF FUNDS.—The Secretary
15 shall ensure that amounts provided pursuant to this sec-
16 tion shall serve to supplement and not supplant other
17 amounts generated by a recipient of such amounts or
18 amounts provided by other Federal, State, or local
19 sources.

20 (f) WAIVERS AND ALTERNATIVE REQUIREMENTS.—
21 The Secretary may waive or specify alternative require-
22 ments for subsections (d)(1), (d)(2), (e), and (j) of section
23 9 of the United States Housing Act of 1937 (42 U.S.C.
24 1437g) and associated regulations in connection with the
25 use of amounts made available under this section other

1 than requirements related to fair housing, nondiscrimina-
2 tion, labor standards, and the environment, upon a finding
3 that the waiver or alternative requirement is necessary to
4 facilitate the use of amounts made available under this
5 section.

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

8 (a) APPROPRIATION.—In addition to amounts other-
9 wise made available, there is appropriated to the Secretary
10 of Housing and Urban Development (in this section re-
11 ferred to as the “Secretary”) for fiscal year 2022, out of
12 any money in the Treasury not otherwise appropriated,
13 \$72,000,000,000, to remain available until September 30,
14 2031, for activities and assistance for the HOME Invest-
15 ment Partnerships Program (in this section referred to as
16 the “HOME program”), as authorized under title II of
17 the Cranston-Gonzalez National Affordable Housing Act
18 (42 U.S.C. 12721 et seq.) (in this section referred to as
19 “NAA”), which shall be made available as follows:

20 (1) RESERVATION OF FUNDS.—Of the amounts
21 provided in this subsection, the Secretary shall set
22 aside the following amounts:

23 (A) STATES AND INSULAR AREAS.—The
24 Secretary shall set aside not less than
25 \$37,000,000,000 for grantees that are States

1 and insular areas and that the Secretary has
2 not found to be out of compliance with the obli-
3 gation to affirmatively further fair housing,
4 subject to the following terms and conditions:

5 (i) HOUSING TRUST FUND FORMULA
6 FOR SET-ASIDE.—The Secretary shall allo-
7 cate amounts made available under this
8 subparagraph pursuant to the formula
9 specified in section 1338(c)(3) of the Fed-
10 eral Housing Enterprises Financial Safety
11 and Soundness Act of 1992 (12 U.S.C.
12 4568(c)(3)) to grantees that received
13 Housing Trust Fund allocations pursuant
14 to that same formula in fiscal year 2021
15 and shall make such allocations within 60
16 days of the date of the enactment of this
17 Act.

18 (ii) HOUSING TRUST FUND ELIGIBLE
19 ACTIVITIES FOR SET-ASIDE.—Other than
20 as provided in paragraph (5) of this sub-
21 section, funds made available in this sub-
22 paragraph may only be used for eligible ac-
23 tivities described in subparagraphs (A)
24 through (B)(i) of section 1338(c)(7) of the
25 Federal Housing Enterprises Financial

1 Safety and Soundness Act of 1992 (12
2 U.S.C. 4568(c)(7)), except that not more
3 than 10 percent of funds made available
4 may be used for activities under such sub-
5 paragraph (B)(i).

6 (B) TECHNICAL ASSISTANCE.—The Sec-
7 retary shall set aside up to \$50,000,000 to
8 make new awards or increase prior awards to
9 existing technical assistance providers, except
10 that increases to prior awards do not exceed 10
11 percent of the amount made available under
12 this subparagraph, to provide an increase in ca-
13 pacity building and technical assistance avail-
14 able to any grantees implementing activities or
15 projects consistent with this section, except that
16 the Secretary may use not more than 10 per-
17 cent of the amount made available under this
18 subparagraph to increase prior awards to exist-
19 ing technical assistance providers to provide an
20 immediate increase in capacity building and
21 technical assistance.

22 (C) ADMINISTRATIVE COSTS.—The Sec-
23 retary shall set aside up to \$300,000,000 for
24 the costs to the Secretary of administering and
25 overseeing the implementation of this section

1 and the HOME and Housing Trust Fund pro-
2 grams generally, including information tech-
3 nology, financial reporting, research and evalua-
4 tions, other cross-program costs in support of
5 programs administered by the Secretary [in
6 this Act], and other costs. The Secretary may
7 transfer and merge amounts set aside under
8 this paragraph to section 40301.

9 (2) FUNDING RESTRICTIONS.—The commit-
10 ment requirements in section 218(g) (42 U.S.C.
11 12748(g)) of NAA, the matching requirements in
12 section 220 (42 U.S.C. 12750) of NAA, and the set-
13 aside for housing developed, sponsored, or owned by
14 community housing development organizations re-
15 quired in section 231 of NAA (42 U.S.C. 12771)
16 shall not apply for amounts made available under
17 this section.

18 (3) FORMULA ALLOCATION.—Of the amounts
19 provided in this subsection, the Secretary shall allo-
20 cate up to \$25,000,000,000 pursuant to section 217
21 of NAA (42 U.S.C. 12747) to grantees that received
22 allocations pursuant to that same formula in fiscal
23 year 2021.

24 (4) REALLOCATION.—The Secretary may recap-
25 ture certain amounts remaining available to a grant-

1 ee under this section and reallocate such amounts to
2 other grantees to ensure fund expenditure and geo-
3 graphic diversity.

4 (5) ADMINISTRATION.— Notwithstanding sub-
5 sections (c) and (d)(1) of section 212 of NAA (42
6 U.S.C. 12742), eligible grantees may use not more
7 than 15 percent of their allocations under para-
8 graphs (2) and (3) of subsection (a) of this section
9 for administrative and planning costs.

10 (b) WAIVERS.—The Secretary may waive or specify
11 alternative requirements for any provision of NAA (42
12 U.S.C. 12701 et seq.) or regulation for the administration
13 of the amounts made available under this section other
14 than requirements related to fair housing, nondiscrimina-
15 tion, labor standards, and the environment, upon a finding
16 that the waiver or alternative requirement is necessary to
17 expedite or facilitate the use of amounts made available
18 under this section.

19 (c) IMPLEMENTATION.—The Secretary shall have au-
20 thority to issue such regulations or other guidance, forms,
21 instructions, and publications as may be necessary or ap-
22 propriate to carry out the programs, projects, or activities
23 authorized under this section, including to ensure that
24 such programs, projects, or activities are completed in a

1 timely and effective manner. The Secretary may imple-
2 ment the provisions of this section by notice.

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

4 (a) ESTABLISHMENT.—There is established in the
5 Treasury of the United States a trust fund to be known
6 as the Housing Investment Fund, which shall be a special
7 account within the Community Development Financial In-
8 stitutions Fund (in this section referred to as the “CDFI
9 Fund”). Housing supported through these funds shall to
10 the extent possible—

11 (1) increase the affordability and quality of
12 housing in a geographical area;

13 (2) improve the energy efficiency and resiliency
14 of affordable, accessible housing;

15 (3) enhance economic opportunities and lower
16 transit costs for residents by locating affordable
17 housing within proximity to transit or centers of em-
18 ployment and education;

19 (4) match the creation of housing supply to ex-
20 isting demand and projected demand growth in the
21 area, to the benefit of existing residents and with at-
22 tention to preventing displacement of residents; and

23 (5) further fair housing purposes by not perpet-
24 uating historic patterns of disinvestment, the con-
25 centration of poverty, and housing segregation on

1 the basis of race, color, religion, natural origin, sex,
2 disability, or familial status.

3 (b) APPROPRIATION.—

4 (1) IN GENERAL.—In addition to amounts oth-
5 erwise available, there is appropriated to the Hous-
6 ing Investment Fund for fiscal year 2022, out of any
7 money in the Treasury not otherwise appropriated,
8 \$9,640,000,000, to remain available until September
9 30, 2031.

10 (2) RESERVATION OF FUNDS.—Of the amounts
11 made available under this section \$360,000,000
12 shall be for the costs to the CDFI Fund of admin-
13 istering and overseeing the implementation of this
14 section, including information technology, financial
15 reporting, research and evaluations, fair housing
16 compliance, and other costs.

17 (c) EXPENDITURES FROM TRUST FUND.—Amounts
18 in the Housing Investment Fund shall be available to the
19 CDFI Fund to make grants to increase investment in the
20 development, preservation, rehabilitation, financing, or
21 purchase of affordable, accessible housing primarily for
22 low-, very low-, and extremely low- income families. The
23 CDFI Fund may impose such conditions as it deems nec-
24 essary to achieve the program goals, including coordi-

1 nating with the Secretary of Housing and Urban Develop-
2 ment to affirmatively further fair housing.

3 (d) ELIGIBLE GRANTEES.—A grant under this sec-
4 tion may be made, pursuant to such requirements as the
5 CDFI Fund shall establish for experience and success in
6 carrying out the types of activities proposed under the ap-
7 plication of the grantee, only to—

8 (1) a CDFI Fund certified community develop-
9 ment financial institution, as such term is defined in
10 section 103 of the Riegle Community Development
11 and Regulatory Improvement Act of 1994 (12
12 U.S.C. 4702) that is not found to be out of compli-
13 ance with the obligation to affirmatively further fair
14 housing;

15 (2) a nonprofit organization having as one of its
16 principal purposes the development of affordable
17 housing and that is not found to be out of compli-
18 ance with the obligation to affirmatively further fair
19 housing; or

20 (3) a consortium comprised of certified commu-
21 nity development financial institutions, eligible non-
22 profit housing organizations, or a combination of
23 both.

24 (e) ELIGIBLE USES.—Grant amounts awarded from
25 the Housing Investment Fund pursuant to this section

1 may be used for the purposes described in subsection (c),
2 including for the following uses:

3 (1) To provide loan loss reserves.

4 (2) To capitalize an acquisition fund to acquire
5 residential, industrial, or commercial property and
6 land for the purpose of the preservation, develop-
7 ment or rehabilitation of affordable, accessible hous-
8 ing, including to support the creation of resident-
9 owned manufactured housing communities.

10 (3) To capitalize an affordable housing fund,
11 which may provide financing of both affordable, ac-
12 cessible housing and economic development activities
13 including community facilities if part of a mixed use
14 project.

15 (4) To capitalize an affordable housing mort-
16 gage fund, including a fund to facilitate the origina-
17 tion of mortgages having an original principal obli-
18 gation of up to \$100,000.

19 (5) For risk-sharing loans.

20 (6) To provide loan guarantees.

21 (7) To fund rental housing operations.

22 (f) APPLICATIONS.—The CDFI Fund shall provide,
23 an application process, for eligible grantees under sub-
24 section (d) to submit applications for Housing Investment

1 Fund grants to the CDFI Fund at such time and in such
2 manner as the CDFI Fund shall determine.

3 (g) GRANT LIMITATION.—

4 (1) IN GENERAL.—The CDFI Fund shall estab-
5 lish limitations on aggregate funds available for an
6 eligible grantee and its subsidiaries and affiliates,
7 and eligible uses and activities as appropriate. The
8 CDFI Fund shall allocate up to \$1,200,000,000 of
9 the aggregate funds for the activities authorized in
10 subsection (e)(4).

11 (2) LEVERAGE OF FUNDS.—Each grant from
12 the Housing Investment Fund awarded under this
13 section shall be reasonably expected to result in eli-
14 gible affordable housing activities that support or
15 sustain affordable housing funded by a grant under
16 this section and capital from other public and pri-
17 vate sources.

18 (h) IMPLEMENTATION.—The Secretary shall have the
19 authority to issue such regulations or other guidance,
20 forms, instructions, and publications as may be necessary
21 or appropriate to carry out the programs, projects, or ac-
22 tivities authorized under this section, including to ensure
23 that such programs, projects, or activities are completed
24 in a timely and effective manner.

1 (i) AFFIRMATIVELY FURTHER FAIR HOUSING DE-
2 FINED.—The term “affirmatively further fair housing”
3 has the same meaning as defined by the Secretary to im-
4 plement section 808(e)(5) of the Fair Housing Act (42
5 U.S.C. 3608(e)(5)).

6 **SEC. 40004. SECTION 811 SUPPORTIVE HOUSING FOR PEO-**
7 **PLE WITH DISABILITIES.**

8 (a) APPROPRIATION.—In addition to amounts other-
9 wise available, there is appropriated to the Secretary of
10 Housing and Urban Development (in this section referred
11 to as the “Secretary”) for fiscal year 2022, out of any
12 money in the Treasury not otherwise appropriated,
13 \$1,000,000,000, to remain available until September 30,
14 2031, for capital advances, including amendments to cap-
15 ital advance contracts, for supportive housing for persons
16 with disabilities, as authorized by section 811 of the Cran-
17 ston-Gonzalez National Affordable Housing Act (42
18 U.S.C. 8013) (in this section referred to as the “Act”)
19 , and for project rental assistance for supportive housing
20 for persons with disabilities under section 811(d)(2) of the
21 Act and for project assistance contracts pursuant to sec-
22 tion 202(h) of the Housing Act of 1959 (Public Law 86–
23 372; 73 Stat. 667), for project rental assistance to State
24 housing finance agencies and other appropriate entities as

1 authorized under section 811(b)(3) of the Act, for State
2 housing finance agencies.

3 (b) RESERVATION OF FUNDS.—Of the amount ap-
4 propriated under subsection (a), the Secretary shall re-
5 serve the following amounts:

6 (1) TECHNICAL ASSISTANCE.—The Secretary
7 may use up to \$15,000,000 of such amounts to pro-
8 vide technical assistance to support State-level ef-
9 forts to integrate housing assistance and voluntary
10 supportive services for residents of housing receiving
11 such assistance. Such funding may also be used to
12 provide technical assistance to applicants and poten-
13 tial applicants to understand program requirements
14 and develop effective applications. The Secretary
15 may use up to 10 percent of such amounts without
16 competition for cooperative agreements or to in-
17 crease existing contracts to provide technical assist-
18 ance to applicants and potential applicants.

19 (2) ADMINISTRATIVE COSTS.—The Secretary
20 may use up to \$87,000,000 of such amounts for the
21 costs to the Secretary of administering and over-
22 seeing the implementation of this section and the
23 Supportive Housing for Persons with Disabilities
24 program generally, including information technology,
25 financial reporting, other cross-program costs in

1 support of programs administered by the Secretary
2 in this Act, and other costs.

3 (c) WAIVERS.—The Secretary may waive or specify
4 alternative requirements for any provision of section
5 811(b)(3) of the Act (42 U.S.C. 8013(b)(3)), or regulation
6 that the Secretary administers that is applicable to such
7 statute other than requirements related to fair housing,
8 nondiscrimination, labor standards, and the environment,
9 upon a finding that the waiver or alternative requirement
10 is necessary to facilitate the use of amounts made avail-
11 able under this section.

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

14 (a) APPROPRIATION.—In addition to amounts other-
15 wise available, there is appropriated to the Secretary of
16 Housing and Urban Development (in this section referred
17 to as the “Secretary”) for fiscal year 2022, out of any
18 money in the Treasury not otherwise appropriated,
19 \$2,500,000,000, to remain available until September 30,
20 2031, for the Supportive Housing for the Elderly Program
21 authorized under section 202 of the Housing Act of 1959
22 (12 U.S.C. 1701q) (in this section referred to as the
23 “Act”), which shall be used—

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

4 (2) for section 8 project-based rental assistance
5 contracts in accordance with subsection (b) of this
6 section and section 8 of the United States Housing
7 Act of 1937 (42 U.S.C. 1437f), (in this section re-
8 ferred to as the “1937 Act”) for capital advance
9 projects, including new project-based rental assist-
10 ance contracts under section 8 of the 1937 Act for
11 capital advance projects notwithstanding subsections
12 (b) and (c) of section 202 of the Act (12 U.S.C.
13 1701q) and section 8 of the 1937 Act (42 U.S.C.
14 1437f), with the Secretary setting the terms of such
15 project-based rental assistance contracts, including
16 the duration and provisions regarding rent setting
17 and rent adjustment;

18 (3) for service coordinators;

19 (4) in an amount up to \$15,000,000, for to
20 provide technical assistance to support State-level ef-
21 forts to improve the design and delivery of voluntary
22 supportive services for residents of any housing as-
23 sisted under the Act and other housing supporting
24 low-income older adults, in order to support resi-
25 dents to age-in-place and avoid institutional care, as

1 well as to assist applicants and potential applicants
2 with project-specific design; the Secretary may use
3 up to 10 percent of such amounts without competi-
4 tion for cooperative agreements or to increase exist-
5 ing contracts to provide technical assistance to appli-
6 cants and potential applicants; and

7 (5) in an amount up to \$125,000,000, for the
8 costs to the Secretary of administering and over-
9 seeing the implementation of this section and the
10 Supportive Housing for the Elderly program gen-
11 erally, including information technology, financial re-
12 porting, other cross-program costs in support of pro-
13 grams administered by the Secretary in this Act,
14 and other costs.

