

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO THE COMMITTEE PRINT
OFFERED BY MS. WATERS OF CALIFORNIA
[Budget Reconciliation]

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

1 **TITLE IV—COMMITTEE ON**
2 **FINANCIAL SERVICES**
3 **Subtitle A—Creating and Pre-**
4 **servicing Affordable, Equitable**
5 **and Accessible Housing for the**
6 **21st Century**

7 **SEC. 40001. PUBLIC HOUSING INVESTMENTS.**

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 (1) \$10,000,000,000 for the Capital Fund
14 under section 9(d) of the United States Housing Act
15 of 1937 (42 U.S.C. 1437g(d)) pursuant to the same
16 formula as in fiscal year 2021, to be made available

1 within 60 days of the date of the enactment of this
2 Act;

3 (2) \$66,500,000,000 for eligible activities under
4 section 9(d)(1) of the United States Housing Act of
5 1937 (42 U.S.C. 1437g(d)(1)) for priority invest-
6 ments as determined by the Secretary to repair, re-
7 place, or construct properties assisted under such
8 section 9;

9 (3) \$2,750,000,000 for competitive grants
10 under section 24 of the United States Housing Act
11 of 1937 (42 U.S.C. 1437v) (in this section referred
12 to as “section 24”), under the terms and conditions
13 in subsection (b), for transformation, rehabilitation,
14 and replacement housing needs of public housing, to
15 transform neighborhoods of poverty into functioning,
16 sustainable mixed-income neighborhoods ; and

17 (4) \$750,000,000 for the costs to the Secretary
18 of administering and overseeing the implementation
19 of this section and the Public Housing Capital Fund
20 and the section 24 grant program generally, includ-
21 ing information technology, financial reporting, re-
22 search and evaluation, other cross-program costs in
23 support of programs administered by the Secretary
24 in this title, and other costs; the Secretary may

1 transfer and merge amounts set aside under this
2 subparagraph to section 40301.

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

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

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

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

16 (A) LEAD APPLICANTS.—A lead applicant
17 shall be a local government or a public housing
18 agency.

19 (B) JOINT APPLICANTS.—A nonprofit or-
20 ganization or a for-profit developer may apply
21 jointly as a joint applicant with such public en-
22 tities specified in subparagraph (A).

23 (3) PERIOD OF AFFORDABILILTY.—Grantees
24 shall commit to a period of affordabililty determined
25 by the Secretary of not fewer than 20 years, but the

1 Secretary may specify a period of affordability that
2 is fewer than 20 years with respect to homeowner-
3 ship units developed with section 24 grants.

4 (4) ENVIRONMENTAL REVIEW.—For purposes
5 of environmental review, a grantee shall be treated
6 as a public housing agency under section 26 of the
7 United States Housing Act of 1937 (42 U.S.C.
8 1437x) and grants from amounts made available
9 under this heading shall be subject to the regula-
10 tions issued by the Secretary to implement such sec-
11 tion.

12 (5) PARTNERSHIPS.—Grantees shall create
13 partnerships with other local organizations, included
14 assisted housing owners, service agencies, and resi-
15 dent organizations.

16 (6) UNOBLIGATED BALANCES.—The Secretary
17 may, until September 30, 2031, obligate any avail-
18 able unobligated balances made available under sub-
19 section (a)(3).

20 (7) LOW-INCOME HOUSING.—Amounts made
21 available under this section shall be used for low-in-
22 come housing (as such term is defined under section
23 3(b) of the United States Housing Act of 1937 (42
24 U.S.C. 1437a(b)) and affordable housing, which
25 shall be housing for which the owner or purchaser

1 of the project has recorded an affordability use re-
2 striction approved by the Secretary for households
3 earning up to 120 percent of the area median in-
4 come for no fewer than 20 years.

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

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

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

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

21 (4) ENERGY EFFICIENCY AND RESILIENCE.—
22 Amounts made available under this section shall ad-
23 vance improvements to energy and water efficiency
24 or climate and disaster resilience in housing assisted
25 under this section.

1 (5) ALTERNATIVE DEADLINES.—The Secretary
2 shall establish, by notice, alternative deadlines to
3 those established in section 9(j) of the United States
4 Housing Act of 1937 (42 U.S.C. 1437g(j)) to pro-
5 vide public housing agencies reasonable periods of
6 time to obligate and expend funds provided under
7 paragraphs (1) and (2) of subsection (a).

8 (6) RECAPTURE.—If the Secretary recaptures
9 funding allocated by formula from a public housing
10 agency under paragraph (a)(1), such recaptured
11 amounts shall be added to the amounts available
12 under paragraph (a)(2), and shall be obligated by
13 the Secretary prior to the expiration of such funds.

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

20 (8) WAIVERS AND ALTERNATIVE REQUIRE-
21 MENTS.—The Secretary may waive or specify alter-
22 native requirements for subsections (d)(1), (d)(2),
23 (e), and (j) of section 9 of the United States Hous-
24 ing Act of 1937 (42 U.S.C. 1437g) and associated
25 regulations in connection with the use of amounts

1 made available under this section other than require-
2 ments related to tenant rights and protections, fair
3 housing, nondiscrimination, labor standards, and the
4 environment, upon a finding that the waiver or alter-
5 native requirement is necessary to facilitate the use
6 of amounts made available under this section.

7 (d) IMPLEMENTATION.—The Secretary shall have au-
8 thority to issue such regulations or other notices, guid-
9 ance, forms, instructions, and publications as may be nec-
10 essary or appropriate to carry out the programs, projects,
11 or activities authorized under this section, including to en-
12 sure that such programs, projects, or activities are com-
13 pleted in a timely and effective manner.

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

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

21 (1) \$34,770,000,000, for activities and assist-
22 ance for the HOME Investment Partnerships Pro-
23 gram (in this section referred to as the “HOME
24 program”), as authorized under title II of the Cran-
25 ston-Gonzalez National Affordable Housing Act (42

1 U.S.C. 12721 et seq.) (in this section referred to as
2 “NAHA”);

3 (2) \$36,770,000,000 for activities and assist-
4 ance for the HOME Investment Partnerships Pro-
5 gram, as authorized under title II of NAHA, subject
6 to the terms and conditions in paragraphs (1) and
7 (2) of subsection (b);

8 (3) \$100,000,000 to make new awards or in-
9 crease prior awards to existing technical assistance
10 providers, except that increases to prior awards do
11 not exceed 10 percent of the amount made available
12 under this subparagraph, to provide an increase in
13 capacity building and technical assistance available
14 to any grantees implementing activities or projects
15 consistent with this section, except that the Sec-
16 retary may use not more than 10 percent of the
17 amount made available under this paragraph to in-
18 crease prior awards to existing technical assistance
19 providers to provide an immediate increase in capac-
20 ity building and technical assistance; and

21 (4) \$360,000,000 for the costs to the Secretary
22 of administering and overseeing the implementation
23 of this section and the HOME and Housing Trust
24 Fund programs generally, including information
25 technology, financial reporting, research and evalua-

1 tions, other cross-program costs in support of pro-
2 grams administered by the Secretary in this title,
3 and other costs. The Secretary may transfer and
4 merge amounts appropriated under this paragraph
5 to section 40301.

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

8 (b) TERMS AND CONDITION.—

9 (1) FORMULA.—The Secretary shall allocate
10 amounts made available under subsection (a)(2) pur-
11 suant to the formula specified in section 1338(c)(3)
12 of the Federal Housing Enterprises Financial Safety
13 and Soundness Act of 1992 (12 U.S.C. 4568(c)(3))
14 to grantees that received Housing Trust Fund allo-
15 cations pursuant to that same formula in fiscal year
16 2021 and shall make such allocations within 60 days
17 of the date of the enactment of this Act.

18 (2) ELIGIBLE ACTIVITIES.—Other than as pro-
19 vided in paragraph (5) of this subsection, funds
20 made available under subsection (a)(2) may only be
21 used for eligible activities described in subpara-
22 graphs (A) through (B)(i) of section 1338(c)(7) of
23 the Federal Housing Enterprises Financial Safety
24 and Soundness Act of 1992 (12 U.S.C. 4568(c)(7)),
25 except that not more than 10 percent of funds made

1 available may be used for activities under such sub-
2 paragraph (B)(i).

3 (3) FUNDING RESTRICTIONS.—The commit-
4 ment requirements in section 218(g) (42 U.S.C.
5 12748(g)) of NAHA, the matching requirements in
6 section 220 (42 U.S.C. 12750) of NAHA, and the
7 set-aside for housing developed, sponsored, or owned
8 by community housing development organizations re-
9 quired in section 231 of NAHA (42 U.S.C. 12771)
10 shall not apply for amounts made available under
11 this section.

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

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

1 (c) WAIVERS.—The Secretary may waive or specify
2 alternative requirements for any provision of NAHA (42
3 U.S.C. 12701 et seq.) or regulation for the administration
4 of the amounts made available under this section other
5 than requirements related to fair housing, nondiscrimina-
6 tion, labor standards, and the environment, upon a finding
7 that the waiver or alternative requirement is necessary to
8 expedite or facilitate the use of amounts made available
9 under this section.

10 (d) IMPLEMENTATION.—The Secretary shall have au-
11 thority to issue such regulations or other notices, guid-
12 ance, forms, instructions, and publications as may be nec-
13 essary or appropriate to carry out the programs, projects,
14 or activities authorized under this section, including to en-
15 sure that such programs, projects, or activities are com-
16 pleted in a timely and effective manner.