15 (b) WAIVERS.—The Secretary may waive or specify
16 alternative requirements for any provision of section 202
17 of the Act (12 U.S.C. 1701q), section 8 of the 1937 Act
18 (42 U.S.C. 1437f), or regulation that the Secretary ad-
19 ministers that is applicable to such statutes other than
20 requirements related to fair housing, nondiscrimination,
21 labor standards, and the environment, upon a finding that
22 the waiver or alternative requirement is necessary to facili-
23 tate the use of amounts made available under this section.

24 (c) REGULATIONS.—The Secretary shall have author-
25 ity to issue such regulations or other guidance, forms, in-

1 instructions, and publications as may be necessary or appro-
2 priate to carry out the programs, projects, or activities au-
3 thorized under this section, including to ensure that such
4 programs, projects, or activities are completed in a timely
5 and effective manner.

6 **SEC. 40006. DIRECT LOANS AND GRANTS FOR ENERGY OR**
7 **WATER EFFICIENCY OR CLIMATE RESIL-**
8 **IENCE OF AFFORDABLE HOUSING.**

9 (a) APPROPRIATION.—

10 (1) IN GENERAL.—In addition to amounts oth-
11 erwise available, there is appropriated to the Sec-
12 retary of Housing and Urban Development (in this
13 section referred to as the “Secretary”) for fiscal
14 year 2022, out of any money in the Treasury not
15 otherwise appropriated, \$6,000,000,000, to remain
16 available until September 30, 2031, for the purposes
17 of providing direct loans, grants, and direct loans
18 that can be converted into grants, subject to terms
19 and conditions, including affordability requirements,
20 determined by the Secretary, to fund projects that
21 improve the energy or water efficiency, implement
22 green features, including clean energy generation or
23 building electrification, electric car charging station
24 installations, or address climate resilience of multi-
25 family properties.

1 (2) RESERVATION OF FUNDS.—Of the amount
2 appropriated under paragraph (1), the Secretary
3 shall reserve—

4 (A) up to \$76,000,000 for the costs to the
5 Secretary of administering and overseeing the
6 implementation of this section, including infor-
7 mation technology, financial reporting, other
8 cross-program costs in support of programs ad-
9 ministered by the Secretary in this Act, and
10 other costs;

11 (B) up to \$360,000,000 for expenses of
12 contracts administered by the Secretary, includ-
13 ing to carry out property climate risk, energy,
14 or water assessments, due diligence, and under-
15 writing functions for such grant and direct loan
16 program; and

17 (C) up to \$250,000,000 for energy and
18 water benchmarking of properties eligible to re-
19 ceive grants or loans under this section, regard-
20 less of whether they actually received such
21 grants, along with associated data analysis and
22 evaluation at the property and portfolio level,
23 including the development of information tech-
24 nology systems necessary for the collection,
25 evaluation, and analysis of such data.

1 (b) ELIGIBLE RECIPIENTS.—Amounts made avail-
2 able under this section shall be for direct loans, grants,
3 and direct loans that can be converted to grants to prop-
4 erties receiving project-based assistance pursuant to sec-
5 tion 202 of the Housing Act of 1959 (12 U.S.C. 1701q),
6 section 811 of the Cranston-Gonzalez National Affordable
7 Housing Act (42 U.S.C. 8013), or section 8(b) of the
8 United States Housing Act of 1937 (42 U.S.C. 1437f(b)).

9 (c) COSTS.—The costs of direct loans provided under
10 this section, including the cost of modifying such direct
11 loans or converting direct loans into grants, shall be as
12 defined in section 502 of the Congressional Budget Act
13 of 1974 (2 U.S.C. 661a).

14 (d) WAIVER.—The Secretary may waive or specify al-
15 ternative requirements for any provision of section 202 of
16 the Housing Act of 1959 (12 U.S.C. 1701q), section 811
17 of the Cranston-Gonzalez National Affordable Housing
18 Act (42 U.S.C. 8013), section 8 of the United States
19 Housing Act of 1937 (42 U.S.C. 1437f), or any regulation
20 applicable to such statutes other than requirements re-
21 lated to fair housing, nondiscrimination, labor standards,
22 and the environment, upon a finding that the waiver or
23 alternative requirement is necessary to facilitate the use
24 of such amounts.

1 **SEC. 40007. REVITALIZATION OF DISTRESSED MULTI-**
2 **FAMILY PROPERTIES.**

3 (a) APPROPRIATION.—In addition to amounts other-
4 wise available, there is appropriated to the Secretary of
5 Housing and Urban Development for fiscal year 2022, out
6 of any money in the Treasury not otherwise appropriated,
7 \$4,000,000,000, to remain available until September 30,
8 2031, for the purposes of providing direct loans, which
9 may be forgivable, to owners of distressed properties for
10 the purpose of making necessary physical improvements.
11 Such funds shall be available to subsidize gross obligations
12 for the principal amount of direct loans not to exceed
13 \$6,000,000,000. The costs of direct loans provided under
14 this section, including the cost of modifying such direct
15 loans, shall be as defined in section 502 of the Congres-
16 sional Budget Act of 1974 (2 U.S.C. 661a).

17 (b) RESERVATION OF FUNDS.—Of the amount ap-
18 propriated under subsection (a), the Secretary shall re-
19 serve up to \$130,000,000 for the costs to the Secretary
20 of administering and overseeing the implementation of this
21 section and the Office of Housing programs generally, in-
22 cluding information technology, financial reporting, re-
23 search and evaluations, other cross-program costs in sup-
24 port of programs administered by the Secretary in this
25 Act, and other costs. The Secretary may transfer and

1 merge amounts set aside under this subsection to section
2 40301.

3 (c) ELIGIBILITY.—Owners of distressed properties
4 who meet each of the following requirements shall be eligi-
5 ble for loan assistance under this section:

6 (1) The actual rents received by the owner of
7 the distressed property would not adequately sustain
8 the debt needed to make necessary physical improve-
9 ments.

10 (2) Any such additional eligibility criteria as the
11 Secretary determines to be appropriate, including
12 factors that contributed to the property's distressed
13 state.

14 (d) LOAN TERMS AND CONDITIONS.—

15 (1) USE OF LOAN FUNDS.—Each recipient of
16 loan assistance under this section may only use such
17 loan assistance to make necessary physical improve-
18 ments to a distressed property.

19 (2) LOAN AVAILABILITY.—The Secretary shall
20 only provide loan assistance to an owner of a dis-
21 tressed property when such assistance, considered
22 with other financial resources available to the owner,
23 is necessary to remove the property from a dis-
24 tressed state. The Secretary may provide assistance
25 in any amount that the Secretary determines is

1 needed to make the necessary physical improvements
2 that will correct the deficiencies of the distressed
3 property.

4 (3) INTEREST RATES AND LENGTH.—Loans
5 provided under this section shall bear interest at 1
6 percent, and at origination shall have a repayment
7 period coterminous with the affordability period es-
8 tablished under paragraph (5), with the frequency
9 and amount of repayments to be determined by re-
10 quirements established by the Secretary.

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

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

18 (B) Consent to the terms of new owner
19 debt to which the loans may be subordinate,
20 even if such new debt would impact the rate of
21 repayment of the loans.

22 (C) Extend the term of the loan.

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

24 (5) EXTENDED AFFORDABILITY PERIOD.—Each
25 recipient of loan assistance under this section shall

1 agree to an extended affordability period for the
2 property that is subject to the loan by extending any
3 existing affordable housing use agreements for an
4 additional 30 years or, if the property is not cur-
5 rently subject to a use agreement establishing af-
6 fordability requirements, by establishing a use agree-
7 ment for 30 years.

8 (6) MATCHING CONTRIBUTION.—Each recipient
9 of loan assistance under this section shall secure at
10 least 20 percent of the total cost needed to make the
11 necessary physical improvements from non-Federal
12 sources other than under this section, except in
13 cases where the Secretary determines that a lack of
14 financial resources qualifies a loan recipient for—

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

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

19 (7) ADDITIONAL LOAN CONDITIONS.—The Sec-
20 retary may establish additional conditions for loan
21 eligibility provided under this section as the Sec-
22 retary determines to be appropriate.

23 (8) PROPERTIES INSURED UNDER NATIONAL
24 HOUSING ACT.—In the case of a loan issued under
25 this section that is secured by a property with insur-

1 ance under title II of the National Housing Act (12
2 U.S.C. 1707 et seq.), the Secretary may use funds
3 available under this section as necessary to pay for
4 the costs of modifying such loan in accordance with
5 section 502 of the Congressional Budget Act of
6 1974 (2 U.S.C. 661a).

7 (e) DEFINITIONS.—As used in this section—

8 (1) the term “multifamily housing project”
9 means a project consisting of more than four dwell-
10 ing units assisted, insured, or with a loan held by
11 the Secretary or a State or State agency in part or
12 in whole pursuant to—

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

16 (B) section 202 of the Housing Act of
17 1959 (12 U.S.C. 1701q), as amended by section
18 801 of the Cranston-Gonzalez National Afford-
19 able Housing Act;

20 (C) section 202 of the Housing Act of
21 1959 (former 12 U.S.C. 1701q), as such section
22 existed before the enactment of the Cranston-
23 Gonzalez National Affordable Housing Act;

1 (D) section 811 of the Cranston-Gonzalez
2 National Affordable Housing Act (42 U.S.C.
3 8013); or

4 (E) section 236 of the National Housing
5 Act (12 U.S.C. 1715z-1);

6 (2) the term “distressed property” means a
7 multifamily housing project that has deficiencies
8 that cause the property to be at risk of physical ob-
9 solescence or economic non-viability;

10 (3) the term “Secretary” means the Secretary
11 of Housing and Urban Development; and

12 (4) the term “necessary physical improve-
13 ments” means improvements that the Secretary de-
14 termines are necessary to address the conditions
15 making a property a distressed property or that rise
16 to such a level that delaying physical improvements
17 to the property would be detrimental to the longevity
18 of the property as suitable housing for occupancy.

19 (f) REGULATIONS.—The Secretary shall have the au-
20 thority to issue such regulations or other guidance, forms,
21 instructions, and publications as may be necessary or ap-
22 propriate to carry out the programs, projects, or activities
23 authorized under this section, including to ensure that
24 such programs, projects, or activities are completed in a
25 timely and effective manner.

1 **SEC. 40008. USDA MULTIFAMILY HOUSING PRESERVATION**
2 **AND DEVELOPMENT.**

3 (a) APPROPRIATION.—

4 (1) IN GENERAL.—In addition to amounts oth-
5 erwise available, there is appropriated to the Sec-
6 retary of Agriculture (in this section referred to as
7 the “Secretary”) for fiscal year 2022, out of any
8 money in the Treasury not otherwise appropriated,
9 \$5,000,000,000, to remain available until expended,
10 for carrying out new construction and the preserva-
11 tion and revitalization of housing authorized under
12 sections 514, 515, and 516 of the Housing Act of
13 1949 (42 U.S.C. 1484, 1485, and 1486)).

14 (2) RESERVATION OF FUNDS.—Of the amount
15 appropriated under paragraph (1), the Secretary
16 shall reserve up to \$250,000,000 for the costs to the
17 Secretary of administering and overseeing the imple-
18 mentation of this section, including information
19 technology, financial reporting, research and evalua-
20 tions, other cross-program costs in support of pro-
21 grams administered by the Secretary in this Act,
22 and other costs.

23 (b) PRESERVATION AND REVITALIZATION TERMS
24 AND CONDITIONS.—

25 (1) LOANS AND GRANTS AND OTHER ASSIST-
26 ANCE.—The Secretary shall provide direct loans and

1 grants, including the cost of modifying loans, as de-
2 fined in section 502 of the Congressional Budget Act
3 of 1974 (2 U.S.C. 661a), to restructure existing De-
4 partment of Agriculture multi-family housing loans
5 expressly for the purposes of ensuring the project
6 has sufficient resources to preserve the project for
7 the purpose of providing safe and affordable housing
8 for low-income residents and farm laborers, includ-
9 ing—

10 (A) reducing or eliminating interest;

11 (B) deferring loan payments;

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

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

20 (2) RESTRICTIVE USE AGREEMENT.—The Sec-
21 retary shall as part of the preservation and revital-
22 ization agreement obtain a restrictive use agreement
23 consistent with the terms of the restructuring.

1 **SEC. 40009. USDA SECTION 504 HOME REPAIR.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—In addi-
3 tion to amounts otherwise available, there is appropriated
4 to the Secretary of Agriculture (in this section referred
5 to as the “Secretary”), out of any money in the Treasury
6 not otherwise appropriated, \$100,000,000, to remain
7 available until expended, for providing single family hous-
8 ing repair grants under section 504 of the Housing Act
9 of 1949 (42 U.S.C. 1474), except that eligibility for such
10 grants shall not be subject to the limitations in section
11 3550.103(b) of title 7, Code of Federal Regulations.

12 (b) ELIGIBLE USES.—Notwithstanding the limita-
13 tions in section 3550.102(a) of title 7, Code of Federal
14 Regulations, grants provided with amounts made available
15 by subsection (a) shall be available for the eligible pur-
16 poses in section 3550.102(b) of title 7, Code of Federal
17 Regulations.

18 (c) ADMINISTRATIVE EXPENSES.—In addition to any
19 other available funds, the Secretary may use not more
20 than 5 percent of the funds made available under sub-
21 section (a) for all administrative expenses of the Secretary
22 that in whole or in part support activities funded by this
23 section and related activities.

24 **SEC. 40010. HOUSING VOUCHERS.**

25 (a) APPROPRIATION.—In addition to amounts other-
26 wise available, there is appropriated to the Secretary of

1 Housing and Urban Development (in this section referred
2 to as the “Secretary”) for fiscal year 2022, out of any
3 money in the Treasury not otherwise appropriated,
4 \$75,000,000,000, to remain available until September 30,
5 2031, for—

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

10 (2) up to \$25,000,000,000 for incremental ten-
11 ant-based rental assistance for households experi-
12 encing or at risk of homelessness, survivors of do-
13 mestic violence, and victims of trafficking;

14 (3) renewals of tenant-based rental assistance
15 provided under paragraphs (1), (2) and (7);

16 (4) fees for the costs of administering tenant-
17 based rental assistance and other eligible expenses,
18 as determined by the Secretary, such as security de-
19 posit assistance and other costs related to the reten-
20 tion and support of participating owners;

21 (5) other eligible expenses to facilitate the use
22 of voucher assistance under this section and for
23 other voucher assistance under section 8(o) of the
24 United States Housing Act of 1937, as determined
25 by the Secretary, including property owner outreach

1 and retention activities such as incentive payments,
2 security deposit payments and loss reserves, landlord
3 liaisons, and other uses of funds designed pri-
4 marily—

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

9 (B) to encourage owners that enter into
10 housing assistance payment contracts as de-
11 scribed in subparagraph (A) to continue to
12 lease their dwelling units to tenants assisted
13 under section 8(o) of the United States Hous-
14 ing Act of 1937;

15 (6) up to \$500,000,000 for competitive grants,
16 subject to terms and conditions determined by the
17 Secretary, to public housing agencies for mobility-re-
18 lated services for voucher families with children and
19 service coordination;

20 (7) up to \$500,000,000 for tenant protection
21 vouchers for relocation and replacement of public
22 housing units demolished or disposed of pursuant to
23 section 18 of the United States Housing Act of 1937
24 (42 U.S.C. 1437p) as part of a public housing pres-

1 ervation or project-based replacement transaction
2 using funds made available under this Act;

3 (8) up to \$750,000,000 for the costs to the
4 Secretary of administering and overseeing the imple-
5 mentation of this section and the Housing Choice
6 Voucher program generally, including information
7 technology, financial reporting, research and evalua-
8 tions, other cross-program costs in support of pro-
9 grams administered by the Secretary **[in this Act]**,
10 and other costs. The Secretary may transfer and
11 merge amounts set aside under this paragraph to
12 section 40301; and

13 (9) up to \$40,000,000 for making new awards
14 or increasing prior awards to existing technical as-
15 sistance providers to provide an increase in capacity
16 building and technical assistance available to public
17 housing agencies, except that the Secretary may use
18 not more than 10 percent of the amount made avail-
19 able under this paragraph to increase prior awards
20 to existing technical assistance providers to provide
21 an immediate increase in capacity building and tech-
22 nical assistance.

23 (b) TERMS AND CONDITIONS.—

24 (1) ALLOCATION.—The Secretary shall allocate
25 initial incremental assistance provided under sub-

1 section (a)(1) and (2) in each fiscal year com-
2 mencing in 2022 and ending in year 2026 in accord-
3 ance with a formula that includes measures of severe
4 housing need among extremely low-income renters
5 and public housing agency capacity, and ensures ge-
6 ographic diversity among public housing agencies ad-
7 ministering the Housing Choice Voucher program.

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

12 (3) FAILURE TO USE VOUCHERS PROMPTLY.—
13 If a public housing agency fails to lease the author-
14 ized vouchers it has received under this subsection
15 on behalf of eligible families within a reasonable pe-
16 riod of time, as determined by the Secretary, the
17 Secretary may offset the agency's voucher renewal
18 allocations or revoke and redistribute any unleased
19 vouchers and associated funds, including administra-
20 tive fees and other expenses referred to in sub-
21 sections (a)(3) and (a)(4), to other public housing
22 agencies.

23 (4) PROHIBITION OF USE UNDER MOVING TO
24 WORK PROGRAM.— Public housing agencies des-
25 igned as Moving to Work agencies shall be eligible

1 for an allocation under this section, but may only
2 use such amounts for the activities listed in sub-
3 sections (a)(1) through (a)(9) for which the funds
4 were provided to such agency.

5 (5) CAP ON PROJECT-BASED VOUCHER FOR
6 VULNERABLE POPULATIONS.—Notwithstanding
7 paragraph (13) of section 8(o) of the United States
8 Housing Act of 1937 (42 U.S.C. 1437f(o)(13)), pub-
9 lic housing agencies may project-base an additional
10 20 percent of voucher assistance provided under this
11 Act to house individuals and families that meet the
12 definition of homeless under section 103 of the
13 McKinney-Vento Homeless Assistance Act (42
14 U.S.C. 11302), that house families with veterans,
15 that provide supportive housing to persons with dis-
16 abilities or elderly persons, or that are located in
17 areas where vouchers under this section are difficult
18 to use.

19 **SEC. 40011. PROJECT-BASED RENTAL ASSISTANCE.**

20 (a) APPROPRIATION.—

21 (1) IN GENERAL.—In addition to amounts oth-
22 erwise available, there is appropriated to the Sec-
23 retary of Housing and Urban Development (in this
24 section referred to as the “Secretary”) for fiscal
25 year 2022, out of any money in the Treasury not

1 otherwise appropriated, \$15,000,000,000, to remain
2 available until September 30, 2031, for the project-
3 based rental assistance program, as authorized
4 under section 8(b) of the United States Housing Act
5 of 1937 (42 U.S.C. 1437f(b)), (in this section re-
6 ferred to as the “Act”).

7 (2) RESERVATION OF FUNDS.—Of the amount
8 appropriated under paragraph (1), the Secretary
9 shall reserve—

10 (A) up to \$348,000,000 to provide tech-
11 nical assistance to recipients of or applicants
12 for project-based rental assistance or to States
13 allocating the project-based rental assistance;
14 and

15 (B) up to \$40,000,000 for costs to the
16 Secretary for administering and overseeing the
17 implementation of this section and the section
18 8 project-based rental assistance program gen-
19 erally, including information technology, finan-
20 cial reporting, other cross-program costs in sup-
21 port of programs administered by the Secretary
22 in this Act, and other costs.

23 (b) AUTHORITY.—Notwithstanding section 8(a) the
24 Act (42 U.S.C. 1437f(a)), the Secretary may use amounts
25 made available under this section to provide assistance

1 payments with respect to newly constructed housing, exist-
2 ing housing, or substantially rehabilitated non-housing
3 structures for use as multifamily housing in accordance
4 with this section and the provisions of section 8 of the
5 Act. In addition, the Secretary may use amounts made
6 available under this section for performance-based con-
7 tract administrators for section 8 project-based assistance,
8 for carrying out this section and section 8 of the Act.

9 (c) PROJECT-BASED RENTAL ASSISTANCE.—The
10 Secretary may make assistance payments pursuant to con-
11 tracts with owners or prospective owners who agree to con-
12 struct housing, to substantially rehabilitate existing hous-
13 ing, to substantially rehabilitate non-housing structures
14 for use as new multifamily housing, or to attach the assist-
15 ance to newly constructed housing in which some or all
16 of the units shall be available for occupancy by very low-
17 income families in accordance with the provisions of sec-
18 tion 8 of the Act. In awarding contracts pursuant to this
19 section, the Secretary shall give priority to owners or pro-
20 spective owners of multifamily housing projects located or
21 to be located in areas of high opportunity, as defined by
22 the Secretary, and multifamily housing projects that in-
23 clude units accessible to people with disabilities or that
24 serve people experiencing homelessness.

25 (d) ALLOCATION.—

1 (1) MECHANISMS FOR AWARD.—The Secretary
2 may use various mechanisms, alone or in combina-
3 tion, to award grants under this section, including—

4 (A) using a competitive process, which the
5 Secretary may carry out in multiple rounds of
6 competition, each of which may have its own se-
7 lection, performance, and reporting criteria as
8 established by the Secretary;

9 (B) selecting proposals submitted through
10 FHA loan applications that meet specified cri-
11 teria;

12 (C) delegating to States and territories the
13 awarding of contracts, including related deter-
14 minations such as the maximum monthly rent,
15 subject to the requirements of section 8 of the
16 Act, as determined by the Secretary; and

17 (D) using any other means that the Sec-
18 retary determines to be reasonable to accom-
19 plish the purposes of this section.

20 (2) LIHTC PROPORTION.—The Secretary shall
21 make best efforts to award project-based rental as-
22 sistance authority in proportion to each State’s an-
23 nual allocation of Low-Income Housing Tax Credit
24 authority under section 42 of title 26 of the United
25 States Code (26 U.S.C. 42). If project-based rental

1 assistance authority delegated to a State or territory
2 is unused, the Secretary may recapture any unused
3 project-based rental assistance authority and reallo-
4 cate such amounts to States and territories that
5 have allocated all of their contract authority under
6 this section.

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

11 (f) WAIVERS.—The Secretary may waive or specify
12 alternative requirements for any provision of section 8 of
13 the Act (42 U.S.C. 1437f) or regulation that the Secretary
14 administers that is applicable to such statute other than
15 requirements related to fair housing, nondiscrimination,
16 labor standards, and the environment, upon a finding that
17 the waiver or alternative requirement is necessary to expe-
18 dite or facilitate the use of amounts made available under
19 this section.

20 (g) REGULATIONS.—The Secretary shall have the au-
21 thority to issue such regulations or other guidance, forms,
22 instructions, and publications as may be necessary or ap-
23 propriate to carry out the programs, projects, or activities
24 authorized under this section, including to ensure that

1 such programs, projects, or activities are completed in a
2 timely and effective manner.

3 **SEC. 40012. INDIAN HOUSING AND COMMUNITY DEVELOP-**
4 **MENT.**

5 (a) APPROPRIATION.—In addition to amounts other-
6 wise available, there is appropriated to the Secretary of
7 Housing and Urban Development (in this section referred
8 to as the “Secretary”) for fiscal year 2022, out of any
9 money in the Treasury not otherwise appropriated,
10 \$2,000,000,000, to remain available until September 30,
11 2031, for activities and assistance authorized under title
12 I of the Native American Housing Assistance and Self-
13 Determination Act of 1996 (in this section referred to as
14 “NAHASDA”) (25 U.S.C. 4101 et seq.) and under sec-
15 tion 106(a)(1) of the Housing and Community Develop-
16 ment Act of 1974 with respect to Indian tribes (42 U.S.C.
17 5306(a)(1)), which shall be made available as follows:

18 (1) NATIVE AMERICAN HOUSING BLOCK
19 GRANTS.—Up to \$1,650,000,000 shall be for the
20 Native American Housing Block Grants program, as
21 authorized under title I of NAHASDA, including
22 preliminary grants under subsection (c) and other
23 costs under subsection (d), subject to the following
24 terms and conditions:

1 (A) FORMULA GRANTS AND NATIVE HA-
2 WAIAN HOUSING BLOCK GRANTS.—

3 (i) Of the amounts made available
4 under this paragraph, up to \$750,000,000
5 shall be for grants under title I of
6 NAHASDA, and the Secretary shall dis-
7 tribute such amount according to the same
8 funding formula used in fiscal year 2021.

9 (ii) Of the amounts made available
10 under clause (i), \$7,000,000 shall be for
11 grants under title VIII of NAHASDA (25
12 U.S.C. 4221 et seq.).

13 (iii) Amounts made available under
14 this subparagraph that are not accepted
15 within a time specified by the Secretary,
16 are voluntarily returned, or are otherwise
17 recaptured for any reason may be used to
18 fund grants under subparagraph (B) of
19 this paragraph or under paragraph (2).

20 (B) COMPETITIVE GRANTS.—Of the
21 amounts made available under this paragraph,
22 not less than \$900,000,000 shall be for com-
23 petitive grants to eligible recipients authorized
24 under title I of NAHASDA, preliminary grants
25 under subsection (c), and other costs under

1 subsection (d). In awarding amounts for com-
2 petitive grants under this subparagraph, the
3 Secretary shall consider need and administra-
4 tive capacity, and shall give priority to projects
5 that will—

6 (i) spur new construction and rehabili-
7 tation; and

8 (ii) improve water or energy efficiency
9 or increase resilience to natural hazards
10 for housing assisted by amounts made
11 available under this subsection.

12 (2) INDIAN COMMUNITY DEVELOPMENT BLOCK
13 GRANTS.—Up to \$350,000,000 shall be available for
14 grants under title I of the Housing and Community
15 Development Act of 1974 (42 U.S.C. 5301 et seq.),
16 including preliminary grants under subsection (c),
17 subject to the following terms and conditions:

18 (A) IMMINENT THREAT GRANTS.—Of the
19 amounts made available under this paragraph,
20 the Secretary may use up to \$200,000,000 for
21 grants, which the Secretary, in consultation
22 with the Department of the Interior, may
23 award, with or without competition, to—

24 (i) address environmental threats, in-
25 cluding long-term environmental threats;

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

4 (iii) assist Indian tribes with address-
5 ing other threats to health and safety.

6 (B) PLANNING.—A grantee may use up to
7 20 percent of its grant awarded under this
8 paragraph for planning, management develop-
9 ment, and administration.

10 (C) OTHER APPLICANTS.—An Indian tribe
11 may designate a Tribal organization, govern-
12 mental entity, or a nonprofit organization to
13 apply for a grant under subparagraph (A) on
14 its behalf. Prior to making a grant, the Sec-
15 retary shall ensure that such entity has admin-
16 istrative capacity to carry out the grant.

17 (b) GRANTEE ELIGIBILITY.—Notwithstanding any
18 other provision of this section, of NAHASDA (25 U.S.C.
19 4101 et seq.), or of the provisions of title I of the Housing
20 and Community Development Act of 1974 (42 U.S.C.
21 5301 et seq) applicable to the Indian community develop-
22 ment block grant program, an Indian tribe shall be ineli-
23 gible to receive grants with amounts made available under
24 this section if the Secretary determines that the Indian
25 tribe is not in compliance with obligations under its 1866

1 treaty with the United States as it relates to the inclusion
2 of persons who are lineal descendants of Freedmen as hav-
3 ing the rights of the citizens of such tribes, unless a Fed-
4 eral court has issued a final order that determines the
5 treaty obligations with respect to including Freedmen as
6 citizens. For purposes of this subsection, a court order is
7 not considered final if time remains for an appeal or appli-
8 cation for discretionary review with respect to the order.

9 (c) PRELIMINARY FUNDING.—Of any amounts made
10 available in subsection (a)(2)(A), and in consultation with
11 the Department of the Interior, the Secretary may award
12 preliminary grants of up to \$2,000,000 each to applicants
13 that have applied for a grant under subsections (a)(1)(B)
14 or (a)(2) before making a final determination as to wheth-
15 er to award a grant under subsections (a)(1)(B) or (a)(2)
16 to such applicant.

17 (1) Prior to awarding a preliminary grant
18 under this subsection, the Secretary must determine,
19 based on a preliminary assessment of need and ad-
20 ministrative capacity, that the applicant is likely able
21 to carry out the grant successfully but would need
22 additional administrative and planning resources to
23 develop a comprehensive implementation plan and
24 additional administrative capacity in order to suc-

1 cessfully administer a grant under subsections
2 (a)(1)(B) or (a)(2).

3 (2) Such preliminary grants shall be used for
4 eligible program activities, as defined by the Sec-
5 retary, that the Secretary determines will allow the
6 applicant to successfully implement the grant.

7 (3) Such preliminary grants are not subject to
8 administrative and planning caps.

9 (4) The determination of whether to award a
10 final grant under subsections (a)(1)(B) or (a)(2) to
11 an applicant after preliminary funding was granted
12 to an applicant is not subject to review.

13 (d) OTHER COSTS.—

14 (1) ADMINISTRATIVE COSTS.—The Secretary
15 may use up to \$50,000,000 of the amounts made
16 available under subsection (a)(1)(B) for the costs to
17 the Secretary of administering and overseeing the
18 implementation of this section and Native American
19 programs generally, including information tech-
20 nology, financial reporting, and other costs.

21 (2) TECHNICAL ASSISTANCE.—Of the amounts
22 set aside under subsection (c)(1), the Secretary may
23 use not more than \$40,000,000, with or without
24 competition, to make new awards or increase prior
25 awards to existing technical assistance providers to

1 provide an immediate increase in capacity building
2 and technical assistance to grantees.

3 (3) RESEARCH AND EVALUATION.—Of the
4 amounts set aside under subsection (d)(1), the Sec-
5 retary may use funds to conduct research and eval-
6 uation on the effect of activities funded under this
7 section.

8 (e) WAIVERS.—The Secretary may waive or specify
9 alternative requirements for any provision of NAHASDA
10 (25 U.S.C. 4101 et seq.), the Act (42 U.S.C. 5301 et seq),
11 or regulation that the Secretary administers that is appli-
12 cable to such statutes other than requirements related to
13 fair housing, nondiscrimination, labor standards, and the
14 environment, upon a finding that the waiver or alternative
15 requirement is necessary to expedite or facilitate the use
16 of amounts made available under this section.

17 (f) IMPLEMENTATION.—The Secretary may imple-
18 ment the provisions of this section by notice.

1 **Subtitle B—21st Century Sustain-**
2 **able and Equitable Commu-**
3 **nities**

4 **SEC. 40101. COMMUNITY DEVELOPMENT BLOCK GRANT**
5 **FUNDING FOR AFFORDABLE HOUSING AND**
6 **INFRASTRUCTURE.**

7 (a) APPROPRIATION.— In addition to amounts other-
8 wise available, there is appropriated to the Secretary of
9 Housing and Urban Development (in this section referred
10 to as the “Secretary”) for fiscal year 2022, out of any
11 money in the Treasury not otherwise appropriated,
12 \$8,500,000,000, to remain available until September 30,
13 2031, for assistance under the community development
14 block grant program under title I of the Housing and
15 Community Development Act of 1974 (42 U.S.C. 5301 et
16 seq.).

17 (b) ALLOCATION OF AMOUNTS.—Of the amounts
18 made available by subsection (a)—

19 (1) \$7,500,000,000 shall be for grants to grant-
20 ees under section 106 of the Housing and Commu-
21 nity Development Act of 1974 (42 U.S.C.5306);

22 (2) \$1,000,000,000 shall be for assistance to
23 community development block grant grantees under
24 section 106 of the Housing and Community Devel-
25 opment Act of 1974 (42 U.S.C. 5306) as determined

1 by the Secretary under such program only for
2 colonias to address the community and housing in-
3 frastructure needs of existing colonia residents based
4 on a formula that takes into account persons in pov-
5 erty in the colonia areas, except that grantees may
6 use funds in colonias outside of the 150-mile border
7 area upon approval of the Secretary;

8 (3) \$500,000,000 shall be for grants to eligible
9 recipients under subsection (d) of this section for
10 manufactured housing infrastructure improvements
11 in eligible manufactured home communities;

12 (4) \$300,000,000 shall be for the costs to the
13 Secretary for administering and overseeing the im-
14 plementation of this section and the manufactured
15 home construction and safety standards program
16 generally, information technology, financial report-
17 ing, other cross-program costs in support of pro-
18 grams administered by the Secretary in this Act,
19 and other costs; and

20 (5) \$100,000,000 shall be for providing tech-
21 nical assistance to recipients of or applicants for
22 grants under this section.

23 (c) USE OF FUNDS TO BENEFIT PERSONS OF LOW
24 AND MODERATE INCOME.—Notwithstanding subsection
25 (c) of section 101 of the Housing and Community Devel-

1 opment Act of 1974 (42 U.S.C. 5301(c)), 100 percent of
2 funds provided under subparagraph (b)(1) shall be used
3 for the support of activities that benefit persons of low
4 and moderate income, as defined in section 102(a) of such
5 Act (42 U.S.C. 5302(a)).

6 (d) MANUFACTURED HOUSING COMMUNITY IM-
7 PROVEDMENT GRANT PROGRAM.—

8 (1) ESTABLISHMENT.—The Secretary of Hous-
9 ing and Urban Development shall carry out a grant
10 program to award funds allocated under subsection
11 (b)(3) to eligible recipients to carry out eligible
12 projects for improvements in eligible manufactured
13 home communities.