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

18 (a) ESTABLISHMENT.—There is established in the
19 Treasury of the United States a fund to be known as the
20 Housing Investment Fund, which shall be within the Com-
21 munity Development Financial Institutions Fund (in this
22 section referred to as the “CDFI Fund”), to—

23 (1) increase and preserve the affordabililty and
24 quality of housing;

1 (2) increase the availability of affordable, acces-
2 sible housing;

3 (3) improve the energy and water efficiency and
4 resiliency of affordable housing;

5 (4) enhance economic opportunities for resi-
6 dents, by financing or supporting affordable housing
7 located within proximity to public transportation, as
8 defined in section 5302 of title 49, United States
9 Code, or centers of employment, and education, and
10 critical community services;

11 (5) match the creation of housing supply to ex-
12 isting demand and projected demand growth in the
13 area, to the benefit of existing residents and with at-
14 tention to preventing displacement of residents; and

15 (6) further fair housing purposes addressing
16 historic disinvestment, the concentration of poverty,
17 and housing segregation on the basis of race, color,
18 religion, natural origin, sex, disability, or familial
19 status.

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

24 (1) \$9,640,000,000 to the Housing Investment
25 Fund established by this section; and

1 (2) \$360,000,000 for the costs to the CDFI
2 Fund of administering and overseeing the implemen-
3 tation of this section, including information tech-
4 nology, financial reporting, research and evaluations,
5 fair housing compliance, and other costs.

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

8 (c) EXPENDITURES FROM FUND.—Amounts in the
9 Housing Investment Fund shall be available to the CDFI
10 Fund to make grants to increase investment in the devel-
11 opment, preservation, rehabilitation, financing, or pur-
12 chase of affordable housing primarily for low-, very low-
13 , and extremely low- income families , and for homeowners
14 with incomes up to 120 percent of the area median in-
15 come. The CDFI Fund may impose such conditions as it
16 deems necessary to achieve the program goals, including
17 coordinating with the Secretary of Housing and Urban
18 Development to housing achieve the purposes of sub-
19 section (a)(6).

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

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

8 (2) a nonprofit organization having as one of its
9 principal purposes the creation, development, or
10 preservation of affordable housing and that is not
11 found to be out of compliance with the obligation to
12 affirmatively further fair housing, as applicable, in-
13 cluding a subsidiary of a public housing authority;
14 or

15 (3) a consortium comprised of certified commu-
16 nity development financial institutions, eligible non-
17 profit housing organizations, or a combination of
18 both.

19 (e) ELIGIBLE USES.—Grant amounts awarded from
20 the Housing Investment Fund pursuant to this section
21 may be used for the purposes described in subsection (c),
22 including for the following uses:

23 (1) To provide loan loss reserves.

24 (2) To capitalize an acquisition fund to acquire
25 residential, industrial, or commercial property and

1 land for the purpose of the preservation, develop-
2 ment, or rehabilitation of affordable, accessible hous-
3 ing, including to support the creation, preservation,
4 or rehabilitation of resident-owned manufactured
5 housing communities.

6 (3) To capitalize an affordable housing fund ,
7 for development, preservation, rehabilitation, or fi-
8 nancing of affordable housing and economic develop-
9 ment activities, including community facilities, if
10 part of a mixed use project, or activities described
11 in this paragraph related to transit-oriented develop-
12 ment, which may also be designated as a focus of
13 such a fund.

14 (4) To capitalize an affordable housing mort-
15 gage fund, to facilitate the origination of mortgages
16 to buyers that may experience significant barriers to
17 accessing affordable mortgage credit, including
18 mortgages having low original principal obligations.

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.

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

15 (h) DIRECT HIRING AUTHORITY.—The CDFI Fund
16 may use direct hiring authority to hire employees to ad-
17 minister the Housing Investment Fund.

18 (i) IMPLEMENTATION.—The CDFI Fund shall have
19 the 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 **SEC. 40004. SECTION 811 SUPPORTIVE HOUSING FOR PEOP-**
2 **LE WITH DISABILITIES.**

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) \$898,000,000 for capital advances, includ-
9 ing amendments to capital advance contracts, for
10 supportive housing for persons with disabilities, as
11 authorized by section 811 of the Cranston-Gonzalez
12 National Affordable Housing Act (42 U.S.C. 8013)
13 (in this section referred to as the “Act”), and for
14 project rental assistance for supportive housing for
15 persons with disabilities under section 811(d)(2) of
16 the Act and for project assistance contracts pursu-
17 ant to section 202(h) of the Housing Act of 1959
18 (Public Law 86–372; 73 Stat. 667), for project rent-
19 al assistance to State housing finance agencies and
20 other appropriate entities as authorized under sec-
21 tion 811(b)(3) of the Act, for State housing finance
22 agencies;

23 (2) \$15,000,000 for providing technical assist-
24 ance to support State-level efforts to integrate hous-
25 ing assistance and voluntary supportive services for
26 residents of housing receiving such assistance, which

1 funding may also be used to provide technical assist-
2 ance to applicants and potential applicants to under-
3 stand program requirements and develop effective
4 applications; and the Secretary may use up to 10
5 percent of such amounts made available under this
6 paragraph to increase prior awards to existing tech-
7 nical assistance providers to provide an immediate
8 increase in capacity building and technical assist-
9 ance; and

10 (3) \$87,000,000 for the costs to the Secretary
11 of administering and overseeing the implementation
12 of this section and the Supportive Housing for Per-
13 sons with Disabilities program generally, including
14 information technology, financial reporting, research
15 and evaluations, other cross-program costs in sup-
16 port of programs administered by the Secretary in
17 this title, and other costs; the Secretary may trans-
18 fer and merge amounts appropriated under this
19 paragraph to section 40301.

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

22 (b) WAIVERS.—The Secretary may waive or specify
23 alternative requirements for any provision of section
24 811(b)(3) of the Act (42 U.S.C. 8013(b)(3)), or regulation
25 that the Secretary administers that is applicable to such

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

6 (c) IMPLEMENTATION.—The Secretary shall have au-
7 thority to issue such regulations or other notices, guid-
8 ance, forms, instructions, and publications as may be nec-
9 essary or appropriate to carry out the programs, projects,
10 or activities authorized under this section, including to en-
11 sure that such programs, projects, or activities are com-
12 pleted in a timely and effective manner.

13 **SEC. 40005. SECTION 202 SUPPORTIVE HOUSING FOR THE**
14 **ELDERLY 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 (1) \$2,360,000,000 for the Supportive Housing
21 for the Elderly Program authorized under section
22 202 of the Housing Act of 1959 (12 U.S.C. 1701q)
23 (in this section referred to as the “Act”), which shall
24 be used—

1 (A) for capital advance awards in accord-
2 ance with section 202(c)(1) of the Act to recipi-
3 ents that are eligible under the Act;

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

19 (C) for service coordinators;

20 (2) \$15,000,000, to provide technical assistance
21 to support State-level efforts to improve the design
22 and delivery of voluntary supportive services for resi-
23 dents of any housing assisted under the Act and
24 other housing supporting low-income older adults, in
25 order to support residents to age-in-place and avoid

1 institutional care, as well as to assist applicants and
2 potential applicants with project-specific design; and
3 the Secretary may use up to 10 percent of such
4 amounts made available under this paragraph to in-
5 crease prior awards to existing technical assistance
6 providers to provide an immediate increase in capac-
7 ity building and technical assistance; and

8 (3) \$125,000,000 for the costs to the Secretary
9 of administering and overseeing the implementation
10 of this section and the Supportive Housing for the
11 Elderly program generally, including information
12 technology, financial reporting, research and evalua-
13 tion, other cross-program costs in support of pro-
14 grams administered by the Secretary in this title,
15 and other costs; the Secretary may transfer and
16 merge amounts appropriated under this paragraph
17 to section 40301.

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

20 (b) WAIVERS.—The Secretary may waive or specify
21 alternative requirements for any provision of section 202
22 of the Act (12 U.S.C. 1701q), section 8 of the 1937 Act
23 (42 U.S.C. 1437f), or regulation that the Secretary ad-
24 ministers that is applicable to such statutes other than
25 requirements related to fair housing, nondiscrimination,

1 labor standards, and the environment, upon a finding that
2 the waiver or alternative requirement is necessary to facili-
3 tate the use of amounts made available under this section.

4 (c) IMPLEMENTATION.—The Secretary shall have au-
5 thority to issue such regulations or other notices, guid-
6 ance, forms, instructions, and publications as may be nec-
7 essary or appropriate to carry out the programs, projects,
8 or activities authorized under this section, including to en-
9 sure that such programs, projects, or activities are com-
10 pleted in a timely and effective manner.

11 **SEC. 40006. IMPROVING ENERGY EFFICIENCY OR WATER**
12 **EFFICIENCY OR CLIMATE RESILIENCE OF AF-**
13 **FORDABLE HOUSING.**

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 (1) \$5,314,000,000 for providing direct loans,
20 which may be forgivable, and grants, subject to
21 terms and conditions, including affordability re-
22 quirements, determined by the Secretary, to fund
23 projects that improve the energy or water efficiency,
24 implement low-emission technologies, materials, or
25 processes, including zero-emission electricity genera-

1 tion, energy storage, or building electrification, elec-
2 tric car charging station installations, or address cli-
3 mate resilience of multifamily properties;

4 (2) \$76,000,000 for the costs to the Secretary
5 of administering and overseeing the implementation
6 of this section, including information technology, fi-
7 nancial reporting, research and evaluation, other
8 cross-program costs in support of programs adminis-
9 tered by the Secretary in this title, and other costs;
10 and the Secretary may transfer and merge amounts
11 appropriated under this paragraph to section 40301;

12 (3) \$360,000,000 for expenses of contracts ad-
13 ministered by the Secretary, including to carry out
14 property climate risk, energy, or water assessments,
15 due diligence, and underwriting functions for such
16 grant and direct loan program; and

17 (4) \$250,000,000 for energy and water
18 benchmarking of properties eligible to receive grants
19 or loans under this section, regardless of whether
20 they actually received such grants, along with associ-
21 ated data analysis and evaluation at the property
22 and portfolio level, including the development of in-
23 formation technology systems necessary for the col-
24 lection, evaluation, and analysis of such data.

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

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

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

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

1 quirement is necessary to facilitate the use of such
2 amounts.