14 (2) ELIGIBLE PROJECTS.—Amounts from
15 grants under this subsection shall be used only to
16 assist in carrying out a project for construction, re-
17 construction, repair, or clearance of housing, facili-
18 ties and improvements in or serving a manufactured
19 housing community that—

20 (A) is critically needed to protect the
21 health and safety of the residents of the manu-
22 factured housing community and the long-term
23 sustainability of the community;

24 (B) can be commenced expeditiously as-
25 sisted by a grant under this subsection; and

1 (C) includes activities—

2 (i) eligible under the community devel-
3 opment block grant program under title I
4 of the Housing and Community Develop-
5 ment Act of 1974 (42 U.S.C. 5301 et
6 seq.);

7 (ii) to facilitate installation, including
8 foundation construction for new manufac-
9 tured homes, as defined in section 603 of
10 the National Manufactured Construction
11 and Safety Standards Act of 1974 (42
12 U.S.C. 5402) and regulated under associ-
13 ated regulations, and previously sold cer-
14 tified manufactured homes; or

15 (iii) to mitigate flood risk.

16 (3) CRITERIA.—The Secretary shall prioritize
17 awards under this section by the extent to which the
18 project will assist low-income families and preserve
19 long-term housing affordability for residents of an
20 eligible manufactured home community.

21 (e) WAIVERS.—The Secretary may waive or specify
22 alternative requirements for any provision of title I of the
23 Housing and Community Development Act of 1974 (42
24 U.S.C. 5301 et seq.) or regulation that the Secretary ad-
25 ministers in connection with use of amounts made avail-

1 able under this section other than requirements related to
2 fair housing, nondiscrimination, labor standards, and the
3 environment, upon a finding that the waiver or alternative
4 requirement is necessary to expedite or facilitate the use
5 of amounts made available under this section.

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

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

10 (A) is an area of the United States within
11 150 miles of the contiguous border between the
12 United States and Mexico, except as otherwise
13 determined by the Secretary; and

14 (B) lacks potable water supply, adequate
15 sewage systems, and lack of decent, safe, and
16 sanitary housing as approved by the Secretary.

17 (2) ELIGIBLE MANUFACTURED HOME COMMU-
18 NITY.—The term “eligible manufactured home com-
19 munity” means a community that—

20 (A) meets the affordable housing safe har-
21 bor requirements of the Internal Revenue Serv-
22 ice under section 601.201 of title 26, Code of
23 Federal Regulations; and

24 (B)(i) is owned by the residents of the
25 manufactured housing community through a

1 resident-controlled entity, as defined by the Sec-
2 retary, in which at least two-thirds of residents
3 are member-owners of the land owning entity;
4 or

5 (ii) the Secretary otherwise determines is
6 subject to such binding agreements as are nec-
7 essary to ensure that the manufactured housing
8 community will be maintained as such a com-
9 munity, and affordable for low-income families
10 (as such term is defined in section 104 of the
11 Cranston-Gonzalez National Affordable Hous-
12 ing Act (42 U.S.C. 12704)), on a long-term
13 basis.

14 (3) ELIGIBLE RECIPIENT.—The term “eligible
15 recipient” means a partnership of—

16 (A) a grantee under section 106 of the
17 Housing and Community Development Act of
18 1974 (42 U.S.C.5306); and

19 (B) an eligible manufactured home com-
20 munity, a nonprofit entity, or a consortia of
21 nonprofit entities working with an eligible man-
22 ufactured home community.

23 (4) MANUFACTURED HOME COMMUNITY.—The
24 term “manufactured home community” means any
25 community, court, or park equipped to accommodate

1 manufactured homes for which pad sites, with or
2 without existing manufactured homes or other al-
3 lowed homes, or other suitable sites, are used pri-
4 marily for residential purposes, with any additional
5 requirements as determined by the Secretary, includ-
6 ing any manufactured housing community as such
7 term is used for purposes of the program of the
8 Federal National Mortgage Association for multi-
9 family loans for manufactured housing communities
10 and the program of the Federal Home Loan Mort-
11 gage Corporation for loans for manufactured hous-
12 ing communities.

13 **SEC. 40102. COMMUNITY DEVELOPMENT BLOCK GRANTS**
14 **FOR DISASTER RECOVERY.**

15 (a) APPROPRIATION.—In addition to amounts other-
16 wise available, there is appropriated to the Secretary of
17 Housing and Urban Development (in this section referred
18 to as the “Secretary”) for fiscal year 2022, out of any
19 money in the Treasury not otherwise appropriated,
20 \$1,000,000,000, to remain available until September 30,
21 2031, to provide assistance for necessary expenses related
22 to recovery from major disasters declared in 2021 or fu-
23 ture major disasters in the form of formula grants under
24 title I of the Housing and Community Development Act
25 of 1974 (42 U.S.C. 5301 et seq.).

1 (b) RESERVATION OF FUNDS.—Of the amounts ap-
2 propriated by subsection (a), up to \$20,000,000 shall be
3 made available for activities of the Department of Housing
4 and Urban Development that support the provision of as-
5 sistance under subsection (a), including necessary salaries
6 and expenses, information technology, capacity building
7 and technical assistance, including assistance related to
8 pre-disaster planning.

9 **SEC. 40103. LEAD-BASED PAINT HAZARD CONTROL AND**
10 **HOUSING-RELATED HEALTH AND SAFETY**
11 **HAZARD MITIGATION IN HOUSING OF FAMI-**
12 **LIES WITH LOWER INCOMES.**

13 (a) APPROPRIATION.— In addition to amounts other-
14 wise made available, there is appropriated to the Secretary
15 of Housing and Urban Development (in this section re-
16 ferred to as the “Secretary”) for fiscal year 2022, out of
17 any money in the Treasury not otherwise appropriated,
18 \$10,000,000,000, to remain available until September 30,
19 2031, to be made available as follows:

20 (1) Up to \$6,430,000,000 shall be for grants to
21 States, units of general local government, and non-
22 profit organizations for the activities under sub-
23 section (c) in housing where low-income families re-
24 side or are expected to reside that is not public
25 housing, housing assisted by project-based rental as-

1 assistance under section 8 of the United States Hous-
2 ing Act of 1937 (42 U.S.C. 1437f), including under
3 subsection (o)(13) of such section, nor housing as-
4 sisted under section 202 of the Housing Act of 1959
5 (12 U.S.C. 1701q) or section 811 of the Cranston-
6 Gonzalez National Affordable Housing Act (42
7 U.S.C. 8013).

8 (2) Not less than \$500,000,000 shall be for
9 grants to State or local governments for the activi-
10 ties in subsection (c) in target housing units, and
11 common areas servicing such units, that are being
12 assisted under the Weatherization Assistance Pro-
13 gram authorized under title IV of the Energy Con-
14 servation and Production Act (42 U.S.C. 6851 et
15 seq.) but are not public housing, housing assisted by
16 project-based rental assistance under section 8 of
17 the United States Housing Act of 1937 (42 U.S.C.
18 1437f), including under subsection (o)(13) of such
19 section, nor housing assisted under section 202 of
20 the Housing Act of 1959 (12 U.S.C. 1701q) or sec-
21 tion 811 of the Cranston-Gonzalez National Afford-
22 able Housing Act (42 U.S.C. 8013).

23 (3) Up to \$2,000,000,000 shall be for grants to
24 owners of a property receiving project-based rental
25 assistance under section 8 of the United States

1 Housing Act of 1937 (42 U.S.C. 1437f), including
2 under subsection (o)(13) of such section, that meets
3 the definition of target housing and that has not re-
4 ceived a grant for similar purposes under this Act
5 for the activities in subsection (c) in target housing
6 units receiving such assistance and common areas
7 servicing such units.

8 (4) Up to \$810,000,000 shall be for costs re-
9 lated to training and technical assistance to support
10 identification and mitigation of lead and housing-re-
11 lated health and safety hazards, research, and eval-
12 uation related to activities under this section.

13 (5) Up to \$260,000,000 shall be for the costs
14 to the Secretary of administering and overseeing the
15 implementation of this section, including information
16 technology, financial reporting, research, evaluation,
17 other cross-program costs in support of programs
18 administered by the Secretary in this Act, and other
19 costs.

20 (b) TERMS AND CONDITIONS.—

21 (1) INCOME ELIGIBILITY DETERMINATIONS.—

22 Notwithstanding any inconsistent requirements, the
23 Secretary may make income determinations of eligi-
24 bility for grants awarded under—

1 (A) subsection (a)(1) using criteria under
2 title I of the Housing and Community Develop-
3 ment Act of 1974 (42 U.S.C. 5301 et seq.),
4 title II of the Cranston-Gonzalez National Af-
5 fordable Housing Act (42 U.S.C. 12701 et
6 seq.), section 8 of the United States Housing
7 Act of 1937 (42 U.S.C. 1437f), title IV of the
8 Energy Conservation and Production Act (42
9 U.S.C. 6851 et seq.), section 2605 of the Low-
10 Income Home Energy Assistance Act of 1981
11 (42 U.S.C. 8624), or section 2044 of title 38,
12 United States Code, as determined appropriate
13 by the Secretary;

14 (B) subsection (a)(2) using criteria under
15 section 8 of the United States Housing Act of
16 1937 (42 U.S.C. 1437f) or title IV of the En-
17 ergy Conservation and Production Act (42
18 U.S.C. 6851 et seq.).

19 (2) HOUSING FAMILIES WITH YOUNG CHIL-
20 DREN.—An owner of rental property that receives
21 assistance under subsection (a)(3) shall give priority
22 in renting units for which the lead-based paint has
23 been abated pursuant to subsection (a)(3), for not
24 less than 3 years following the completion of lead

1 abatement activities, to families with a child under
2 the age of 6 years.

3 (3) ADMINISTRATIVE EXPENSES.—A recipient
4 of a grant under this section may use up to 10 per-
5 cent of the grant for administrative expenses associ-
6 ated with the activities funded by this section.

7 (c) ELIGIBLE ACTIVITIES.—Grants awarded under
8 this section shall be used for—

9 (1) abatement by removal of lead-based paint in
10 target housing;

11 (2) interim controls of lead-based paint hazards
12 in target housing;

13 (3) lead-based paint inspections;

14 (4) lead risk assessments;

15 (5) lead hazard control clearance examinations;

16 (6) testing for housing-related health and safety
17 hazards;

18 (7) mitigation of housing-related health and
19 safety hazards;

20 (8) technical assistance;

21 (9) providing work practices training to local
22 residents;

23 (10) outreach and engagement with community
24 stakeholders, including stakeholders in disadvan-
25 taged communities;

1 (11) capacity building;

2 (12) program evaluation and research;

3 (13) activities related to primary prevention of
4 lead paint and other housing-related health and safe-
5 ty hazards;

6 (14) environmental reviews conducted by an eli-
7 gible applicant or by their unit of local government
8 on their behalf; or

9 (15) activities that directly or indirectly support
10 the work under this section, as applicable, that with-
11 out which such activities could not be conducted.

12 (d) ENVIRONMENTAL REVIEW.—For purposes of en-
13 vironmental review pursuant to the National Environ-
14 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and
15 other provisions of law that further the purposes of such
16 Act, a grant under subsection (a) of this section shall be
17 considered funds for a special project for purposes of sec-
18 tion 305(c) of the Multifamily Housing Property Disposi-
19 tion Reform Act of 1994 (42 U.S.C. 3547).

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

22 (1) NONPROFIT; NONPROFIT ORGANIZATION.—
23 The terms “nonprofit” and “nonprofit organization”
24 mean a corporation, community chest, fund, or foun-
25 dation not organized for profit, but organized and

1 operated exclusively for religious, charitable, sci-
2 entific, testing for public safety, literary, or edu-
3 cational purposes; or an organization not organized
4 for profit but operated exclusively for the promotion
5 of social welfare.

6 (2) PUBLIC HOUSING; PUBLIC HOUSING AGEN-
7 CY; LOW-INCOME FAMILY.—The terms “public hous-
8 ing”, “public housing agency”, and “low-income
9 family’ ” have the same meaning given such terms
10 in section 3(b) of the United States Housing Act of
11 1937 (42 U.S.C. 1437a(b)).

12 (3) SMALL BUSINESS CONCERN.—The term
13 “small business concern” means an enterprise that
14 is independently owned and operated and which is
15 not dominant in its field of operation and that meets
16 definitions or standards specified by the Adminis-
17 trator of Small Business Administration by which a
18 business concern may be determined to be a small
19 business concern.

20 (4) TRIBALLY DESIGNATED HOUSING ENTITY;
21 INDIAN TRIBE.—The terms “tribally designated
22 housing entity” and “Indian tribe” have the same
23 meaning given such terms in section 4 of the Native
24 American Housing Assistance and Self-Determina-
25 tion Act of 1996 (25 U.S.C. 4103).

1 (5) UNIT OF GENERAL LOCAL GOVERNMENT.—

2 The term “unit of general local government” has the
3 same meaning given such term in section 102 of the
4 Housing and Community Development Act of 1974
5 (42 U.S.C. 5302).

6 (f) IMPLEMENTATION.—The Secretary shall have the
7 authority to issue such regulations or other guidance,
8 forms, instructions, and publications as may be necessary
9 or appropriate to carry out the programs, projects, or ac-
10 tivities authorized under this section, including to ensure
11 that such programs, projects, or activities are completed
12 in a timely and effective manner. The Secretary may im-
13 plement the provisions of this section by notice.

14 **SEC. 40104. UNLOCKING POSSIBILITIES PROGRAM.**

15 (a) APPROPRIATION.—In addition to amounts other-
16 wise available, there is appropriated to the Secretary of
17 Housing and Urban Development (in this section referred
18 to as the “Secretary”) for fiscal year 2022, out of any
19 money in the Treasury not otherwise appropriated,
20 \$4,500,000,000, to remain available until September 30,
21 2031, for the Unlocking Possibilities Program, established
22 by the Secretary, for the purposes of—

23 (1) awarding planning grants to develop and
24 evaluate housing policy plans and substantially im-
25 prove housing strategies;

1 (2) awarding planning grants to streamline reg-
2 ulatory requirements and shorten processes, reform
3 zoning codes, or other initiatives that reduce barriers
4 to housing supply elasticity and affordability;

5 (3) awarding planning grants to develop and
6 evaluate local or regional plans for urban develop-
7 ment to substantially improve urban development
8 strategies related to sustainability, fair housing, and
9 location efficiency;

10 (4) awarding implementation and livable com-
11 munity investment grants; and

12 (5) research and evaluation.

13 (b) GRANTS.—

14 (1) PLANNING GRANTS.—The Secretary may,
15 under selection criteria determined by the Secretary,
16 award grants under this paragraph on a competitive
17 basis to eligible entities to finance planning activi-
18 ties, including engagement with community stake-
19 holders and housing practitioners, to—

20 (A) develop housing policy plans;

21 (B) substantially improve State or local
22 housing strategies;

23 (C) develop new regulatory requirements
24 and processes, reform zoning codes, or under-

1 take other initiatives to reduce barriers to hous-
2 ing supply elasticity and affordability;

3 (D) develop local or regional plans for
4 urban development; and

5 (E) substantially improve urban develop-
6 ment strategies, including strategies to affirma-
7 tively further access to affordable housing, to
8 further access to public transportation or to ad-
9 vance other sustainable or location-efficient
10 urban development goals.

11 (2) IMPLEMENTATION AND LIVABLE COMMU-
12 NITY INVESTMENT GRANTS.—The Secretary shall
13 award implementation grants under this paragraph
14 on a competitive basis to eligible entities for the pur-
15 pose of implementing—

16 (A) completed housing strategies and hous-
17 ing policy plans and any planning to affirma-
18 tively further fair housing within the meaning
19 of subsections (d) and (e) of section 808 of the
20 Fair Housing Act (42 U.S.C. 608) and applica-
21 ble regulations and for community investments
22 that support the goals identified in such hous-
23 ing strategies or housing policy plans;

24 (B) new regulatory requirements and proc-
25 esses, reformed zoning codes, or undertaking

1 other initiatives to reduce barriers to housing
2 supply elasticity and affordability that are con-
3 sistent with a plan under subparagraph (A);

4 (C) completed local or regional plans for
5 urban development and any planning to affirm-
6 atively further access to affordable housing, ac-
7 cess to public transportation and other sustain-
8 able or location-efficient urban development
9 goals.

10 (c) COORDINATION WITH FTA ADMINISTRATOR.—

11 To the extent practicable, the Secretary shall coordinate
12 with the Federal Transit Administrator in carrying out
13 this section.