3 **SEC. 40007. REVITALIZATION OF DISTRESSED MULTI-**
4 **FAMILY PROPERTIES.**

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

10 (1) \$3,870,000,000 for providing direct loans,
11 which may be forgivable, to owners of distressed
12 properties for the purpose of making necessary phys-
13 ical improvements, including to subsidize gross obli-
14 gations for the principal amount of direct loans not
15 to exceed \$6,000,000,000, subject to the terms and
16 conditions in subsection (b); and

17 (2) \$130,000,000 for the costs to the Secretary
18 of administering and overseeing the implementation
19 of this section and the Office of Housing programs
20 generally, including information technology, financial
21 reporting, research and evaluations, other cross-pro-
22 gram costs in support of programs administered by
23 the Secretary in this title, and other costs; the Sec-
24 retary may transfer and merge amounts appro-
25 priated under this paragraph to section 40301.

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

3 (b) LOAN TERMS AND CONDITIONS.—

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

8 (A) The actual rents received by the owner
9 of the distressed property would not adequately
10 sustain the debt needed to make necessary
11 physical improvements.

12 (B) Any such additional eligibility criteria
13 as the Secretary determines to be appropriate,
14 including factors that contributed to the prop-
15 erty's distressed state.

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

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

1 in any amount that the Secretary determines is
2 needed to make the necessary physical improvements
3 that will correct the deficiencies of the distressed
4 property.

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

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

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

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

23 (C) Extend the term of the loan.

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

1 (6) EXTENDED AFFORDABILILTY PERIOD.—

2 Each recipient of loan assistance under this section
3 shall agree to an extended affordabililty period for
4 the property that is subject to the loan by extending
5 any existing affordable housing use agreements for
6 an additional 30 years or, if the property is not cur-
7 rently subject to a use agreement establishing
8 affordabililty requirements, by establishing a use
9 agreement for 30 years.

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

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

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

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

1 (9) PROPERTIES INSURED UNDER NATIONAL
2 HOUSING ACT.—In the case of a loan issued under
3 this section that is secured by a property with insur-
4 ance under title II of the National Housing Act (12
5 U.S.C. 1707 et seq.), the Secretary may use funds
6 available under this section as necessary to pay for
7 the costs of modifying such loan in accordance with
8 section 502 of the Congressional Budget Act of
9 1974 (2 U.S.C. 661a).

10 (10) COSTS.—The costs of direct loans provided
11 under this section, including the cost of modifying
12 such direct loans, shall be as defined in section 502
13 of the Congressional Budget Act of 1974 (2 U.S.C.
14 661a).

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

16 (1) the term “multifamily housing project”
17 means a project consisting of more than four dwell-
18 ing units assisted, insured, or with a loan held by
19 the Secretary or a State or State agency in part or
20 in whole pursuant to—

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

24 (B) section 202 of the Housing Act of
25 1959 (12 U.S.C. 1701q), as amended by section

1 801 of the Cranston-Gonzalez National Afford-
2 able Housing Act;

3 (C) section 202 of the Housing Act of
4 1959 (former 12 U.S.C. 1701q), as such section
5 existed before the enactment of the Cranston-
6 Gonzalez National Affordable Housing Act;

7 (D) section 811 of the Cranston-Gonzalez
8 National Affordable Housing Act (42 U.S.C.
9 8013); or

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

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

16 (3) the term “Secretary” means the Secretary
17 of Housing and Urban Development; and

18 (4) the term “necessary physical improve-
19 ments” means capital improvements that the Sec-
20 retary determines are necessary to address the con-
21 ditions making a property a distressed property or
22 that rise to such a level that delaying physical im-
23 provements to the property would be detrimental to
24 the longevity of the property as suitable housing for
25 occupancy.

1 (d) IMPLEMENTATION.—The Secretary shall have the
2 authority to issue such regulations or other notices, guid-
3 ance, forms, instructions, and publications as may be nec-
4 essary or appropriate to carry out the programs, projects,
5 or activities authorized under this section, including to en-
6 sure that such programs, projects, or activities are com-
7 pleted in a timely and effective manner.

8 **SEC. 40008. INVESTMENTS IN RURAL RENTAL HOUSING.**

9 (a) APPROPRIATION.—In addition to amounts other-
10 wise available, there is appropriated to the Secretary of
11 Agriculture (in this section referred to as the “Secretary”)
12 for fiscal year 2022, out of any money in the Treasury
13 not otherwise appropriated—

14 (1) \$4,360,000,000, to remain available until
15 expended, for carrying out new construction, im-
16 provements to energy and water efficiency or climate
17 resilience, the removal of health and safety hazards,
18 and the preservation and revitalization of housing
19 authorized under sections 514, 515, and 516 of the
20 Housing Act of 1949 (42 U.S.C. 1484, 1485, and
21 1486)), subject to the terms and conditions in sub-
22 section (b);

23 (2) \$200,000,000, to remain available until
24 September 30, 2024, to provide grants under section
25 521(a)(2) of the Housing Act of 1949 (42 U.S.C.

1 1490a(a)(2)) or agreements entered into in lieu of
2 debt forgiveness or payments for eligible households
3 as authorized by section 502(c)(5)(D) of the Hous-
4 ing Act of 1949 (42 U.S.C. 1472(c)(5)(D)), to pro-
5 vide continued assistance to households assisted pur-
6 suant to Section 3203 of the American Rescue Plan
7 Act of 2021. and

8 (3) \$240,000,000, to remain available until ex-
9 pended, for the costs to the Secretary of admin-
10 istering and overseeing the implementation of this
11 section, including information technology, financial
12 reporting, research and evaluations, other cross-pro-
13 gram costs in support of programs administered by
14 the Secretary in this title, and other costs.

15 (b) PRESERVATION AND REVITALIZATION TERMS
16 AND CONDITIONS.—

17 (1) LOANS AND GRANTS AND OTHER ASSIST-
18 ANCE.—The Secretary shall provide direct loans and
19 grants, including the cost of modifying loans, as de-
20 fined in section 502 of the Congressional Budget Act
21 of 1974 (2 U.S.C. 661a), to restructure existing De-
22 partment of Agriculture multi-family housing loans
23 expressly for the purposes of ensuring the project
24 has sufficient resources to preserve the project for
25 the purpose of providing safe and affordable housing

1 for low-income residents and farm laborers, includ-
2 ing—

3 (A) reducing or eliminating interest;

4 (B) deferring loan payments;

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

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

13 (2) RESTRICTIVE USE AGREEMENT.—The Sec-
14 retary shall as part of the preservation and revital-
15 ization agreement obtain a restrictive use agreement
16 consistent with the terms of the restructuring.

17 (c) IMPLEMENTATION.—The Secretary shall have au-
18 thority to issue such regulations or other notices, guid-
19 ance, forms, instructions, and publications as may be nec-
20 essary or appropriate to carry out the programs, projects,
21 or activities authorized under this section, including to en-
22 sure that such programs, projects, or activities are com-
23 pleted in a timely and effective manner.

1 **SEC. 40009. HOUSING VOUCHERS.**

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

7 (1) \$48,460,000,000 for—

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

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

14 (C) fees for the costs of administering ten-
15 ant-based rental assistance and other eligible
16 expenses, as determined by the Secretary, such
17 as security deposit assistance and other costs
18 related to the retention and support of partici-
19 pating owners;

20 (2) \$24,000,000,000 for—

21 (A) incremental tenant-based rental assist-
22 ance under section 8(o) of the United States
23 Housing Act of 1937 (42 U.S.C. 1437f(o)) for
24 households experiencing or at risk of homeless-
25 ness, survivors of domestic violence, dating vio-

1 lence, sexual assault, and stalking, and sur-
2 vivors of trafficking families;

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

5 (C) fees for the costs of administering ten-
6 ant-based rental assistance and other eligible
7 expenses, as determined by the Secretary, such
8 as security deposit assistance and other costs
9 related to the retention and support of partici-
10 pating owners;

11 (3) \$500,000,000 for—

12 (A) tenant protection vouchers for reloca-
13 tion and replacement of public housing units
14 demolished or disposed of pursuant to section
15 18 of the United States Housing Act of 1937
16 (42 U.S.C. 1437p) as part of a public housing
17 preservation or project-based replacement
18 transaction using funds made available under
19 this Act;

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

22 (C) fees for the costs of administering ten-
23 ant-based rental assistance and other eligible
24 expenses, as determined by the Secretary, such
25 as security deposit assistance and other costs

1 related to the retention and support of partici-
2 pating owners;

3 (4) \$750,000,000 for competitive grants, sub-
4 ject to terms and conditions determined by the Sec-
5 retary, to public housing agencies for mobility-re-
6 lated services for voucher families, including families
7 with children, and service coordination;

8 (5) \$500,000,000 for eligible expenses to fa-
9 cilitate the use of voucher assistance under this sec-
10 tion and for other voucher assistance under section
11 8(o) of the United States Housing Act of 1937, as
12 determined by the Secretary, including property
13 owner outreach and retention activities such as in-
14 centive payments, security deposit payments and loss
15 reserves, landlord liaisons, and other uses of funds
16 designed primarily—

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

21 (B) to encourage owners that enter into
22 housing assistance payment contracts as de-
23 scribed in subparagraph (A) to continue to
24 lease their dwelling units to tenants assisted

1 under section 8(o) of the United States Hous-
2 ing Act of 1937;

3 (6) \$750,000,000 for the costs to the Secretary
4 of administering and overseeing the implementation
5 of this section and the Housing Choice Voucher pro-
6 gram generally, including information technology, fi-
7 nancial reporting, research and evaluations, other
8 cross-program costs in support of programs adminis-
9 tered by the Secretary in this title, and other costs;
10 and

11 (7) \$40,000,000 for making new awards or in-
12 creasing prior awards to existing technical assistance
13 providers to provide an increase in capacity building
14 and technical assistance available to public housing
15 agencies, except that the Secretary may use not
16 more than 10 percent of the amount made available
17 under this paragraph to increase prior awards to ex-
18 isting technical assistance providers to provide an
19 immediate increase in capacity building and tech-
20 nical assistance.