14 (d) DEFINITIONS.—For purposes of this section, the
15 following definitions apply:

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

18 (A) a State, insular area, metropolitan
19 city, or urban county, as such terms are defined
20 in section 102 of the Housing and Community
21 Development Act of 1974 (42 U.S.C. 5302); or

22 (B) for purposes of grants under sub-
23 section (b)(1), a regional planning agency or
24 consortia.

1 (2) HOUSING POLICY PLAN; HOUSING STRAT-
2 EGY.—

3 (A) HOUSING POLICY PLAN.—The term
4 “housing policy plan” means a plan of an eligi-
5 ble entity to, with respect to the area under the
6 jurisdiction of the eligible entity—

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

16 (ii) increase the affordability of hous-
17 ing in the area, increase the accessibility of
18 housing in the area for people with disabil-
19 ities, including location-efficient housing,
20 and preserve or improve the quality of
21 housing in the area;

22 (iii) reduce barriers to housing devel-
23 opment in the area, with consideration for
24 location efficiency, affordability, and acces-
25 sibility; and

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

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

10 (e) ADMINISTRATIVE AND OTHER COSTS.—

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

14 (2) RESEARCH AND EVALUATION COSTS.—The
15 Secretary may use up to \$20,000,000 of the
16 amounts made available by this section for research
17 and evaluation related to housing policy planning
18 and other associated costs.

19 (3) TECHNICAL ASSISTANCE.—The Secretary
20 may use up to \$70,000,000 of the amounts made
21 available under this section to provide technical as-
22 sistance to grantees or applicants for grants made
23 available by this section.

24 (4) ADMINISTRATIVE COSTS TO THE SEC-
25 RETARY.—The Secretary may use up to

1 \$150,000,000 of the amounts made available under
2 this section for the costs to the Secretary of admin-
3 istering and overseeing the implementation of this
4 section, including information technology, research
5 and evaluation, financial reporting, and other cross-
6 program costs in support of programs administered
7 by the Secretary in this Act, and other costs.

8 (f) RULES OF CONSTRUCTION.—

9 (1) IN GENERAL.— Except as otherwise pro-
10 vided by this section, amounts appropriated or oth-
11 erwise made available under this section shall be
12 subject to the community development block grant
13 program requirements under title I of the Housing
14 and Community Development Act of 1974 (42
15 U.S.C. 5301 et seq.).

16 (2) EXCEPTIONS.—

17 (A) HOUSING CONSTRUCTION.—Expendi-
18 tures on new construction of housing shall be
19 an eligible expense under this section.

20 (B) BUILDINGS FOR GENERAL CONDUCT
21 OF GOVERNMENT .—Expenditures on building
22 for the general conduct of government, other
23 than the Federal Government, shall be eligible
24 under this section.

1 (g) WAIVERS.—The Secretary may waive or specify
2 alternative requirements for any provision of title I of the
3 Housing and Community Development Act of 1974 (42
4 U.S.C. 5301 et seq.) or regulation for the administration
5 of the amounts made available under this section other
6 than requirements related to fair housing, nondiscrimina-
7 tion, labor standards, and the environment, upon a finding
8 that the waiver or alternative requirement is necessary to
9 expedite or facilitate the use of amounts made available
10 under this section.

11 (h) REGULATIONS.—The Secretary shall have the au-
12 thority to issue such regulations or other guidance, forms,
13 instructions, and publications as may be necessary or ap-
14 propriate to carry out the programs, projects, or activities
15 authorized under this section, including to ensure that
16 such programs, projects, or activities are completed in a
17 timely and effective manner.

18 **SEC. 40105. STRENGTHENING RESILIENCE UNDER NA-**
19 **TIONAL FLOOD INSURANCE PROGRAM.**

20 (a) PROGRAM DEBT.—

21 (1) CANCELLATION.—Subject only to para-
22 graphs (2) and (3) and notwithstanding any other
23 provision of law, all indebtedness of the Adminis-
24 trator of the Federal Emergency Management Agen-
25 cy under any notes or other obligations issued pur-

1 suant to section 1309(a) of the National Flood In-
2 surance Act of 1968 (42 U.S.C. 7 4016(a)) and sec-
3 tion 15(e) of the Federal Insurance Act of 1956 (42
4 U.S.C. 2414(e)), and outstanding as of the date of
5 the enactment of this Act, is hereby canceled, the
6 Administrator and the National Flood Insurance
7 Fund are relieved of all liability to the Secretary of
8 the Treasury under any such notes or other obliga-
9 tions, including for any capitalized interest due
10 under such notes or other obligations and any other
11 fees and charges payable in connection with such
12 notes and obligations, and the total amount of notes
13 and obligations issued by the Administrator pursu-
14 ant to such section shall be considered to be reduced
15 by such amount for purposes of the limitation on
16 such total amount under such section.

17 (2) USE OF SAVINGS.—Effective on and after
18 October 1, 2031, the Administrator of the Federal
19 Emergency Management Agency shall use any sav-
20 ings accruing from the cancellation of debt under
21 paragraph (1), including any amounts of interest
22 payments avoided from such cancellation, only for
23 deposit in and use under the National Flood Insur-
24 ance Reserve Fund under section 1310A of the Na-

1 tional Flood Insurance Act of 1968 (42 U.S.C.
2 4017A).

3 (3) TREATMENT OF CANCELED DEBT.— The
4 amount of the indebtedness canceled under para-
5 graph (1)—

6 (A) may be treated as a public debt of the
7 United States; and

8 (B) is designated as an emergency pursu-
9 ant to section 4(g) of the Statutory Pay-As-
10 You-Go Act of 26 2010 (2 U.S.C. 933(g)).

11 (b) FLOOD HAZARD MAPPING AND RISK ANAL-
12 YSIS.—In addition to amounts otherwise available, there
13 is appropriated for fiscal year 2022, out of any money in
14 the Treasury not otherwise appropriated, \$3,000,000,000
15 to the Administrator of the Federal Emergency Manage-
16 ment Agency, to remain available until expended, for nec-
17 essary expenses for flood hazard mapping and risk anal-
18 ysis, which shall be in addition to, and shall supplement—

19 (1) amounts otherwise available for those pur-
20 poses, including amounts appropriated to the Na-
21 tional Flood Insurance Fund established under sec-
22 tion 1310 of such Act (42 U.S.C. 4017); and

23 (2) any funds provided to the Administrator by
24 States and local governments under section
25 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)).

1 **SEC. 40106. COMMUNITY RESTORATION AND REVITALIZA-**
2 **TION FUND.**

3 (a) APPROPRIATION.—In addition to amounts other-
4 wise available, there is appropriated to the Secretary of
5 Housing and Urban Development (in this section referred
6 to as the “Secretary”) for fiscal year 2022, out of any
7 money in the Treasury not otherwise appropriated,
8 \$7,500,000,000, to remain available until September 30,
9 2031, for a Community Restoration and Revitalization
10 Fund (in this section referred to as the “Fund”) estab-
11 lished by the Secretary to award planning and implemen-
12 tation grants on a competitive basis to eligible recipients
13 as defined in this section for activities authorized under
14 title I of the Housing and Community Development Act
15 of 1974 (42 U.S.C. 5301 et seq.) for community-led
16 projects that create civic infrastructure to support a com-
17 munity’s social, economic, and civic fabric, create fair, af-
18 fordable and accessible housing opportunities, prevent res-
19 idential displacement, acquire and remediate blighted
20 properties, and promote quality job creation and retention.

21 (b) ALLOCATION OF AMOUNTS.—Amounts made
22 available by subsection (a) shall be available as follows:

23 (1) \$8,200,000,000 shall be for awards of plan-
24 ning and implementation grants to eligible recipients
25 to carry out community-led projects to stabilize
26 neighborhoods and increase access to economic op-

1 portunity for residents by creating equitable civic in-
2 frastructure and creating or preserving affordable,
3 accessible housing.

4 (2) \$500,000,000 shall be for awards of grants
5 to eligible recipients create, expand, and maintain
6 community land trusts and shared equity homeown-
7 ership, including through the acquisition, rehabilita-
8 tion, and new construction of affordable, accessible
9 housing.

10 (3) Up to \$1,000,000,000 shall be for the Sec-
11 retary to provide technical assistance, capacity build-
12 ing, program support to applicants, potential appli-
13 cants, and recipients of amounts appropriated to the
14 Secretary for grants made available by this section.

15 (4) Up to \$300,000,000 shall be for the costs
16 to the Secretary of administering and overseeing the
17 implementation of this section, including information
18 technology, financial reporting, research and evalua-
19 tions, fair housing compliance, and other cross-pro-
20 gram costs in support of programs administered by
21 the Secretary in this Act.

22 (c) GRANTS.—

23 (1) GEOGRAPHICAL AREAS.—The Secretary
24 shall award grants from the Fund to eligible recipi-
25 ents within geographical areas at the neighborhood,

1 county, census tract, or census tract level, including
2 census tracts adjacent to the project area that are
3 areas in need of investment, and that have at least
4 two of the following indicators:

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

8 (B) High proportions of residential and
9 commercial properties that are vacant due to
10 foreclosure, eviction, abandonment, or other
11 causes.

12 (C) Low rates of homeownership.

13 (D) Disparities in racial and ethnic home-
14 ownership rates.

15 (E) High and persistent rates of poverty.

16 (F) High rates of unemployment and
17 underemployment.

18 (G) Population at risk of displacement due
19 to rising housing costs.

20 (H) Historic population loss.

21 (I) Lack of private sector lending on fair
22 and competitive terms for individuals to pur-
23 chase homes or start small businesses.

24 (J) Other indicators of economic distress.

25 (d) ELIGIBLE RECIPIENTS AND APPLICANTS.—

1 (1) ELIGIBLE RECIPIENT.—An eligible recipient
2 of a grant under subsection (b)(1) shall be a local
3 partnership of a lead applicant and one or more
4 joint applicants with the ability to administer the
5 grant. An eligible recipient of a grant under sub-
6 section (b)(2) shall be a lead applicant with the abil-
7 ity to administer the grant, including a regional or
8 national nonprofit, that may include a joint appli-
9 cant.

10 (2) LEAD APPLICANT.—An eligible lead appli-
11 cant for a grant awarded under this section shall
12 be—

13 (A)(i) a nonprofit organization that—

14 (I) demonstrates a commitment to
15 anti-displacement efforts and has expertise
16 in community planning, engagement, orga-
17 nizing, housing and community develop-
18 ment, or neighborhood revitalization; and

19 (II) is located within or serves the
20 geographical area of the project or that de-
21 rives its mission and operational priorities
22 from the needs of the geographical area of
23 the project; or

24 (ii) if the geographical area of the project
25 is located in any area where no such local non-

1 profit organization exists, a national nonprofit
2 organization with such expertise;

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

9 (C) a community housing development or-
10 ganization, defined in section 104 of the Cran-
11 ston-Gonzalez National Affordable Housing Act
12 (42 U.S.C. 12704) or a community-based devel-
13 opment organization, that is located within or
14 serves the geographical area of the project and
15 experienced in neighborhood revitalization, com-
16 munity-based economic development, housing
17 development activities, and demonstrates a com-
18 mitment to anti-displacement efforts; or

19 (D) a community development financial in-
20 stitution, as defined by section 103 of the Rie-
21 gle Community Development and Regulatory
22 Improvement Act of 1994 (12 U.S.C. 4702),
23 that is located within or serves the geographical
24 area of the project, demonstrates a commitment
25 to anti-displacement efforts, and has a track

1 record of making investments in areas in need
2 of investment.

3 (3) JOINT APPLICANTS.—A joint applicant shall
4 be a local, regional or national entity that is—

5 (A) an organization that qualifies as a lead
6 applicant;

7 (B) a unit of general local government, as
8 defined in section 102 of the Housing and Com-
9 munity Development Act of 1974 (42 U.S.C.
10 5302);

11 (C) an Indian tribe, as defined in section
12 102 of the Housing and Community Develop-
13 ment Act of 1974 (42 U.S.C. 5302);

14 (D) a nonprofit organization;

15 (E) a community development corporation;

16 (F) an anchor institution;

17 (G) a State housing finance agency (as
18 such term is defined in section 106(h) of the
19 Housing and Urban Development Act of 1968
20 (12 U.S.C. 1701x(h))) or a related State agen-
21 cy;

22 (H) a land bank;

23 (I) a fair housing enforcement organization
24 (as such term is defined in section 561 of the

1 Housing and Community Development Act of
2 1987 (42 U.S.C. 3616a));

3 (J) a public housing agency (as such term
4 is defined in section 3(b) of the United States
5 Housing Act of 1937 (42 U.S.C. 1437a(b)));

6 (K) a community development financial in-
7 stitution, as defined by section 103 of the Rie-
8 gle Community Development and Regulatory
9 Improvement Act of 1994 (12 U.S.C. 4702); or

10 (L) a philanthropic organization.

11 (e) ELIGIBLE USES.—

12 (1) IN GENERAL.—Grants awarded under this
13 section may be used to support civic infrastructure
14 and housing-related activities. Projects must include
15 at least one civic infrastructure and housing-related
16 activity.

17 (2) PLANNING GRANTS.—Planning grants
18 awarded under this section may be used for civic in-
19 frastructure and housing-related activities, includ-
20 ing—

21 (A) fair housing planning, to affirmatively
22 further fair housing;

23 (B) planning to prevent displacement espe-
24 cially of extremely-low, very-low, low- and mod-

1 erate-income homeowners, renters, and people
2 experiencing homelessness;

3 (C) community planning and outreach;

4 (D) neighborhood engagement with resi-
5 dent leaders and community groups;

6 (E) pre-development activities;

7 (F) community engagement processes;

8 (G) market analysis;

9 (H) financial planning and feasibility; and

10 (I) site surveys.

11 (3) IMPLEMENTATION GRANTS.—Implementa-
12 tion grants awarded under this section may be used
13 for activities eligible under section 105 of the Hous-
14 ing and Community Development Act of 1974 (42
15 U.S.C. 5305) and other activities to support civic in-
16 frastructure and housing-related activities, includ-
17 ing—

18 (A) new construction of housing;

19 (B) demolition of abandoned or distressed
20 structures, but only if such activity is part of a
21 strategy that incorporates rehabilitation or new
22 construction, anti-displacement efforts such as
23 tenants' right to return and right of first re-
24 fusal to purchase, and efforts to increase af-
25 fordable, accessible housing and homeowner-

1 ship, except that not more than 10 percent of
2 any grant made under this section may be used
3 for activities under this subparagraph unless
4 the Secretary determines that such use is to the
5 benefit of existing residents;

6 (C) facilitating the creation, maintenance,
7 or availability of rental units, including units in
8 mixed-use properties, affordable and accessible
9 to a household whose income does not exceed
10 80 percent of the median income for the area,
11 as determined by the Secretary, for a period of
12 not less than 30 years;

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

19 (E) establishing or operating land banks.

20 (4) COMMUNITY LAND TRUST GRANTS.—An eli-
21 gible recipient of a community land trust grant
22 awarded under this section may use such grant for
23 activities to support civic infrastructure, including
24 the production, acquisition, and rehabilitation of
25 housing for use in a community land trust or shared

1 equity homeownership program, and expanding the
2 capacity of the recipient to carry out the grant.

3 (5) COSTS OF GRANTEES.—Up to 20 percent of
4 a recipient’s grant may be used for administrative
5 costs.

6 (f) RULES OF CONSTRUCTION.—Except as otherwise
7 provided by this section, amounts appropriated or other-
8 wise made available under this section shall be subject to
9 the community development block grant program require-
10 ments under title I of the Housing and Community Devel-
11 opment Act of 1974 (42 U.S.C. 5301 et seq.).

12 (g) WAIVERS.—The Secretary may waive or specify
13 alternative requirements for any provision of title I of the
14 Housing and Community Development Act of 1974 (42
15 U.S.C. 5301 et seq.) or regulation for the administration
16 of the amounts made available under this section other
17 than requirements related to fair housing, nondiscrimina-
18 tion, labor standards, and the environment, upon a finding
19 that the waiver or alternative requirement is necessary to
20 expedite or facilitate the use of amounts made available
21 under this section.

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

24 (1) ANCHOR INSTITUTION.—The term “anchor
25 institution” means a school, a library, a healthcare

1 provider, a community college or other institution of
2 higher education, museum or cultural institution, or
3 another community support organization or entity.

4 (2) COMMUNITY LAND TRUST.—The term
5 “community land trust” means a nonprofit organi-
6 zation or State or local governments or instrumen-
7 talities that—

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

11 (i) make rental and homeownership
12 units affordable to households; and

13 (ii) stipulate a preemptive option to
14 purchase the affordable rentals or home-
15 ownership units so that the affordability of
16 the units is preserved for successive in-
17 come-eligible households; and

18 (B) monitor properties to ensure afford-
19 ability is preserved.