21 (b) TERMS AND CONDITIONS.—

22 (1) ALLOCATION.—The Secretary shall allocate
23 initial incremental assistance provided for rental as-
24 sistance under subsection (a)(1) and (2) in each fis-
25 cal year commencing in 2022 and ending in 2026 in

1 accordance with a formula that includes measures of
2 severe housing need among extremely low-income
3 renters and public housing agency capacity, and en-
4 sures geographic diversity among public housing
5 agencies administering the Housing Choice Voucher
6 program.

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

11 (3) FAILURE TO USE VOUCHERS PROMPTLY.—
12 If a public housing agency fails to lease the author-
13 ized vouchers it has received under this subsection
14 on behalf of eligible families within a reasonable pe-
15 riod of time, the Secretary may offset the agency's
16 voucher renewal allocations or revoke and redis-
17 tribute any unleased vouchers and associated funds,
18 including administrative fees and other expenses re-
19 ferred to in subsections (a)(3) and (a)(4), to other
20 public housing agencies.

21 (4) PROHIBITION OF USE UNDER MOVING TO
22 WORK PROGRAM.— Public housing agencies des-
23 ignated as Moving to Work agencies shall be eligible
24 for an allocation under this section, but may only
25 use such amounts for the activities listed in sub-

1 sections (a) for which the funds were provided to
2 such agency.

3 (5) CAP ON PROJECT-BASED VOUCHERS FOR
4 VULNERABLE POPULATIONS.—Upon request by a
5 public housing agency, the Secretary may designate
6 a number of the public housing agency’s vouchers al-
7 located under this section as excepted units that do
8 not count against the percentage limitation on the
9 number of authorized units a public housing agency
10 may project-base under section 8(o)(13)(B) of the
11 United States Housing Act of 1937, in accordance
12 with the conditions established by the Secretary.
13 This paragraph may not be construed to waive,
14 limit, or specify alternative requirements, or permit
15 such waivers, limitations, or alternative require-
16 ments, related to fair housing and nondiscrimina-
17 tion, including the requirement to provide housing
18 and services to individuals with disabilities in inte-
19 grated settings.

20 (c) IMPLEMENTATION.—The Secretary shall have au-
21 thority to issue such regulations or other notices, guid-
22 ance, forms, instructions, and publications as may be nec-
23 essary or appropriate to carry out the programs, projects,
24 or activities authorized under this section, including to en-

1 sure that such programs, projects, or activities are com-
2 pleted in a timely and effective manner.

3 **SEC. 40010. PROJECT-BASED RENTAL ASSISTANCE.**

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

9 (1) \$14,760,000,000 for the project-based rent-
10 al assistance program, as authorized under section
11 8(b) of the United States Housing Act of 1937 (42
12 U.S.C. 1437f(b)), (in this section referred to as the
13 “Act”), subject to the terms and conditions of sub-
14 section (b) of this section;

15 (2) \$40,000,000 for providing technical assist-
16 ance to recipients of or applicants for project-based
17 rental assistance or to States allocating the project-
18 based rental assistance; and

19 (3) \$200,000,000 for the costs to the Secretary
20 of administering and overseeing the implementation
21 of this section and the section 8 project-based rental
22 assistance program generally, including information
23 technology, financial reporting, research and evalua-
24 tions, and other cross-program costs in support of
25 programs administered by the Secretary in this title,

1 and other costs; and the Secretary may transfer and
2 merge amounts appropriated under this subpara-
3 graph to section 40301.

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

6 (b) TERMS AND CONDITIONS.—

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

20 (2) PROJECT-BASED RENTAL ASSISTANCE.—

21 The Secretary may make assistance payments using
22 amounts made available under this section pursuant
23 to contracts with owners or prospective owners who
24 agree to construct housing, to substantially rehabili-
25 tate existing housing, to substantially rehabilitate

1 non-housing structures for use as new multifamily
2 housing, or to attach the assistance to newly con-
3 structed housing in which some or all of the units
4 shall be available for occupancy by very low-income
5 families in accordance with the provisions of section
6 8 of the Act. In awarding contracts pursuant to this
7 section, the Secretary shall give priority to owners or
8 prospective owners of multifamily housing projects
9 located or to be located in areas of high opportunity,
10 as defined by the Secretary, in areas experiencing
11 economic growth or rising housing prices to prevent
12 displacement or secure affordable housing for low-in-
13 come households, or that serve people at risk of
14 homelessness or that integrate additional units that
15 are accessible for persons with mobility impairments
16 and persons with hearing or visual impairments be-
17 yond those required by applicable Federal accessi-
18 bility standards.

19 (3) ALLOCATION.—The Secretary may use var-
20 ious mechanisms, alone or in combination, to award
21 grants with amounts made available under this sec-
22 tion, including—

23 (A) using a competitive process, which the
24 Secretary may carry out in multiple rounds of
25 competition, each of which may have its own se-

1 lection, performance, and reporting criteria as
2 established by the Secretary;

3 (B) selecting proposals submitted through
4 FHA loan applications that meet specified cri-
5 teria;

6 (C) delegating to States and territories the
7 awarding of contracts, including related deter-
8 minations such as the maximum monthly rent,
9 subject to the requirements of section 8 of the
10 Act, as determined by the Secretary; and

11 (D) using any other means that the Sec-
12 retary determines to be reasonable to accom-
13 plish the purposes of this section.

14 (4) CONTRACT TERM, RENT SETTING, AND
15 RENT ADJUSTMENTS.—The Secretary may set the
16 terms of the contract, including the duration and
17 provisions regarding rent setting and rent adjust-
18 ments.

19 (c) WAIVERS.—The Secretary may waive or specify
20 alternative requirements for any provision of section 8 of
21 the Act (42 U.S.C. 1437f) or regulation that the Secretary
22 administers that is applicable to such statute other than
23 requirements related to tenant rights and protections, rent
24 setting, fair housing, nondiscrimination, labor standards,
25 and the environment, upon a finding that the waiver or

1 alternative requirement is necessary to expedite or facili-
2 tate the use of amounts made available under this section.

3 (d) IMPLEMENTATION.—The Secretary shall have the
4 authority to issue such regulations or other notices, guid-
5 ance, forms, instructions, and publications as may be nec-
6 essary or appropriate to carry out the programs, projects,
7 or activities authorized under this section, including to en-
8 sure that such programs, projects, or activities are com-
9 pleted in a timely and effective manner.

10 **SEC. 40011. INVESTMENTS IN NATIVE AMERICAN COMMU-**
11 **NITIES.**

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

17 (1) \$784,375,000 for grants under title I of the
18 Native American Housing Assistance and Self-De-
19 termination Act of 1996 (in this section referred to
20 as “NAHASDA”) (25 U.S.C. 4101 et seq.) , and
21 the Secretary shall distribute such amount according
22 to the same funding formula used in fiscal year
23 2021;

24 (2) \$7,000,000 for grants under title VIII of
25 NAHASDA (25 U.S.C. 4221 et seq.);

1 (3) \$784,375,000 for competitive grants to eli-
2 gible recipients authorized under title I of
3 NAHASDA (25 U.S.C. 4111 et seq.), which may be
4 used for—

5 (A) new construction and rehabilitation of
6 affordable housing;

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

11 (C)) other eligible affordable housing ac-
12 tivities under NAHASDA;

13 (4) \$334,250,000 for—

14 (A) competitive single-purpose Indian com-
15 munity development block grants for Indian
16 tribes under title I of the Housing and Commu-
17 nity Development Act of 1974 (42 U.S.C. 5301
18 et seq.); and

19 (B) imminent threat grants under title I of
20 the Housing and Community Development Act
21 of 1974 (42 U.S.C. 5301 et seq.) for Indian
22 tribes, or a tribal organization, governmental
23 entity, or nonprofit organization designated by
24 the Indian tribe to apply for a grant on its be-
25 half, which may be used to—

1 (i) address environmental threats, in-
2 cluding long-term environmental threats;

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

6 (iii) assist Indian tribes with address-
7 ing other threats to health and safety;

8 (5) \$50,000,000 for the costs to the Secretary
9 of administering and overseeing the implementation
10 of this section and Native American programs gen-
11 erally, including information technology, financial re-
12 porting, research and evaluations, other cross-pro-
13 gram costs in support of programs administered by
14 the Secretary in this Act, and other costs; and

15 (6) \$40,000,000 to make new awards or in-
16 crease prior awards to existing technical assistance
17 providers to provide an immediate increase in capac-
18 ity building and technical assistance to grantees; and
19 the Secretary may use not more than 10 percent of
20 the amount under this paragraph to increase prior
21 awards to existing technical assistance providers to
22 provide an immediate increase in capacity building
23 and technical assistance.

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

1 (b) GRANTEE ELIGIBILITY.—Notwithstanding any
2 other provision of this section, of NAHASDA (25 U.S.C.
3 4101 et seq.), or of the provisions of title I of the Housing
4 and Community Development Act of 1974 (42 U.S.C.
5 5301 et seq) applicable to the Indian community develop-
6 ment block grant program, an Indian tribe shall be ineli-
7 gible to receive grants with amounts made available under
8 this section if the Secretary determines that the Indian
9 tribe is not in compliance with obligations under its 1866
10 treaty with the United States as it relates to the inclusion
11 of persons who are lineal descendants of Freedmen as hav-
12 ing the rights of the citizens of such tribes, unless a Fed-
13 eral court has issued a final order that determines the
14 treaty obligations with respect to including Freedmen as
15 citizens. For purposes of this subsection, a court order is
16 not considered final if time remains for an appeal or appli-
17 cation for discretionary review with respect to the order.

18 (c) PRELIMINARY FUNDING.—

19 (1) USE OF IMMINENT THREAT GRANT
20 AMOUNTS.—Of any amounts made available in sub-
21 section (a)(4)(B), and in consultation with the De-
22 partment of the Interior, the Secretary may award
23 preliminary grants of up to \$2,000,000 each to ap-
24 plicants that have applied for a grant under sub-
25 section (a)(4)(B) before making a final determina-

1 tion as to whether to award a grant under sub-
2 section (a)(4)(B) to such applicant.

3 (2) NEED AND CAPACITY.—Prior to awarding a
4 preliminary grant under this subsection, the Sec-
5 retary must determine, based on a preliminary as-
6 sessment of need and administrative capacity, that
7 the applicant is likely able to carry out the grant
8 successfully but would need additional administrative
9 and planning resources to develop a comprehensive
10 implementation plan and additional administrative
11 capacity in order to successfully administer a grant
12 under subsection (a)(4)(B).

13 (3) ELIGIBLE ACTIVITIES.—Such preliminary
14 grants shall be used for eligible program activities,
15 as defined by the Secretary, that the Secretary de-
16 termines will allow the applicant to successfully im-
17 plement the grant.

18 (4) INAPPLICABILITY.—Such preliminary
19 grants are not subject to administrative and plan-
20 ning caps.

21 (5) FUNDING DETERMINATIONS.—The deter-
22 mination of whether to award a final grant under
23 subsection (a)(4)(B) to an applicant after prelimi-
24 nary funding was granted to an applicant shall not
25 be subject to review.

1 (d) REALLOCATION.—Amounts made available under
2 subsection (a)(1) that are not accepted within a time spec-
3 ified by the Secretary, are voluntarily returned, or are oth-
4 erwise recaptured for any reason may be used to fund
5 grants under paragraph (3) or (4) of subsection (a).

6 (e) WAIVERS.—The Secretary may waive or specify
7 alternative requirements for any provision of NAHASDA
8 (25 U.S.C. 4101 et seq.), title I of the Housing and Com-
9 munity Development Act of 1974 (42 U.S.C. 5301 et seq),
10 or regulation that the Secretary administers that is appli-
11 cable to such statutes other than requirements related to
12 fair housing, nondiscrimination, labor standards, and the
13 environment, upon a finding that the waiver or alternative
14 requirement is necessary to expedite or facilitate the use
15 of amounts made available under this section.

16 (f) IMPLEMENTATION.—The Secretary shall have au-
17 thority to issue such regulations or other notices, guid-
18 ance, forms, instructions, and publications as may be nec-
19 essary or appropriate to carry out the programs, projects,
20 or activities authorized under this section, including to en-
21 sure that such programs, projects, or activities are com-
22 pleted in a timely and effective manner.

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 (1) \$6,600,000,000 for grants to grantees
13 under section 106 of the Housing and Community
14 Development Act of 1974 (42 U.S.C.5306) under
15 the community development block grant program
16 under title I of such Act, subject to subsection (b)
17 of this section, except that for purposes of amounts
18 made available by this paragraph, paragraph (2) of
19 such section 106(a) shall be applied by substituting
20 “\$70,000,000” for “\$7,000,000”;

21 (2) \$1,000,000,000 for assistance to community
22 development block grant grantees, as determined by
23 the Secretary, under section 106 of the Housing and
24 Community Development Act of 1974 (42 U.S.C.
25 5306), only for colonias, to address the community

1 and housing infrastructure needs of existing colonia
2 residents based on a formula that takes into account
3 persons in poverty in the colonia areas, except that
4 grantees may use funds in colonias outside of the
5 150-mile border area upon approval of the Sec-
6 retary;

7 (3) \$500,000,000 for grants under the commu-
8 nity development block grant program under title I
9 of the Housing and Community Development Act of
10 1974 (42 U.S.C. 5301 et seq.) to eligible recipients
11 under subsection (d) of this section for manufac-
12 tured housing infrastructure improvements in eligi-
13 ble manufactured home communities;

14 (4) \$300,000,000 for the costs to the Secretary
15 of administering and overseeing the implementation
16 of this section, the Community Development Block
17 Grant program, and the manufactured home con-
18 struction and safety standards program generally,
19 including information technology, financial report-
20 ing, research and evaluations, fair housing compli-
21 ance, other cross-program costs in support of pro-
22 grams administered by the Secretary in this title,
23 and other costs; and the Secretary may transfer and
24 merge amounts set aside under this paragraph to
25 section 40301; and

1 (5) \$100,000,000 for providing technical assist-
2 ance to recipients of or applicants for grants under
3 this section.

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

6 (b) HOUSING CONSTRUCTION.—Expenditures on new
7 construction of housing shall be an eligible expense for a
8 recipient of funds made available under this section that
9 is not a recipient of funds under title II of the Cranston-
10 Gonzalez National Affordable Housing Act (42 U.S.C. 42
11 U.S.C. 12721 et seq.).

12 (c) MANUFACTURED HOUSING COMMUNITY IM-
13 PROVEMENT GRANT PROGRAM.—

14 (1) ESTABLISHMENT.—The Secretary of Hous-
15 ing and Urban Development shall carry out a com-
16 petitive grant program to award funds appropriated
17 under subsection (a)(4) to eligible recipients to carry
18 out eligible projects for improvements in eligible
19 manufactured home communities.

20 (2) ELIGIBLE PROJECTS.—Amounts from
21 grants under this subsection shall be used only to
22 assist in carrying out a project for construction, re-
23 construction, repair, or clearance of housing, facili-
24 ties and improvements in or serving a manufactured
25 housing community that—

1 (A) is critically needed to protect the
2 health and safety of the residents of the manu-
3 factured housing community and the long-term
4 sustainability of the community;

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

7 (C) includes activities—

8 (i) eligible under the community devel-
9 opment block grant program under title I
10 of the Housing and Community Develop-
11 ment Act of 1974 (42 U.S.C. 5301 et
12 seq.);

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

21 (iii) to mitigate flood risk.

22 (3) CRITERIA.—The Secretary shall prioritize
23 awards under this section by the extent to which the
24 project will assist low-income families and preserve

1 long-term housing affordability for residents of an
2 eligible manufactured home community.

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

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

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

17 (A) is an area of the United States within
18 150 miles of the contiguous border between the
19 United States and Mexico, except as otherwise
20 determined by the Secretary; and

21 (B) lacks potable water supply, adequate
22 sewage systems, and lack of decent, safe, sani-
23 tary housing, and other objective criteria as ap-
24 proved by the Secretary.

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

4 (A) meets the affordable housing safe har-
5 bor requirements of the Internal Revenue Serv-
6 ice under section 601.201 of title 26, Code of
7 Federal Regulations; and

8 (B)(i) is owned by the residents of the
9 manufactured housing community through a
10 resident-controlled entity, as defined by the Sec-
11 retary, in which at least two-thirds of residents
12 are member-owners of the land owning entity;
13 or

14 (ii) the Secretary otherwise determines is
15 subject to such binding agreements as are nec-
16 essary to ensure that the manufactured housing
17 community will be maintained as such a com-
18 munity, and affordable for low-income families
19 (as such term is defined in section 104 of the
20 Cranston-Gonzalez National Affordable Hous-
21 ing Act (42 U.S.C. 12704)), on a long-term
22 basis.

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

1 (A) a grantee under section 106 of the
2 Housing and Community Development Act of
3 1974 (42 U.S.C.5306); and

4 (B) an eligible manufactured home com-
5 munity, a nonprofit entity, or a consortia of
6 nonprofit entities working with an eligible man-
7 ufactured home community.

8 (4) MANUFACTURED HOME COMMUNITY.—The
9 term “manufactured home community” means any
10 community, court, or park equipped to accommodate
11 manufactured homes for which pad sites, with or
12 without existing manufactured homes or other al-
13 lowed homes, or other suitable sites, are used pri-
14 marily for residential purposes, with any additional
15 requirements as determined by the Secretary, includ-
16 ing any manufactured housing community as such
17 term is used for purposes of the program of the
18 Federal National Mortgage Association for multi-
19 family loans for manufactured housing communities
20 and the program of the Federal Home Loan Mort-
21 gage Corporation for loans for manufactured hous-
22 ing communities.

23 (f) IMPLEMENTATION.—The Secretary shall have au-
24 thority to issue such regulations or other notices, guid-
25 ance, forms, instructions, and publications as may be nec-

1 essary or appropriate to carry out the programs, projects,
2 or activities authorized under this section, including to en-
3 sure that such programs, projects, or activities are com-
4 pleted in a timely and effective manner.

5 **SEC. 40102. LEAD-BASED PAINT HAZARD CONTROL AND**
6 **HOUSING-RELATED HEALTH AND SAFETY**
7 **HAZARD MITIGATION IN HOUSING OF FAMI-**
8 **LIES WITH LOWER INCOMES.**

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

14 (1) \$6,430,000,000 for grants to States, units
15 of general local government, Indian tribes or their
16 tribally designated housing entities, and nonprofit
17 organizations for the activities under subsection (c)
18 in target housing units, and common areas servicing
19 such units, where low-income families reside or are
20 expected to reside that is not public housing, hous-
21 ing assisted by project-based rental assistance under
22 section 8 of the United States Housing Act of 1937
23 (42 U.S.C. 1437f), including under subsection
24 (o)(13) of such section, nor housing assisted under
25 section 202 of the Housing Act of 1959 (12 U.S.C.