20 (3) LAND BANK.—The term “land bank”
21 means a government entity, agency, or program, or
22 a special purpose nonprofit entity formed by one or
23 more units of government in accordance with State
24 or local land bank enabling law, that has been des-
25 ignated by one or more State or local governments

1 to acquire, steward, and dispose of vacant, aban-
2 doned, or other problem properties in accordance
3 with locally-determined priorities and goals.

4 (4) SHARED EQUITY HOMEOWNERSHIP PRO-
5 GRAM.—The term “shared equity homeownership
6 program” means a program to facilitate affordable
7 homeownership preservation through a resale restric-
8 tion program administered by a community land
9 trust, other nonprofit organization, or State or local
10 government or instrumentalities and that utilizes a
11 ground lease, deed restriction, subordinate loan, or
12 similar legal mechanism that includes provisions en-
13 suring that the program shall—

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

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

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

1 **SEC. 40107. FAIR HOUSING ACTIVITIES AND INVESTIGA-**
2 **TIONS.**

3 (a) APPROPRIATION.—In addition to amounts other-
4 wise available, there is appropriated to the Secretary of
5 Housing and Urban Development (in this section referred
6 to as the “Secretary”) for fiscal year 2022, out of any
7 money in the Treasury not otherwise appropriated,
8 \$1,000,000,000, to remain available until September 30,
9 2031, for the Fair Housing Initiatives Program under sec-
10 tion 561 of the Housing and Community Development Act
11 of 1987 (42 U.S.C. 3616a) to ensure existing and new
12 fair housing organizations have expanded and strength-
13 ened capacity to address fair housing inquiries and com-
14 plaints, conduct local, regional, and national testing and
15 investigations, conduct education and outreach activities,
16 and to address costs of delivering or adapting services to
17 meet increased housing market activity and evolving busi-
18 ness practices in the housing and lending markets.
19 Amounts made available under this section shall support
20 greater organizational continuity and capacity, including
21 up to 10-year grants or cooperative agreements.

22 (b) ADMINISTRATIVE EXPENSES.—The Secretary
23 may use up to \$230,000,000 of the amounts made avail-
24 able under this section for the costs to the Secretary of
25 administering and overseeing the implementation of this
26 section and the Fair Housing Initiatives Program gen-

1 erally, including information technology, financial report-
2 ing, research and evaluations, other cross-program costs
3 in support of programs administered by the Secretary [in
4 this Act], and other costs. The Secretary may transfer
5 and merge amounts set aside under this paragraph to sec-
6 tion 40301.

7 **SEC. 40108. INTERGOVERNMENTAL FAIR HOUSING ACTIVI-**
8 **TIES AND INVESTIGATIONS.**

9 (a) APPROPRIATION.—In addition to amounts other-
10 wise available, there is appropriated to the Secretary of
11 Housing and Urban Development (in this section referred
12 to as the “Secretary”) for fiscal year 2022, out of any
13 money in the Treasury not otherwise appropriated,
14 \$250,000,000, to remain available until September 30,
15 2031, to support cooperative efforts with State and local
16 agencies administering fair housing laws under section
17 817 of the Fair Housing Act (42 U.S.C 3616) to assist
18 the Secretary to affirmatively further fair housing, and for
19 Fair Housing Assistance Program grants to interim cer-
20 tified and certified State and local agencies, under the re-
21 quirements of subpart C of part 115 of title 24, Code of
22 Federal Regulations, to ensure expanded and strengthened
23 capacity of substantially equivalent agencies to assume a
24 greater share of the responsibility for the administration
25 and enforcement of fair housing laws.

1 (b) ADMINISTRATIVE EXPENSES.— The Secretary
2 may use up to \$66,000,000 of the amounts made available
3 under this section for the costs to the Secretary of admin-
4 istering and overseeing the implementation of this section
5 and the Fair Housing Assistance Program generally, in-
6 cluding information technology, financial reporting, re-
7 search and evaluations, other cross-program costs in sup-
8 port of programs administered by the Secretary [in this
9 Act], and other costs. The Secretary may transfer and
10 merge amounts set aside under this paragraph to section
11 40301.

12 **Subtitle C—Homeownership**

13 **Investments**

14 **SEC. 40201. FIRST-GENERATION DOWNPAYMENT ASSIST-**

15 **ANCE.**

16 (a) ESTABLISHMENT; APPROPRIATIONS.—

17 (1) ESTABLISHMENT.—The Secretary of Hous-
18 ing and Urban Development shall establish and
19 manage a fund to be known as the “First Genera-
20 tion Downpayment Fund” (in this section referred
21 to as the “Fund”) for the uses set forth in sub-
22 section (b).

23 (2) APPROPRIATION.—

24 (A) IN GENERAL.—In addition to amounts
25 otherwise available, there is appropriated to the

1 Fund for fiscal year 2022, out of any money in
2 the Treasury not otherwise appropriated,
3 \$10,000,000,000, to remain available until Sep-
4 tember 30, 2031, for the First-Generation
5 Downpayment Assistance Program under this
6 section.

7 (B) DISTRIBUTION.—Of the amounts
8 made available by subparagraph (A)—

9 (i) \$6,915,750,000 shall be allocated
10 among States that the Secretary has not
11 found to be out of compliance with the ob-
12 ligation to affirmatively further fair hous-
13 ing, in accordance with a formula estab-
14 lished by the Secretary, which shall take
15 into consideration adult population size ex-
16 cluding homeowners, median area home
17 prices, and racial disparities in homeown-
18 ership rates, to carry out the eligible uses
19 of the Fund as described in subsection (b);

20 (ii) \$2,305,250,000 shall be for com-
21 petitive grants to eligible entities that the
22 Secretary has not found to be out of com-
23 pliance with the obligation to affirmatively
24 further fair housing, to carry out the eligi-

1 ble uses of the Fund as described in sub-
2 section (b);

3 (iii) \$500,000,000 shall be for the
4 costs of providing housing counseling re-
5 quired under subsection (b); and

6 (iv) \$279,000,000 shall be for the
7 costs to the Secretary of administering and
8 overseeing the implementation of the First-
9 Generation Downpayment Assistance Pro-
10 gram, including information technology, fi-
11 nancial reporting, programmatic reporting,
12 ensuring fair housing and fair lending
13 compliance, research and evaluations, and
14 technical assistance to recipients of
15 amounts under this section.

16 (b) TERMS AND CONDITIONS.—

17 (1) USES OF FUNDS.—States and eligible enti-
18 ties receiving allocations from the Fund shall—

19 (A) use such allocations to provide assist-
20 ance on behalf of a qualified homebuyer who
21 has completed a program of housing counseling
22 with respect to the responsibilities and financial
23 management involved in homeownership before
24 entering into a sales purchase agreement or
25 loan application, as the Secretary shall require,

1 provided through a housing counseling agency
2 approved by the Secretary for—

3 (i) costs in connection with the acqui-
4 sition, involving an eligible mortgage loan,
5 of an eligible home, including downpay-
6 ment costs, closing costs, and costs to re-
7 duce the rates of interest on eligible mort-
8 gage loans;

9 (ii) subsidies to make shared equity
10 homes affordable to eligible homebuyers by
11 discounting the price for which the home
12 will be sold and to preserve the home's af-
13 fordability for subsequent eligible buyers;
14 and

15 (iii) pre-occupancy home modifications
16 that may be necessary to accommodate
17 qualified homebuyers or members of their
18 household with disabilities;

19 (B) use not more than 6 percent for ad-
20 ministrative costs and training for carrying out
21 the program of the State or eligible entity to
22 provide assistance with such grant amounts, as
23 well as to develop the capacity to track and
24 monitor program outcomes in consultation with
25 community-based and nonprofit organizations

1 that have as their mission to advance fair hous-
2 ing and fair lending; and

3 (C) comply with the obligation to affirma-
4 tively further fair housing in any program or
5 activity related to the use of such funds.

6 (2) AMOUNT AND LAYERING OF ASSISTANCE.—

7 A grant of assistance under this section—

8 (A) may be provided on behalf of any
9 qualified homebuyer only once;

10 (B) may not exceed 10 percent of the pur-
11 chase price in the case of a qualified home-
12 buyer, except that the Secretary may increase
13 such maximum limitation amounts in the case
14 of a qualified homebuyer who is economically
15 disadvantaged; and

16 (C) may be provided on behalf of a quali-
17 fied homebuyer who is receiving assistance from
18 other sources, including other State, Federal,
19 local, private, public, and nonprofit sources, for
20 acquisition of an eligible home.

21 (3) PROHIBITION OF PRIORITY.—In selecting
22 qualified homebuyers for assistance with grant
23 amounts under this section, a State or eligible entity
24 may not provide any priority or preference for home-
25 buyers who are acquiring eligible homes with a mort-

1 gage loan made, insured, guaranteed, or otherwise
2 assisted by the State housing finance agency for the
3 State, any other housing agency of the State, or an
4 eligible entity when applicable.

5 (4) REPAYMENT OF ASSISTANCE.—

6 (A) REQUIREMENT.—The Secretary shall
7 require that, if a homebuyer on behalf of whom
8 assistance is provided from grant amounts
9 under this section fails or ceases to occupy the
10 property acquired using such assistance as the
11 primary residence of the homebuyer, except in
12 the case of assistance is provided in connection
13 with the purchase of a primary residence
14 through a shared equity homeownership pro-
15 gram, the homebuyer shall repay to the Sec-
16 retary in a proportional amount of the assist-
17 ance the homebuyer receives based on the num-
18 ber of years they have occupied the eligible
19 home up to 5 years, except that no assistance
20 shall be repaid if the qualified homebuyer occu-
21 pies the eligible home as a primary residence
22 for 5 years or more.

23 (B) LIMITATION.—Notwithstanding sub-
24 paragraph (A), if a homebuyer on behalf of
25 whom assistance is provided from grant

1 amounts under this section fails or ceases to oc-
2 cupy the property acquired using such assist-
3 ance as the primary residence of the homebuyer
4 at least in part because of a hardship, such as
5 death or military deployment; a financial hard-
6 ship, such as a significant reduction in income,
7 or increase in medical expenses; relocation for a
8 reason related to domestic violence, dating vio-
9 lence, sexual assault, or stalking, as defined in
10 the Secretary's regulations implementing the
11 Violence Against Women Act; or relocation for
12 a reason related to the homebuyer or a member
13 of the household's disabilities; or another hard-
14 ships based on criteria established by the Sec-
15 retary, or sells the property acquired with such
16 assistance before the expiration of the 60-
17 month period beginning on such date of acquisi-
18 tion and the capital gains from such sale to a
19 bona fide purchaser in an arm's length trans-
20 action are less than the amount the homebuyer
21 is required to repay the Secretary under sub-
22 paragraph (A), the homebuyer shall not be lia-
23 ble to the Secretary for repayment of the
24 amount of such shortage.

1 (5) COMMUNITY LAND TRUSTS AND SHARED
2 EQUITY HOMEOWNERSHIP PROGRAMS.—If assistance
3 from grant amounts under this section is provided in
4 connection with an eligible home made available
5 through a community land trust or shared equity
6 homeownership program, such assistance shall re-
7 main in the community land trust or shared equity
8 property upon transfer of the property to keep the
9 home affordable to the next eligible community land
10 trust or shared equity homebuyer.

11 (6) RELIANCE ON BORROWER ATTESTATIONS.—
12 No additional documentation beyond the borrower's
13 attestation shall be required to demonstrate eligi-
14 bility under subparagraphs (B) and (C) of sub-
15 section (c)(7) and no State, eligible entity, or cred-
16 itor shall be subject to liability, including monetary
17 penalties or requirements to indemnify a Federal
18 agency or repurchase a loan that has been sold or
19 securitized, based on the provision of assistance
20 under this section to a borrower who does not meet
21 the eligibility requirements under such subpara-
22 graphs if the creditor does so in good faith reliance
23 on borrower attestations of eligibility required under
24 such subparagraphs.

1 (7) REPORTING.—The Secretary may require
2 the reporting of such information as the Secretary
3 may require to carry out this subsection.

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

6 (1) AFFIRMATIVELY FURTHER FAIR HOUS-
7 ING.—The term “affirmatively further fair housing”
8 has the same meaning as defined by the Secretary
9 to implement section 808(e)(5) of the Fair Housing
10 Act (42 U.S.C. 3608(e)(5))

11 (2) COMMUNITY LAND TRUST.—The term
12 “community land trust” means a nonprofit organi-
13 zation or State or local government, agencies or in-
14 strumentalities thereof, that—

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

18 (i) make homeownership units afford-
19 able to households; and

20 (ii) stipulate a preemptive option to
21 purchase the affordable homeownership
22 units so that the affordability of the units
23 is preserved for successive income-eligible
24 households; and

1 (B) monitor properties to ensure afford-
2 ability is preserved.

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

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

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

19 (C) any other nonprofit, mission-driven en-
20 tity that the Secretary finds has a track record
21 of providing assistance to homeowners, targets
22 services to low-income and socially disadvan-
23 taged populations, and provides services in
24 neighborhoods having high concentrations of

1 minority, low-income, or socially disadvantaged
2 populations.

3 (4) ELIGIBLE HOME.—The term “eligible
4 home” means a residential dwelling, including a unit
5 in a condominium or cooperative project or a manu-
6 factured housing unit, that—

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

8 (B) will be occupied by the qualified home-
9 buyer, in accordance with such assurances and
10 commitments as the Secretary shall require, as
11 the primary residence of the homebuyer.

12 (5) ELIGIBLE MORTGAGE LOAN.—The term “el-
13 igible mortgage loan” means a residential mortgage
14 loan that—

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

19 (B) is made, insured, or guaranteed under
20 title II of the National Housing Act (12 U.S.C.
21 1707 et seq.) or title V of the Housing Act of
22 1949 (42 U.S.C. 1471 et seq.);

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

1 (D) is made, insured, or guaranteed under
2 chapter 37 of title 38, United States Code; or

3 (E) is guaranteed under section 184 or
4 184A of the Housing and Community Develop-
5 ment Act of 1992 (12 U.S.C. 1715z-13a and 12
6 U.S.C. 1715z-13b).

7 (6) FIRST GENERATION HOMEBUYER.—The
8 term “first-generation homebuyer” means a home-
9 buyer that is, as attested by the homebuyer—

10 (A) an individual—

11 (i) whose living parents or legal
12 guardians do not, to the best of the indi-
13 vidual’s knowledge, own and have not, dur-
14 ing the 3-year period ending upon acquisi-
15 tion of the eligible home to be acquired
16 using such assistance, had any present fee
17 simple ownership interest in a principal
18 residence in any State, excluding owner-
19 ship of heir property, or who lost their
20 home due to foreclosure, deed-in-lieu of
21 foreclosure, or short sale;

22 (ii) if no parents or legal guardians
23 are living upon acquisition of the eligible
24 home to be acquired using such assistance,
25 to the best of the individual’s knowledge,

1 their parents or legal guardians did not
2 have any ownership interest in a principal
3 residence in any State or who lost their
4 home due to foreclosure, deed-in-lieu of
5 foreclosure, or short sale within 3 years of
6 their death, excluding ownership of heir
7 property; and

8 (iii) whose spouse, or domestic part-
9 ner, and each member of whose household
10 has not, during the 3-year period ending
11 upon acquisition of the eligible home to be
12 acquired using such assistance, had any
13 present ownership interest in a principal
14 residence in any State, excluding owner-
15 ship of heir property, whether the indi-
16 vidual is a co-borrower on the loan or not;
17 or

18 (B) an individual who has at any time
19 been placed in foster care or institutional care
20 whose spouse, domestic partner, and each mem-
21 ber of whose household has not, during the 3-
22 year period ending upon acquisition of the eligi-
23 ble home to be acquired using such assistance,
24 had any ownership interest in a principal resi-
25 dence in any State, excluding ownership of heir

1 property, whether such individuals are co-bor-
2 rowers on the loan or not.

3 (7) QUALIFIED HOMEBUYER.—The term
4 “qualified homebuyer” means a homebuyer, includ-
5 ing an individual, multiple individuals, co-pur-
6 chasers, and multi-member households—

7 (A) having a household income that is less
8 than or equal to—

9 (i) 120 percent of median income for
10 one or more of the following areas (as de-
11 termined by the Secretary)—

12 (I) the area in which eligible
13 home to be acquired using such assist-
14 ance is located; or

15 (II) the area in which the place
16 of residence of the homebuyer is lo-
17 cated; or

18 (ii) in the case of a homebuyer acquir-
19 ing an eligible home that is located in a
20 high-cost area, as determined by the Sec-
21 retary, 140 percent of the median income
22 for the area within which the eligible home
23 to be acquired using such assistance is lo-
24 cated;

1 (B) who is a first-time homebuyer, as such
2 term is defined at 42 U.S.C. 12704, except that
3 ownership of heir property shall not be treated
4 as owning a home for purposes of determining
5 whether a borrower qualifies as a first-time
6 homebuyer; and

7 (C) who is a first-generation homebuyer.