1 1701q) or section 811 of the Cranston-Gonzalez Na-
2 tional Affordable Housing Act (42 U.S.C. 8013);

3 (2) \$500,000,000 for grants to State or local
4 governments or nonprofit entities for the activities in
5 subsection (e) in target housing units, and common
6 areas servicing such units, that are being assisted
7 under the Weatherization Assistance Program au-
8 thorized under title IV of the Energy Conservation
9 and Production Act (42 U.S.C. 6851 et seq.) but are
10 not public housing, housing assisted by project-based
11 rental assistance under section 8 of the United
12 States Housing Act of 1937 (42 U.S.C. 1437f), in-
13 cluding under subsection (o)(13) of such section, nor
14 housing assisted under section 202 of the Housing
15 Act of 1959 (12 U.S.C. 1701q) or section 811 of the
16 Cranston-Gonzalez National Affordable Housing Act
17 (42 U.S.C. 8013);

18 (3) \$2,000,000,000 for grants to owners of a
19 property receiving project-based rental assistance
20 under section 8 of the United States Housing Act of
21 1937 (42 U.S.C. 1437f), including under subsection
22 (o)(13) of such section, that meets the definition of
23 target housing and that has not received a grant for
24 similar purposes under this Act for the activities in
25 subsection (c), except subsection (c)(2), in target

1 housing units receiving such assistance and common
2 areas servicing such units;

3 (4) \$810,000,000 for costs related to training
4 and technical assistance to support identification
5 and mitigation of lead and housing-related health
6 and safety hazards, research, and evaluation related
7 to activities under this section; and

8 (5) \$260,000,000 for the costs to the Secretary
9 of administering and overseeing the implementation
10 of this section, and the Secretary's lead hazard re-
11 duction and related programs generally including in-
12 formation technology, financial reporting, research
13 and evaluations, other cross-program costs in sup-
14 port of programs administered by the Secretary in
15 this Act, and other costs; the Secretary may transfer
16 and merge amounts appropriated under this para-
17 graph to section 40301.

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

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 enrollment of housing units for grants
25 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 of lead-based paint in target
10 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, including lead faucets, fixtures, and
20 interior lines;

21 (8) technical assistance;

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

1 (10) outreach and engagement with community
2 stakeholders, including stakeholders in disadvan-
3 taged communities;

4 (11) capacity building;

5 (12) program evaluation and research;

6 (13) environmental reviews; or

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

10 (d) ENVIRONMENTAL REVIEW.—For purposes of en-
11 vironmental review pursuant to the National Environ-
12 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and
13 other provisions of law that further the purposes of such
14 Act, a grant under subsection (a) of this section shall be
15 considered funds for a special project for purposes of sec-
16 tion 305(c) of the Multifamily Housing Property Disposi-
17 tion Reform Act of 1994 (42 U.S.C. 3547), provided that
18 references in such section 305(c) to “State or unit of gen-
19 eral local government” shall be deemed to include Indian
20 tribes.

21 (e) DEFINITIONS.—For purposes of this section, the
22 following definitions, and definitions in section 1004 of the
23 Residential Lead-Based Paint Hazard Reduction Act of
24 1992 (42 U.S.C. 4851b), shall apply:

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

10 (2) PUBLIC HOUSING; PUBLIC HOUSING AGEN-
11 CY; LOW-INCOME FAMILY.—The terms “public hous-
12 ing”, “public housing agency”, and “low-income
13 family’ ” have the same meaning given such terms
14 in section 3(b) of the United States Housing Act of
15 1937 (42 U.S.C. 1437a(b)).

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

22 (4) UNIT OF GENERAL LOCAL GOVERNMENT.—
23 The term “unit of general local government” has the
24 same meaning given such term in section 102 of the

1 Housing and Community Development Act of 1974
2 (42 U.S.C. 5302).

3 (f) IMPLEMENTATION.—The Secretary shall have the
4 authority to issue such regulations or other notices, guid-
5 ance, forms, instructions, and publications as may be nec-
6 essary or appropriate to carry out the programs, projects,
7 or activities authorized under this section, including to en-
8 sure that such programs, projects, or activities are com-
9 pleted in a timely and effective manner.

10 **SEC. 40103. UNLOCKING POSSIBILITIES PROGRAM.**

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

16 (1) \$4,260,000,000 for awarding planning
17 grants under this section to develop and evaluate
18 housing policy plans and substantially improve hous-
19 ing strategies;

20 (2) \$20,000,000 for research and evaluation re-
21 lated to housing policy planning and other associated
22 costs;

23 (3) \$70,000,000 to provide technical assistance
24 to grantees or applicants for grants made available
25 by this section; and

1 (4) \$150,000,000 for the costs to the Secretary
2 of administering and overseeing the implementation
3 of this section, including information technology, fi-
4 nancial reporting, research and evaluations, fair
5 housing compliance, and other cross-program costs
6 in support of programs administered by the Sec-
7 retary in this title; the Secretary may transfer and
8 merge amounts appropriated under this paragraph
9 to section 40301.

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

12 (b) PROGRAM ESTABLISHMENT.—The Secretary of
13 Housing and Urban Development shall establish a com-
14 petitive grant program for—

15 (1) planning grants to develop and evaluate
16 housing policy plans and substantially improve hous-
17 ing strategies;

18 (2) streamlining regulatory requirements and
19 shorten processes, reform zoning codes, or other ini-
20 tiatives that reduce barriers to housing supply elas-
21 ticity and affordability;

22 (3) developing and evaluating local or regional
23 plans for urban development to substantially im-
24 prove urban development strategies related to sus-
25 tainability, fair housing, and location efficiency;

1 (4) implementation and livable community in-
2 vestment grants; and

3 (5) research and evaluation.

4 (c) GRANTS.—

5 (1) PLANNING GRANTS.—The Secretary shall,
6 under selection criteria determined by the Secretary,
7 award grants under this paragraph on a competitive
8 basis to eligible entities to finance planning activi-
9 ties, including engagement with community stake-
10 holders and housing practitioners, to—

11 (A) develop housing policy plans;

12 (B) substantially improve State or local
13 housing strategies;

14 (C) develop new regulatory requirements
15 and processes, reform zoning codes, or under-
16 take other initiatives to reduce barriers to hous-
17 ing supply elasticity and affordability;

18 (D) develop local or regional plans for
19 urban development; and

20 (E) substantially improve urban develop-
21 ment strategies, including strategies to increase
22 availability and access to affordable housing, to
23 further access to public transportation or to ad-
24 vance other sustainable or location-efficient
25 urban development goals.

1 (2) IMPLEMENTATION AND LIVABLE COMMU-
2 NITY INVESTMENT GRANTS.—The Secretary shall
3 award implementation grants under this paragraph
4 on a competitive basis to eligible entities for the pur-
5 pose of implementing—

6 (A) completed housing strategies and hous-
7 ing policy plans and any planning to affirma-
8 tively further fair housing within the meaning
9 of subsections (d) and (e) of section 808 of the
10 Fair Housing Act (42 U.S.C. 608) and applica-
11 ble regulations and for community investments
12 that support the goals identified in such hous-
13 ing strategies or housing policy plans;

14 (B) new regulatory requirements and proc-
15 esses, reformed zoning codes, or other initia-
16 tives to reduce barriers to housing supply elas-
17 ticity and affordabilty that are consistent with
18 a plan under subparagraph (A);

19 (C) completed local or regional plans for
20 urban development and any planning to in-
21 crease availability and access to affordable
22 housing, access to public transportation and
23 other sustainable or location-efficient urban de-
24 velopment goals.

1 (d) COORDINATION WITH FTA ADMINISTRATOR.—
2 To the extent practicable, the Secretary shall coordinate
3 with the Federal Transit Administrator in carrying out
4 this section.

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

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

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

13 (B) for purposes of grants under sub-
14 section (b)(1), a regional planning agency or
15 consortia.

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

18 (A) HOUSING POLICY PLAN.—The term
19 “housing policy plan” means a plan of an eligi-
20 ble entity to, with respect to the area within the
21 jurisdiction of the eligible entity—

22 (i) match the creation of housing sup-
23 ply to existing demand and projected de-
24 mand growth in the area, with attention to
25 preventing displacement of residents, re-

1 ducing the concentration of poverty, and
2 meaningfully reducing and not perpet-
3 uating housing segregation on the basis of
4 race, color, religion, natural origin, sex,
5 disability, or familial status;

6 (ii) increase the affordabililty of hous-
7 ing in the area, increase the accessibility of
8 housing in the area for people with disabil-
9 ities, including location-efficient housing,
10 and preserve or improve the quality of
11 housing in the area;

12 (iii) reduce barriers to housing devel-
13 opment in the area, with consideration for
14 location efficiency, affordabililty, and ac-
15 cessibility; and

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

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

1 (f) COSTS TO GRANTEES.—Up to 15 percent of a re-
2 cipient's grant may be used for administrative costs.

3 (g) RULES OF CONSTRUCTION.—

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

11 (2) EXCEPTIONS.—

12 (A) HOUSING CONSTRUCTION.—Expendi-
13 tures on new construction of housing shall be
14 an eligible expense under this section.

15 (B) BUILDINGS FOR GENERAL CONDUCT
16 OF GOVERNMENT .—Expenditures on building
17 for the general conduct of government, other
18 than the Federal Government, shall be eligible
19 under this section when necessary and appro-
20 priate as a part of a natural hazard mitigation
21 project.

22 (h) WAIVERS.—The Secretary may waive or specify
23 alternative requirements for any provision of title I of the
24 Housing and Community Development Act of 1974 (42
25 U.S.C. 5301 et seq.) or regulation for the administration

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

7 (i) IMPLEMENTATION.—The Secretary shall have the
8 authority to issue such regulations or other notices, guid-
9 ance, forms, instructions, and publications as may be nec-
10 essary or appropriate to carry out the programs, projects,
11 or activities authorized under this section, including to en-
12 sure that such programs, projects, or activities are com-
13 pleted in a timely and effective manner.

14 **SEC. 40104. STRENGTHENING RESILIENCE UNDER NA-**
15 **TIONAL FLOOD INSURANCE PROGRAM.**

16 (a) PROGRAM DEBT.—

17 (1) CANCELLATION.—Subject only to para-
18 graphs (2) and (3) and notwithstanding any other
19 provision of law, all indebtedness of the Adminis-
20 trator of the Federal Emergency Management Agen-
21 cy under any notes or other obligations issued pur-
22 suant to section 1309(a) of the National Flood In-
23 surance Act of 1968 (42 U.S.C. 7 4016(a)) and sec-
24 tion 15(e) of the Federal Insurance Act of 1956 (42
25 U.S.C. 2414(e)), and outstanding as of the date of

1 the enactment of this Act, is hereby canceled, the
2 Administrator and the National Flood Insurance
3 Fund are relieved of all liability to the Secretary of
4 the Treasury under any such notes or other obliga-
5 tions, including for any capitalized interest due
6 under such notes or other obligations and any other
7 fees and charges payable in connection with such
8 notes and obligations, and the total amount of notes
9 and obligations issued by the Administrator pursu-
10 ant to such section shall be considered to be reduced
11 by such amount for purposes of the limitation on
12 such total amount under such section.