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

10 (9) SHARED EQUITY HOMEOWNERSHIP PRO-
11 GRAM.—

12 (A) IN GENERAL.—The term “shared eq-
13 uity homeownership program” means affordable
14 homeownership preservation through a resale
15 restriction program administered by a commu-
16 nity land trust, other nonprofit organization, or
17 State or local government or instrumentalities.

18 (B) AFFORDABILITY REQUIREMENTS.—
19 Any such program under subparagraph (A)
20 shall—

21 (i) provide affordable homeownership
22 opportunities to households; and

23 (ii) utilize a ground lease, deed re-
24 striction, subordinate loan, or similar legal

1 mechanism that includes provisions ensur-
2 ing that the program shall—

3 (I) maintain the homeownership
4 unit as affordable for subsequent very
5 low-, low-, or moderate-income fami-
6 lies for an affordability term of at
7 least 30 years after recordation;

8 (II) apply a resale formula that
9 limits the homeowner's proceeds upon
10 resale; and

11 (III) provide the program admin-
12 istrator or such administrator's as-
13 signee a preemptive option to pur-
14 chase the homeownership unit from
15 the homeowner at resale.

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

22 (11) HEIR PROPERTY.—The term “heir prop-
23 erty” means residential property for which title
24 passed by operation of law through intestacy and is
25 held by two or more heirs as tenants in common.

1 **SEC. 40202. WEALTH-BUILDING HOME LOAN PROGRAM.**

2 (a) APPROPRIATION.—In addition to amounts other-
3 wise available, there is appropriated—

4 (1) to the Secretary of Housing and Urban De-
5 velopment for fiscal year 2022, out of any amounts
6 in the Treasury not otherwise appropriated,
7 \$480,000,000, to remain available until September
8 30, 2031, to carry out the program established
9 under subsection (b) and programs of the Federal
10 Housing Administration and the Government Na-
11 tional Mortgage Association generally, including in-
12 formation technology, financial reporting, other
13 cross-program costs in support of programs adminis-
14 tered by the Secretary in this Act, other costs, and
15 for the cost of guaranteed loans and other obliga-
16 tions; and

17 (2) to the Secretary of Agriculture for fiscal
18 year 2022, out of any amounts in the Treasury not
19 otherwise appropriated, \$20,000,000, to remain
20 available until September 30, 2031, to carry out the
21 program established under subsection (b) and pro-
22 grams of the Rural Housing Service generally, in-
23 cluding information technology and financial report-
24 ing in support of the Program administered by the
25 Secretary of Agriculture in this Act, other costs, and

1 for the cost of guaranteed loans and other obliga-
2 tions.

3 (b) ESTABLISHMENT OF LIFT HOME FUNDS.—

4 (1) IN GENERAL.—There is established in each
5 Loan Guarantee Agency a fund to be known as the
6 LIFT HOME Fund, into which amounts appro-
7 priated under this section shall be deposited and
8 which shall be used by each Department for carrying
9 out the purposes of this section.

10 (2) MANAGEMENT OF FUND.—The LIFT
11 HOME Fund of each Loan Guarantee Agency shall
12 be administered and managed by the respective Sec-
13 retary, who shall establish reasonable and prudent
14 criteria for the management and operation of any
15 amounts in the Fund.

16 (c) USE OF APPROPRIATIONS.—

17 (1) TRANSFER OF AMOUNTS TO TREASURY.—
18 Such portions of the appropriation to the Secretary
19 of Housing and Urban Development shall be trans-
20 ferred annually by the Secretary of Housing and
21 Urban Development to the Department of the Treas-
22 ury in an amount equal to, as determined by the
23 Secretary of the Treasury—

24 (A) the amount the Secretary of the Treas-
25 ury estimates to be necessary for the purchase

1 of securities under the Program during the pe-
2 riod for which the funds are intended to be
3 available;

4 (B) the difference between—

5 (i) the Secretary of the Treasury's re-
6 ceipts from the sale or other disposition of
7 securities acquired under the Program;
8 and

9 (ii) the Secretary of the Treasury's
10 costs in purchasing such securities; and

11 (C) the Department of the Treasury's ad-
12 ministrative expenses related to the Program.

13 (2) CREDIT SUBSIDY.—Such portion of the ap-
14 propriation to each Secretary as may be necessary
15 may be used for the cost to the respective Loan
16 Guarantee Agency of guaranteed loans under this
17 section. Such costs, including the costs of modifying
18 such loans, shall be as defined in section 502 of the
19 Congressional Budget Act of 1974 (2 U.S.C. 661a).

20 (d) ESTABLISHMENT OF THE LIFT HOME PRO-
21 GRAM.—Each Secretary shall establish, and carry out dur-
22 ing the period ending on December 31, 2025, a program
23 to make covered mortgage loans available to eligible home-
24 buyers to purchase a single-family residence for use as

1 their principal residence (referred to in this section as the
2 “Program”), under which—

3 (1) the Secretary of the Treasury—

4 (A) shall act as a purchaser, on behalf of
5 the Secretary of Housing and Urban Develop-
6 ment, of securities that are secured by covered
7 mortgage loans;

8 (B) may designate financial institutions,
9 including banks, savings associations, trust
10 companies, security brokers or dealers, asset
11 managers, investment advisers, and other insti-
12 tutions and such institutions shall—

13 (i) perform all reasonable duties re-
14 lated to this section as a financial agent of
15 the United States as may be required; and

16 (ii) be paid for such duties using ap-
17 propriations available to the Secretary of
18 the Treasury to reimburse financial insti-
19 tutions in their capacity as financial agents
20 of the United States;

21 (C) may use the services of any agency or
22 instrumentality of the United States or compo-
23 nent thereof on a reimbursable basis, and any
24 such agency or instrumentality or component
25 thereof is authorized to provide services as re-

1 requested by the Secretary using all authorities
2 vested in or delegated to that agency, instru-
3 mentality, or component;

4 (D) may manage, and exercise any rights
5 received in connection with, any financial in-
6 struments or assets purchased or acquired pur-
7 suant to the authorities granted under this sec-
8 tion;

9 (E) may establish and use vehicles to pur-
10 chase, hold, and sell financial instruments and
11 other assets; and

12 (F) may issue such regulations and other
13 guidance as may be necessary or appropriate to
14 carry out the authorities or purposes of this
15 section;

16 (2) each Secretary of a Loan Guarantee Agency
17 shall—

18 (A) establish pricing terms for covered
19 mortgage loans such that the covered mortgage
20 loans carry a monthly mortgage payment of
21 principal and interest that is not more than 110
22 percent and not less than 100 percent of the
23 monthly payment of principal, interest, and
24 periodic mortgage insurance premium or loan
25 guarantee fee associated with a newly origi-

1 nated 30-year mortgage loan with the same
2 loan balance insured or guaranteed by the Loan
3 Guarantee Agency as determined by each Sec-
4 retary; and

5 (B) establish an outreach and counseling
6 program to increase stakeholder awareness of
7 the Program; and

8 (3) the Secretary of Housing and Urban Devel-
9 opment shall—

10 (A) in consultation with the Secretary of
11 Treasury, establish the pricing terms for the
12 purchase of securities guaranteed by the Asso-
13 ciation secured by covered mortgage loans such
14 that the covered mortgage loans carry a month-
15 ly mortgage payment of principal and interest
16 that is not more than 110 percent and not less
17 than 100 percent of the monthly payment of
18 principal, interest, and periodic mortgage insur-
19 ance premium or loan guarantee fee associated
20 with a newly originated 30-year mortgage loan
21 with the same loan balance insured or guaran-
22 teed by the Loan Guarantee Agency;

23 (B) have the authority to designate mort-
24 gage bankers, financial institutions, including
25 banks, savings associations, trust companies,

1 security brokers or dealers, asset managers, in-
2 vestment advisers, and other institutions and
3 such institutions shall—

4 (i) perform all reasonable duties re-
5 lated to this section as an agent of the
6 United States as may be required; and

7 (ii) be paid for such duties using ap-
8 propriations available under this section to
9 the Secretary of Housing and Urban De-
10 velopment to reimburse these entities in
11 their capacity as agents of the United
12 States;

13 (C) have the authority to use the services
14 of any agency or instrumentality of the United
15 States or component thereof on a reimbursable
16 basis, and any such agency or instrumentality
17 or component thereof is authorized to provide
18 services as requested by the Secretary of Hous-
19 ing and Urban Development using all authori-
20 ties vested in or delegated to that agency, in-
21 strumentality, or component;

22 (D) operate the Program in coordination
23 with the Association, the Federal Housing Ad-
24 ministration, the Rural Housing Service, and
25 the Secretary of the Treasury so as to dem-

1 onstrate feasibility and workability to market
2 participants, including—

3 (i) originators and servicers of mort-
4 gages;

5 (ii) issuers of mortgage-backed securi-
6 ties; and

7 (iii) investors; and

8 (E) gain price discovery experience by in-
9 structing the Secretary of the Treasury, fol-
10 lowing consultation with the Secretary of Treas-
11 ury to sell acquired securities described in sub-
12 paragraph (A) as soon as practicable, thereby
13 hastening the development of liquidity for secu-
14 rities backed by covered mortgage loans.

15 (3) LIMITATION ON AGGREGATE LOAN GUAR-
16 ANTEE AUTHORITY.—The aggregate original prin-
17 cipal obligation of all covered mortgage loans under
18 this section for each Loan Guarantee Agency may
19 not exceed \$5,000,000,000.

20 (4) GNMA GUARANTEE AUTHORITY.—To carry
21 out the purposes of section 306 of the National
22 Housing Act (12 U.S.C. 1721), the Association may
23 enter into new commitments to issue guarantees of
24 securities based on or backed by mortgages insured
25 under this section, not exceeding \$10,000,000,000.

1 (5) GNMA GUARANTY FEE.—To carry out the
2 purposes of this section, the Association may collect
3 guaranty fees consistent with section 306(g)(1) of
4 the National Housing Act (12 U.S.C. 1721(g)(1))
5 that are paid at securitization.

6 (e) DEFINITIONS.—In this section:

7 (1) ASSOCIATION.—The term “Association”
8 means the Government National Mortgage Associa-
9 tion.

10 (2) COVERED MORTGAGE LOAN.—

11 (A) IN GENERAL.—The term “covered
12 mortgage loan” means, for purposes of the Pro-
13 gram established by the Secretary of Housing
14 and Urban Development, a mortgage loan
15 that—

16 (i) is insured or guaranteed by the
17 Federal Housing Administration pursuant
18 to section 203(b) of the National Housing
19 Act, subject to the eligibility criteria set
20 forth in this subsection, and has a case
21 number issued before January 1, 2025;

22 (ii) is made for an original term of 20
23 years;

24 (iii) subject to subparagraph (C) of
25 this paragraph and notwithstanding sec-

1 tion 203(b)(2)(C) of the National Housing
2 Act (12 U.S.C. 1709(b)(2)(C)), has a
3 mortgage insurance premium of not more
4 than 4 percent of the loan balance that is
5 paid at closing, financed into the principal
6 balance of the loan, paid through an an-
7 nual premium, or a combination thereof;

8 (iv) involves a rate of interest that is
9 fixed over the term of the mortgage loan;
10 and

11 (v) is secured by a single-family resi-
12 dence that is the principal residence of an
13 eligible homebuyer.

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

19 (i) notwithstanding section
20 502(h)(7)(A) of the Housing Act of 1949
21 (42 U.S.C. 1472(h)(7)(A)), is made for an
22 original term of 20 years; and

23 (ii) subject to subparagraph (C) of
24 this paragraph and notwithstanding sec-
25 tion 502(h)(8)(A) of the Housing Act of

1 1949 (42 U.S.C. 1472(h)(8)(A)), has a
2 loan guarantee fee of not more than 4 per-
3 cent of the principal obligation of the loan.

4 (C) WAIVER OF MORTGAGE INSURANCE
5 PREMIUM REQUIREMENT.—Each Secretary, in
6 consultation with the Secretary of the Treasury,
7 and notwithstanding section 502(h)(8)(A) of
8 the Housing Act of 1949 (42 U.S.C.
9 1472(h)(8)(A)) for purposes of the Program es-
10 tablished by the Secretary of Agriculture, may
11 waive the mortgage insurance premium cap or
12 loan guarantee fee cap under subparagraphs
13 (A)(iii) and (B)(ii) with respect to covered
14 mortgage loans insured or guaranteed by the
15 Loan Guarantee Agency of which that Sec-
16 retary is the head if necessary to protect the
17 solvency of the associated insurance fund.

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

20 (A) for purposes of the Program estab-
21 lished by the Secretary of Housing and Urban
22 Development:

23 (i) is a first-time homebuyer as de-
24 fined in paragraph (5) of this section and

1 a first-generation homebuyer as defined in
2 paragraph (4) of this section; and

3 (ii) with a household income that does
4 not exceed—

5 (I) 120 percent of median income
6 for the area, as determined by the
7 Secretary of Housing and Urban De-
8 velopment for loans insured under the
9 National Housing Act, within which—

10 (aa) the single-family resi-
11 dence to be acquired using assist-
12 ance provided under this section
13 is located; or

14 (bb) the place of residence
15 of the individual is located; or

16 (II) in the case of an individual
17 acquiring a single-family residence
18 that is located in a high-cost area, as
19 determined by the Secretary of Hous-
20 ing and Urban Development, 140 per-
21 cent of the median income for the
22 area within which the single-family
23 residence to be acquired using assist-
24 ance provided under this section is lo-
25 cated.

1 (B) for purposes of the Program estab-
2 lished by the Secretary of Agriculture—

3 (i) is a first-time homebuyer as de-
4 fined in paragraph (5) of this subsection
5 and a first-generation homebuyer as de-
6 fined in paragraph (4) of this subsection;
7 and

8 (ii) meets the applicable requirements
9 in section 502(h) of the Housing Act of
10 1949 (42 U.S.C. 1472(h)).

11 (4) FIRST-GENERATION HOMEBUYER.—The
12 term “first-generation homebuyer” means a home-
13 buyer that is, as attested by the homebuyer—

14 (A) an individual—

15 (i) whose living parents or legal
16 guardians do not, to the best of the indi-
17 vidual’s knowledge, own and have not, dur-
18 ing the 3-year period ending upon acquisi-
19 tion of the eligible home to be acquired
20 using such assistance, had any present fee
21 simple ownership interest in a principal
22 residence in any State, excluding owner-
23 ship of heir property, or who lost their
24 home due to foreclosure, deed-in-lieu of
25 foreclosure, or short sale;

1 (ii) if no parents or legal guardians
2 are living upon acquisition of the eligible
3 home to be acquired using such assistance,
4 to the best of the individual's knowledge,
5 whose parents or legal guardians did not
6 have any ownership interest in a principal
7 residence in any State or who lost their
8 home due to foreclosure, deed-in-lieu of
9 foreclosure, or short sale within 3 years of
10 their death, excluding ownership of heir
11 property; and

12 (iii) whose spouse, or domestic part-
13 ner, and each member of whose household
14 has not, during the 3-year period ending
15 upon acquisition of the eligible home to be
16 acquired using such assistance, had any
17 present ownership interest in a principal
18 residence in any State, excluding owner-
19 ship of heir property, whether the indi-
20 vidual is a co-borrower on the loan or not;
21 or

22 (B) an individual who has at any time
23 been placed in foster care or institutional care
24 whose spouse, domestic partner, and each mem-
25 ber of whose household has not, during the 3-

1 year period ending upon acquisition of the eligi-
2 ble home to be acquired using such assistance,
3 had any ownership interest in a principal resi-
4 dence in any State, excluding ownership of heir
5 property, whether such individuals are co-bor-
6 rowers on the loan or not.

7 (5) **FIRST-TIME HOMEBUYER.**—The term “first-
8 time homebuyer” means a homebuyer as defined in
9 section 104 of the Cranston-Gonzalez National Af-
10 fordable Housing Act (42 U.S.C. 12704), except
11 that ownership of heir property shall not be treated
12 as owning a home for purposes of determining
13 whether a borrower qualifies as a first-time home-
14 buyer.

15 (6) **SECRETARY.**—Unless otherwise specified,
16 the term “Secretary” means the Secretary of Hous-
17 ing and Urban Development or the Secretary of Ag-
18 riculture, as appropriate.

19 (7) **DEPARTMENT.**—Unless otherwise specified,
20 the term “Department” means the Department of
21 Housing and Urban Development or the Department
22 of Agriculture, as appropriate.

23 (8) **LOAN GUARANTEE AGENCY.**—Unless other-
24 wise specified, the term “Loan Guarantee Agency”
25 means the Federal Housing Administration of the

1 Department of Housing and Urban Development or
2 the Rural Housing Service of the Department of Ag-
3 riculture, as appropriate.

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

8 (f) RELIANCE ON BORROWER ATTESTATIONS.—No
9 additional documentation beyond the borrower’s attesta-
10 tion shall be required to demonstrate eligibility under
11 paragraph (4) of subsection (e) and no State, eligible enti-
12 ty, or creditor shall be subject to liability, including mone-
13 tary penalties or requirements to indemnify a Federal
14 agency or repurchase a loan that has been sold or
15 securitized, based on the provision of assistance under this
16 section to a borrower who does not meet the eligibility re-
17 quirements under paragraph (4) of subsection (e) if the
18 creditor does so in good faith reliance on borrower attesta-
19 tions of eligibility required under such paragraph.

20 **SEC. 40203. FHA-INSURED SMALL DOLLAR MORTGAGE DEM-**
21 **ONSTRATION PROGRAM.**

22 (a) APPROPRIATION.—In addition to amounts other-
23 wise available, there is appropriated to the Secretary of
24 Housing and Urban Development (in this section referred
25 to as the “Secretary”) for fiscal year 2022, out of any

1 money in the Treasury not otherwise appropriated,
2 \$100,000,000, to remain available until September 30,
3 2031, for a program to increase access to small-dollar
4 mortgages, as defined in subsection (d), which may include
5 adjustments to terms and costs, individual financial assist-
6 ance, technical assistance to certain financial institutions
7 to help originate loans, and lender and borrower outreach.

8 (b) GUARANTEED LOANS.— Of the amounts made
9 available under this section, up to \$10,000,000 shall be
10 for the cost of guaranteed loans, including the cost of
11 modifying loans, as defined in section 502 of the Congres-
12 sional Budget Act of 1974 (2 U.S.C. 661a).

13 (c) ADMINISTRATIVE COSTS.—The Secretary may
14 use up to \$14,000,000 of the amounts made available
15 under this section for the costs to the Secretary of admin-
16 istering and overseeing the implementation of this section
17 and programs in the Office of Housing generally, includ-
18 ing information technology, financial reporting, research
19 and evaluations, fair lending compliance, and other cross-
20 program costs in support of programs administered by the
21 Secretary in this Act, and other costs. The Secretary may
22 transfer and merge amounts set aside under this sub-
23 section to section 40301.

1 (d) SMALL-DOLLAR MORTGAGE.—For purposes of
2 this section, the term “small-dollar mortgage” means a
3 forward mortgage that—

4 (1) has an original principal balance of
5 \$100,000 or less;

6 (2) is secured by a one- to four-unit property
7 that is the mortgagor’s principal residence, as de-
8 fined by the Secretary; and

9 (3) is insured by the Secretary pursuant to title
10 II of the National Housing Act (12 U.S.C. 1707 et
11 seq.), or section 184 or 184A of the Housing and
12 Community Development Act of 1992 (12 U.S.C.
13 1715z-13a, 1715z-13b).

14 **Subtitle D—Other Investments**

15 **SEC. 40301. PROGRAM ADMINISTRATION, TRAINING, TECH-** 16 **NICAL ASSISTANCE, AND CAPACITY BUILD-** 17 **ING, AND USICH.**

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

22 (1) \$1,995,000,000 to the Secretary of Housing
23 and Urban Development for—

24 (A) the costs to the Secretary of admin-
25 istering and overseeing the implementation of

1 **【this subtitle】** and the Department’s programs
2 generally, including information technology, in-
3 spections of housing units, research and evalua-
4 tion, financial reporting, and other costs; and

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

12 (2) \$5,000,000 to the United States Inter-
13 agency Council on Homelessness for necessary ex-
14 penses in carrying out the functions of the Council
15 pursuant to title II of the McKinney-Vento Home-
16 less Assistance Act (42 U.S.C. 11311 et seq.).

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

19 (b) **RESERVATION OF FUNDS.**—Of the amount ap-
20 propriated under subsection (a)(1), the Secretary of Hous-
21 ing and Urban Development shall reserve \$10,000,000 for
22 necessary salaries and expenses of the Office of the In-
23 spector General of the Department of Housing and Urban
24 Development in carrying out the Inspector General Act of
25 1978.

1 **SEC. 40302. COMMUNITY-LED CAPACITY BUILDING.**

2 (a) APPROPRIATION.—In addition to amounts other-
3 wise made available, there is appropriated to the Secretary
4 of Housing and Urban Development (in this section re-
5 ferred to as the “Secretary”) for fiscal year 2022, out of
6 any money in the Treasury not otherwise appropriated,
7 \$100,000,000, to remain available until September 30,
8 2031, to competitively award funds for technical assist-
9 ance and capacity building to non-Federal entities, includ-
10 ing nonprofit organizations that can provide technical as-
11 sistance activities to community development corporations,
12 community housing development organizations, commu-
13 nity land trusts, nonprofit organizations in insular areas,
14 and other mission-driven and nonprofit organizations that
15 target services to low-income and socially disadvantaged
16 populations, and provide services in neighborhoods having
17 high concentrations of minority, low-income, or socially
18 disadvantaged populations to carry out the following ac-
19 tivities:

20 (1) Providing training, education, support, and
21 advice to enhance the technical and administrative
22 capabilities of community development corporations,
23 community housing development organizations, com-
24 munity land trusts, and other mission-driven and
25 nonprofit organizations seeking to undertake afford-

1 able housing development, acquisition, preservation,
2 or rehabilitation activities.

3 (2) Providing grants or predevelopment assist-
4 ance to community development corporations, com-
5 munity housing development organizations, and
6 other mission-driven and nonprofit organizations
7 seeking to undertake affordable housing develop-
8 ment, acquisition, preservation, or rehabilitation ac-
9 tivities.

10 (3) Carrying out such other activities as may be
11 determined by the grantees in consultation with the
12 Secretary.

13 (b) ADMINISTRATION.—The Secretary may use up to
14 10 percent of the amounts made available under this sec-
15 tion for the costs to the Secretary of administering, evalu-
16 ating, and overseeing the implementation of this section
17 and the Department’s technical assistance programs gen-
18 erally, including information technology, research and
19 evaluations, financial reporting, fair housing compliance,
20 and other cross-program costs in support of programs ad-
21 ministered by the Secretary in this Act and other costs.

22 **SEC. 40303. MINORITY BUSINESS DEVELOPMENT AGENCY.**

23 (a) DIRECT APPROPRIATION.—There is appropriated
24 to the Minority Business Development Agency for fiscal
25 year 2022, out of amounts in the Treasury not otherwise

1 appropriated, \$3,100,000,000, to remain available until
2 September 30, 2031, of which—

3 (1) \$200,000,000 shall be used to carry out
4 subsection (b)(1);

5 (2) \$900,000,000 shall be used to carry out
6 subsection (b)(2); and

7 (3) \$2,000,000,000 shall be used to carry out
8 subsection (b)(3), of which up to 5 percent may be
9 used for administrative costs associated with car-
10 rying out such subsection.

11 (b) MINORITY BUSINESS DEVELOPMENT AGENCY.—

12 (1) RURAL BUSINESS CENTERS.—The Director
13 of the Minority Business Development Agency may
14 enter into agreements with one or more rural Busi-
15 ness Centers that are operated by a minority-serving
16 institution of higher education or by a consortium of
17 institutions of higher education that is led by a mi-
18 nority-serving institution of higher education of the
19 Agency. Under such an agreement, a rural Business
20 Center shall provide assistance primarily to eligible
21 business enterprises located within a rural area, as
22 defined by the Director.

23 (2) OTHER ACTIVITIES.—The Director of the
24 Minority Business Development Agency shall—

1 (A) pay salaries and related costs for em-
2 ployees;

3 (B) pay for administrative and other costs
4 to support initiatives that assist the formation,
5 growth, and expansion of eligible business en-
6 terprises;

7 (C) establish and provide assistance to
8 Business Centers and specialty Business Cen-
9 ters, prioritizing for such establishment in
10 States or regions that lack a Business Center
11 and have a significant population of members of
12 an underrepresented community;

13 (D) establish not fewer than 5 regional of-
14 fices, in locations determined by the Director;

15 (E) conduct an annual forum between the
16 Federal Government and businesses to review
17 existing programs and current challenges relat-
18 ing to capital formation by eligible business en-
19 terprises;

20 (F) provide grants to minority-serving in-
21 stitutions of higher education to develop and
22 implement entrepreneurship curricula; and

23 (G) collect data and develop research and
24 policies regarding the needs and development of
25 eligible business enterprises.

1 (3) GRANTS.—

2 (A) IN GENERAL.—The Director of the Mi-
3 nority Business Development Agency may pro-
4 vide grants to—

5 (i) a eligible business enterprise; and

6 (ii) an eligible nonprofit organization,
7 where such organization shall make sub-
8 grants to eligible business enterprises lo-
9 cated in areas with significant populations
10 of members of underrepresented commu-
11 nities.

12 (B) DUTIES OF ELIGIBLE NONPROFIT OR-
13 GANIZATIONS.—An eligible nonprofit organiza-
14 tion that receives a grant under this paragraph
15 shall provide assistance to eligible business en-
16 terprise subgrantees to help such subgrantees
17 expand or maintain operations.

18 (C) BUSINESS IDENTIFIERS.—In accepting
19 applications for subgrants under this sub-
20 section, the Director shall allow each sub-
21 grantee to use existing business identifiers of
22 the subgrantee instead of other forms of reg-
23 istration or identification.

24 (D) ELIGIBLE NONPROFIT ORGANIZA-
25 TION.—In this paragraph, the term “eligible

1 nonprofit organization” means an organization
2 that is described in paragraph (3) or (6) of sec-
3 tion 501(c) of the Internal Revenue Code of
4 1986 and that is exempt from taxation under
5 section 501(a) of such Code for which the pri-
6 mary activity of the organization is to provide
7 services and financial support to eligible busi-
8 ness enterprises located in areas with signifi-
9 cant populations of members of underrep-
10 resented communities.

11 (4) RETURNING FUNDS.—If an entity that re-
12 ceives a grant or assistance under this subsection
13 fails to use all the funds or permanently ceases oper-
14 ations on or before September 30, 2031, the entity
15 shall return the funds to the Minority Business De-
16 velopment Agency. The Minority Business Develop-
17 ment Agency shall return all such funds to the
18 Treasury if not expended by September 30, 2031.

19 (c) DEFINITIONS.—In this section:

20 (1) BUSINESS CENTER.—The term “Business
21 Center” means any business center that—

22 (A) is established by the Minority Business
23 Development Agency; and

24 (B) provides technical business assistance
25 to minority business enterprises.

1 (2) ELIGIBLE BUSINESS ENTERPRISE.—The
2 term “eligible business enterprise” means a business
3 owned or controlled by one or more members of an
4 underrepresented community.

5 (3) MEMBER OF AN UNDERREPRESENTED COM-
6 MUNITY.—The term “member of an underrep-
7 resented community” means an individual who is—

8 (A) a resident of—

9 (i) a low-income community, as de-
10 fined in section 45D(e) of the Internal
11 Revenue Code of 1986;

12 (ii) a low-income rural community; or

13 (iii) a HUBZone, as defined in section
14 31(b) of the Small Business Act;

15 (B) a member of an Indian or Alaska Na-
16 tive tribe, band, nation, pueblo, village, commu-
17 nity, component band, or component reserva-
18 tion, individually identified (including par-
19 enthetically) in the most recent list published
20 pursuant to section 104 of the Federally Recog-
21 nized Indian Tribe List Act of 1994;

22 (C) an individual with a disability, as de-
23 fined in section 3 of the Americans with Dis-
24 abilities Act of 1990;

25 (D) a veteran;

1 (E) an individual who completed a term of
2 imprisonment; or

3 (F) otherwise identified by the Director.

4 (4) MINORITY SERVING INSTITUTION.—The
5 term “minority serving institution” means—

6 (A) an institution described in section
7 371(a) of the Higher Education Act of 1965
8 (20 U.S.C. 1067q(a)); or

9 (B) a junior or community college, as de-
10 fined in section 312 of the Higher Education
11 Act of 1965 (20 U.S.C. 1058).

12 (5) SPECIALTY BUSINESS CENTER.—The term
13 “specialty Business Center” means a Business Cen-
14 ter that provides specialty services focusing on spe-
15 cific business needs, including assistance relating
16 to—

17 (A) capital access;

18 (B) Federal procurement;

19 (C) entrepreneurship;

20 (D) technology transfer; or

21 (E) any other area determined necessary
22 or appropriate based on the priorities of the Di-
23 rector of the Minority Business Development
24 Agency.

1 **SECTION 40304. MANUFACTURING FACILITY.**

2 (a) IN GENERAL.—The State Small Business Credit
3 Initiative Act of 2010 (12 U.S.C. 5701 et seq.) is amend-
4 ed—

5 (1) in section 3003—

6 (A) in subsection (b), by adding at the end
7 the following:

8 “(3) 2022 ALLOCATION.—

9 “(A) IN GENERAL.—Not later than 30
10 days after the date of enactment of this para-
11 graph, the Secretary shall allocate Federal
12 funds to participating States so that each State
13 is eligible to receive an amount equal to what
14 the State would receive under the 2022 alloca-
15 tion, as determined under subparagraph (B).

16 “(B) 2022 ALLOCATION FORMULA.—

17 “(i) IN GENERAL.—With respect to
18 States, the Secretary shall determine the
19 2022 allocation by allocating Federal funds
20 among the States based on the manufac-
21 turing job losses per State over the 30-year
22 period ending on the date of enactment of
23 this paragraph.

24 “(ii) MANUFACTURING JOB LOSS
25 DATA.—If the Secretary determines that
26 manufacturing job loss data with respect

1 to a State is unavailable from the Bureau
2 of Labor Statistics of the Department of
3 Labor, the Secretary shall consider such
4 other economic and employment data that
5 is otherwise available for purposes of deter-
6 mining the employment data of such
7 State.”; and

8 (B) by adding at the end the following:

9 “(g) SPECIAL RULES FOR THE 2022 ALLOCATION.—
10 With respect to the 2022 allocation:

11 “(1) TRANSFER OF ALLOCATION.—Notwith-
12 standing anything to the contrary in subsection (c),
13 the Secretary shall transfer the full amount of each
14 allocation to a State in a single transfer and shall
15 complete such transfer before September 30, 2022.

16 “(2) USE OF TRANSFERRED FUNDS.—Notwith-
17 standing anything to the contrary in this section or
18 section 3004, 3005, or 3006, States may use alloca-
19 tions of amounts appropriated for fiscal year 2022
20 to carry out the Program only—

21 “(A) for making Federal contributions to,
22 or for the account of, an approved State pro-
23 gram that is a State-run venture capital fund
24 program, for the purposes of, as determined by
25 the Secretary of the Treasury—

1 “(i) maintaining the economic com-
2 petitiveness of the United States;

3 “(ii) maintaining a strong manufac-
4 turing base in the United States, including
5 promoting advanced manufacturing tech-
6 nology and innovative technology; or

7 “(iii) helping the United States tran-
8 sition to clean energy or clean manufac-
9 turing processes to combat climate change
10 or to invest in innovation for climate
11 change adapted production processes; and

12 “(B) for paying administrative costs in-
13 curred by the State in implementing an ap-
14 proved State program that is a State-run ven-
15 ture capital fund program in an amount not to
16 exceed 5 percent of such State’s allocation.

17 “(3) SPECIAL PERMISSION FOR CERTAIN MU-
18 NICIPALITIES.—Section 3004(d) shall apply to the
19 2022 allocation to the same extent as such provision
20 applies to an allocation made under subsection (d),
21 except that—

22 “(A) paragraph (1) of section 3004(d)
23 shall be applied by substituting ‘6 months’ for
24 ‘9 months’; and

1 “(B) paragraph (2) of section 3004(d)
2 shall be applied by substituting ‘9 months’ for
3 ‘12 months.’”; and

4 (2) in section 3009(c), by striking “7-year pe-
5 riod” and inserting “10-year period”.

6 (b) APPROPRIATION.—

7 (1) IN GENERAL.—In addition to amounts oth-
8 erwise available, there is hereby appropriated to the
9 Secretary of the Treasury for fiscal year 2022, out
10 of any money in the Treasury not otherwise appro-
11 priated, \$1,000,000,000, to remain available until
12 expended, to carry out the amendments made by
13 subsection (a).

14 (2) RESCISSION.—With respect to amounts ap-
15 propriated under paragraph (1)—

16 (A) the Secretary of the Treasury shall
17 complete all disbursements and remaining obli-
18 gations before September 30, 2032; and

19 (B) any amounts that remain unexpended
20 (whether obligated or unobligated) on Sep-
21 tember 30, 2032, shall be rescinded and depos-
22 ited into the general fund of the Treasury.

1 (c) RULE OF APPLICATION.—The amendments made
2 by this section shall apply with respect to funds appro-
3 priated on the date of enactment of this section.