13 (2) USE OF SAVINGS.—Effective on and after
14 October 1, 2031, the Administrator of the Federal
15 Emergency Management Agency shall use any sav-
16 ings accruing from the cancellation of debt under
17 paragraph (1), including any amounts of interest
18 payments avoided from such cancellation, only for
19 deposit in and use under the National Flood Insur-
20 ance Reserve Fund under section 1310A of the Na-
21 tional Flood Insurance Act of 1968 (42 U.S.C.
22 4017A).

23 (3) TREATMENT OF CANCELED DEBT.—The
24 amount of the indebtedness canceled under para-

1 graph (1) may be treated as a public debt of the
2 United States.

3 (b) FLOOD HAZARD MAPPING AND RISK ANAL-
4 YSIS.—In addition to amounts otherwise available, there
5 is appropriated to the Administrator of the Federal Emer-
6 gency Management Agency for fiscal year 2022, out of any
7 money in the Treasury not otherwise appropriated,
8 \$3,000,000,000, to remain available until expended, for
9 necessary expenses for flood hazard mapping and risk
10 analysis, which shall be in addition to, and shall supple-
11 ment—

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

16 (2) any funds provided to the Administrator by
17 States and local governments under section
18 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)).

19 (c) MEANS-TESTED ASSISTANCE FOR NATIONAL
20 FLOOD INSURANCE PROGRAM POLICYHOLDERS.—

21 (1) APPROPRIATION.—In addition to amounts
22 otherwise available, there is appropriated to the Ad-
23 ministrator of the Federal Emergency Management
24 Agency for fiscal year 2022, out of any money in the
25 Treasury not otherwise appropriated,

1 \$1,000,000,000, to remain available until September
2 30, 2026, to carry out a means-tested program
3 under which the Administrator provides assistance
4 to eligible policyholders in the form of graduated dis-
5 counts for insurance costs with respect to covered
6 properties.

7 (2) TERMS AND CONDITIONS.—

8 (A) DISCOUNTS.—The Administrator shall
9 use funds provided under this subsection to es-
10 tablish graduated discounts available to eligible
11 policyholders under this subsection, with respect
12 to covered properties, which may be based on
13 the following factors:

14 (i) The percentage by which the
15 household income of the eligible policy-
16 holder is equal to, or less than, 120 per-
17 cent of the area median income for the
18 area in which the property to which the
19 policy applies is located.

20 (ii) The number of eligible policy-
21 holders participating in the program au-
22 thorized under this subsection.

23 (iii) The availability of funding.

1 (iv) Any other factor that the Admin-
2 istrator finds reasonable and necessary to
3 carry out the purposes of this subsection

4 (B) DISTRIBUTION OF PREMIUM.—With
5 respect to the amount of the discounts provided
6 under this subsection in a fiscal year, and any
7 administrative expenses incurred in carrying
8 out this subsection for that fiscal year, the Ad-
9 ministrator shall, from amounts made available
10 to carry out this subsection for that fiscal year,
11 deposit in the National Flood Insurance Fund
12 established under section 1310 of the National
13 Flood Insurance Act of 1968 (42 U.S.C. 4017)
14 an amount equal to those discounts and admin-
15 istrative expenses, except to the extent that sec-
16 tion 1310A of the National Flood Insurance
17 Act of 1968 (42 U.S.C. 4017a) applies to any
18 portion of those discounts or administrative ex-
19 penses, in which case the Administrator shall
20 deposit an amount equal to those amounts to
21 which such section 1310A applies in the Na-
22 tional Flood Insurance Reserve Fund estab-
23 lished under such section 1310A.

24 (C) REQUIREMENT ON TIMING.—Not later
25 than 21 months after the date of the enactment

1 of this section, the Administrator shall issue in-
2 terim guidance to implement this subsection
3 which shall expire on the later of—

4 (i) the date that is 60 months after
5 the date of the enactment of this section;
6 or

7 (ii) the date on which a final rule
8 issued to implement this subsection takes
9 effect.

10 (3) DEFINITIONS.—In this subsection:

11 (A) ADMINISTRATOR.—The term “Admin-
12 istrator” means the Administrator of the Fed-
13 eral Emergency Management Agency.

14 (B) COVERED PROPERTY.—The term “cov-
15 ered property” means—

16 (i) a primary residential dwelling de-
17 signed for the occupancy of from 1 to 4
18 families; or

19 (ii) personal property relating to a
20 dwelling described in clause (i).

21 (C) ELIGIBLE POLICYHOLDER.—The term
22 “eligible policyholder” means a policyholder
23 with a household income that is not more than
24 120 percent of the area median income for the

1 area in which the property to which the policy
2 applies is located.

3 (D) INSURANCE COSTS.—The term “insur-
4 ance costs” means, with respect to a covered
5 property for a year—

6 (i) risk premiums and fees estimated
7 under section 1307 of the National Flood
8 Insurance Act of 1968 (42 U.S.C. 4014)
9 and charged under section 1308 of such
10 Act (42 U.S.C. 4015);

11 (ii) surcharges assessed under sections
12 1304 and 1308A of such Act (42 U.S.C.
13 4011, 4015a); and

14 (iii) any amount established under
15 section 1310A(c) of such Act (42 U.S.C.
16 4017a).

17 **SEC. 40105. COMMUNITY RESTORATION AND REVITALIZA-**
18 **TION FUND.**

19 (a) APPROPRIATION.—In addition to amounts other-
20 wise available, there is appropriated to the Community
21 Restoration and Revitalization Fund established under
22 subsection (b) for fiscal year 2022, out of any money in
23 the Treasury not otherwise appropriated—

24 (1) \$5,700,000,000 for awards of planning and
25 implementation grants to eligible recipients to carry

1 out community-led projects to stabilize neighbor-
2 hoods and increase access to economic opportunity
3 for residents by creating equitable civic infrastruc-
4 ture and creating or preserving affordable, accessible
5 housing;

6 (2) \$500,000,000 for awards of grants to eligi-
7 ble recipients to create, expand, and maintain com-
8 munity land trusts and shared equity homeownership,
9 including through the acquisition, rehabilita-
10 tion, and new construction of affordable, accessible
11 housing;

12 (3) \$1,000,000,000 for the Secretary to provide
13 technical assistance, capacity building, program sup-
14 port to applicants, potential applicants, and recipi-
15 ents of amounts appropriated for grants under this
16 section; and

17 (4) \$300,000,000 for the costs to the Secretary
18 of administering and overseeing the implementation
19 of this section, including information technology, fi-
20 nancial reporting, research and evaluations, fair
21 housing compliance, and other cross-program costs
22 in support of programs administered by the Sec-
23 retary in this title; the Secretary may transfer and
24 merge amounts appropriated under this paragraph
25 to section 40301.

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

3 (b) ESTABLISHMENT OF FUND.—The Secretary of
4 Housing and Urban Development (in this section referred
5 to as the “Secretary”) shall establish a Community Res-
6 toration and Revitalization Fund (in this section referred
7 to as the “Fund”) to award planning and implementation
8 grants on a competitive basis to eligible recipients as de-
9 fined in this section for activities authorized under title
10 I of the Housing and Community Development Act of
11 1974 (42 U.S.C. 5301 et seq.) for community-led projects
12 that create civic infrastructure to support a community’s
13 social, economic, and civic fabric, create fair, affordable
14 and accessible housing opportunities, prevent residential
15 displacement, acquire and remediate blighted properties,
16 and promote quality job creation and retention.

17 (c) GRANTS.—

18 (1) GEOGRAPHICAL AREAS.—The Secretary
19 shall award grants from the Fund to eligible recipi-
20 ents within geographical areas at the neighborhood,
21 county, census tract, or census tract level, including
22 census tracts adjacent to the project area that are
23 areas in need of investment, and that have at least
24 two of the following indicators:

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

4 (B) High proportions of residential and
5 commercial properties that are vacant due to
6 foreclosure, eviction, abandonment, or other
7 causes.

8 (C) Low rates of homeownership.

9 (D) Disparities in racial and ethnic home-
10 ownership rates.

11 (E) High and persistent rates of poverty.

12 (F) High rates of unemployment and
13 underemployment.

14 (G) Population at risk of displacement due
15 to rising housing costs.

16 (H) Historic population loss.

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

20 (J) Other indicators of economic distress.

21 (d) ELIGIBLE RECIPIENTS AND APPLICANTS.—

22 (1) ELIGIBLE RECIPIENT.—An eligible recipient
23 of a grant under subsection (b)(1) shall be a local
24 partnership of a lead applicant and one or more
25 joint applicants with the ability to administer the

1 grant. An eligible recipient of a grant under sub-
2 section (b)(2) shall be a lead applicant with the abil-
3 ity to administer the grant, including a regional or
4 national nonprofit, that may include a joint appli-
5 cant.

6 (2) LEAD APPLICANT.—An eligible lead appli-
7 cant for a grant awarded under this section shall
8 be—

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

10 (I) demonstrates a commitment to
11 anti-displacement efforts and has expertise
12 in community planning, engagement, orga-
13 nizing, housing and community develop-
14 ment, or neighborhood revitalization; and

15 (II) is located within or serves the
16 geographical area of the project or that de-
17 rives its mission and operational priorities
18 from the needs of the geographical area of
19 the project; or

20 (ii) if the geographical area of the project
21 is located in any area where no such local non-
22 profit organization exists, a national nonprofit
23 organization with such expertise;

24 (B) a community development corporation,
25 that is located within or serves the geographical

1 area of the project and can demonstrate a track
2 record of making investments in the geo-
3 graphical area of the project, and demonstrates
4 a commitment to anti-displacement efforts;

5 (C) a community housing development or-
6 ganization, defined in section 104 of the Cran-
7 ston-Gonzalez National Affordable Housing Act
8 (42 U.S.C. 12704) or a community-based devel-
9 opment organization, that is located within or
10 serves the geographical area of the project and
11 experienced in neighborhood revitalization, com-
12 munity-based economic development, housing
13 development activities, and demonstrates a com-
14 mitment to anti-displacement efforts; or

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

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

1 (A) an organization that qualifies as a lead
2 applicant;

3 (B) a unit of general local government, as
4 defined in section 102 of the Housing and Com-
5 munity Development Act of 1974 (42 U.S.C.
6 5302);

7 (C) an Indian tribe, as defined in section
8 102 of the Housing and Community Develop-
9 ment Act of 1974 (42 U.S.C. 5302);

10 (D) a nonprofit organization;

11 (E) a community development corporation;

12 (F) an anchor institution;

13 (G) a State housing finance agency (as
14 such term is defined in section 106(h) of the
15 Housing and Urban Development Act of 1968
16 (12 U.S.C. 1701x(h))) or a related State agen-
17 cy;

18 (H) a land bank;

19 (I) a fair housing enforcement organization
20 (as such term is defined in section 561 of the
21 Housing and Community Development Act of
22 1987 (42 U.S.C. 3616a));

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

- 1 (K) a community development financial in-
- 2 stitution, as defined by section 103 of the Rie-
- 3 gle Community Development and Regulatory
- 4 Improvement Act of 1994 (12 U.S.C. 4702); or
- 5 (L) a philanthropic organization.

6 (e) ELIGIBLE USES.—

7 (1) IN GENERAL.—Grants awarded under this
8 section may be used to support civic infrastructure
9 and housing-related activities. Projects must include
10 at least one civic infrastructure and at least one
11 housing-related activity.

12 (2) PLANNING GRANTS.—Planning grants
13 awarded under this section may be used for civic in-
14 frastructure and housing-related activities, includ-
15 ing—

16 (A) fair housing planning, to affirmatively
17 further fair housing;

18 (B) planning to prevent displacement espe-
19 cially of extremely-low, very-low, low- and mod-
20 erate-income homeowners, renters, and people
21 experiencing homelessness;

22 (C) community planning and outreach;

23 (D) neighborhood engagement with resi-
24 dent leaders and community groups;

25 (E) pre-development activities;

- 1 (F) community engagement processes;
- 2 (G) market analysis;
- 3 (H) financial planning and feasibility; and
- 4 (I) site surveys.

5 (3) IMPLEMENTATION GRANTS.—Implementa-
6 tion grants awarded under this section may be used
7 for activities eligible under section 105 of the Hous-
8 ing and Community Development Act of 1974 (42
9 U.S.C. 5305) and other activities to support civic in-
10 frastructure and housing-related activities, includ-
11 ing—

12 (A) new construction of housing;

13 (B) demolition of abandoned or distressed
14 structures, but only if such activity is part of a
15 strategy that incorporates rehabilitation or new
16 construction, anti-displacement efforts such as
17 tenants' right to return and right of first re-
18 fusal to purchase, and efforts to increase af-
19 fordable, accessible housing and homeownership,
20 except that not more than 10 percent of
21 any grant made under this section may be used
22 for activities under this subparagraph unless
23 the Secretary determines that such use is to the
24 benefit of existing residents;

1 (C) facilitating the creation, maintenance,
2 or availability of rental units, including units in
3 mixed-use properties, affordable and accessible
4 to a household whose income does not exceed
5 80 percent of the median income for the area,
6 as determined by the Secretary, for a period of
7 not less than 30 years;

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

14 (E) establishing or operating land banks;
15 and

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

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

1 housing for use in a community land trust or shared
2 equity homeownership program, and expanding the
3 capacity of the recipient to carry out the grant.

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

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

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

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

1 (1) ANCHOR INSTITUTION.—The term “anchor
2 institution” means a school, a library, a healthcare
3 provider, a community college or other institution of
4 higher education, museum or cultural institution, or
5 another community support organization or entity.

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

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

13 (i) make rental and homeownership
14 units affordable to households; and

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

20 (B) monitor properties to ensure
21 affordability is preserved.

22 (3) LAND BANK.—The term “land bank”
23 means a government entity, agency, or program, or
24 a special purpose nonprofit entity formed by one or
25 more units of government in accordance with State

1 or local land bank enabling law, that has been des-
2 ignated by one or more State or local governments
3 to acquire, steward, and dispose of vacant, aban-
4 doned, or other problem properties in accordance
5 with locally-determined priorities and goals.

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

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

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

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

1 **SECTION 40106. FAIR HOUSING ACTIVITIES AND INVES-**
2 **TIGATIONS.**

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) \$770,000,000 for the Fair Housing Initia-
9 tives Program under section 561 of the Housing and
10 Community Development Act of 1987 (42 U.S.C.
11 3616a) to ensure existing and new fair housing or-
12 ganizations have expanded and strengthened capaci-
13 ty to address fair housing inquiries and complaints,
14 conduct local, regional, and national testing and in-
15 vestigations, conduct education and outreach activi-
16 ties, and address costs of delivering or adapting
17 services to meet increased housing market activity
18 and evolving business practices in the housing, hous-
19 ing-related, and lending markets. Amounts made
20 available under this section shall support greater or-
21 ganizational continuity and capacity, including
22 through up to 10-year grants; and

23 (2) \$230,000,000 for the costs to the Secretary
24 of administering and overseeing the implementation
25 of this section and the Fair Housing Initiatives and
26 Fair Housing Assistance Programs generally, includ-

1 ing information technology, financial reporting, re-
2 search and evaluations, other cross-program costs in
3 support of programs administered by the Secretary
4 in this title, and other costs. The Secretary may
5 transfer and merge amounts set aside under this
6 paragraph to section 40301.

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

9 (b) IMPLEMENTATION.—The Secretary shall have au-
10 thority to issue such regulations or other notices, guid-
11 ance, forms, instructions, and publications as may be nec-
12 essary or appropriate to carry out the programs, projects,
13 or activities authorized under this section, including to en-
14 sure that such programs, projects, or activities are com-
15 pleted in a timely and effective manner.

16 **SEC. 40107. INTERGOVERNMENTAL FAIR HOUSING ACTIVI-**
17 **TIES AND INVESTIGATIONS.**

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

23 (1) \$184,000,000 for support for cooperative
24 efforts with State and local agencies administering
25 fair housing laws under section 817 of the Fair

1 Housing Act (42 U.S.C. 3616) to assist the Sec-
2 retary to affirmatively further fair housing, and for
3 Fair Housing Assistance Program cooperative agree-
4 ments with interim certified and certified State and
5 local agencies, under the requirements of subpart C
6 of part 115 of title 24, Code of Federal Regulations,
7 to ensure expanded and strengthened capacity of
8 substantially equivalent agencies to assume a greater
9 share of the responsibility for the administration and
10 enforcement of fair housing laws; the Secretary may
11 transfer and merge amounts appropriated by this
12 paragraph to section 40301; and

13 (2) \$66,000,000 for the costs to the Secretary
14 of administering and overseeing the implementation
15 of this section and the Fair Housing Assistance and
16 Fair Housing Initiatives Programs generally, includ-
17 ing information technology, financial reporting, re-
18 search and evaluations, other cross-program costs in
19 support of programs administered by the Secretary
20 in this title, and other costs; the Secretary may
21 transfer and merge amounts appropriated by this
22 paragraph to section 40301.

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

1 (b) IMPLEMENTATION.—The Secretary shall have au-
2 thority to issue such regulations or other notices, guid-
3 ance, forms, instructions, and publications as may be nec-
4 essary or appropriate to carry out the programs, projects,
5 or activities authorized under this section, including to en-
6 sure that such programs, projects, or activities are com-
7 pleted in a timely and effective manner.

8 **Subtitle C—Homeownership**
9 **Investments**

10 **SEC. 40201. FIRST-GENERATION DOWNPAYMENT ASSIST-**
11 **ANCE.**

12 (a) APPROPRIATION.—In addition to amounts other-
13 wise available, there is appropriated to the First Genera-
14 tion Downpayment Fund established under subsection (b)
15 for fiscal year 2022, out of any money in the Treasury
16 not otherwise appropriated—

17 (1) \$6,825,000,000 for the First-Generation
18 Downpayment Assistance Fund under this section
19 for allocation among States that the Secretary of
20 Housing and Urban Development has not found to
21 be out of compliance with the obligation to affirma-
22 tively further fair housing, in accordance with a for-
23 mula established by the Secretary, which shall take
24 into consideration adult population size excluding
25 homeowners, median area home prices, and racial

1 disparities in homeownership rates, to carry out the
2 eligible uses of the Fund as described in subsection
3 (c);

4 (2) \$2,275,000,000 for the First-Generation
5 Downpayment Assistance Program under this sec-
6 tion for competitive grants to eligible entities that
7 the Secretary has not found to be out of compliance
8 with the obligation to affirmatively further fair hous-
9 ing, to carry out the eligible uses of the Fund as de-
10 scribed in subsection (d);

11 (3) \$500,000,000 for the costs of providing
12 housing counseling required under the First-Genera-
13 tion Downpayment Assistance Program under sub-
14 section (c)(1); and

15 (4) \$400,000,000 for the costs to the Secretary
16 of administering and overseeing the implementation
17 of the First-Generation Downpayment Assistance
18 Program, including information technology, financial
19 reporting, programmatic reporting, ensuring fair
20 housing and fair lending compliance, research and
21 evaluations, technical assistance to recipients of
22 amounts under this section, and other cross-program
23 costs in support to programs administered by the
24 Secretary in this Act, and other costs; the Secretary

1 may transfer and merge accounts set aside under
2 this clause to section 40301.

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

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

10 (c) ALLOCATION OF FUNDS.—

11 (1) INITIAL ALLOCATION.—The Secretary shall
12 allocate and award funding provided by subsection
13 (a) as provided under such subsection not later than
14 12 months after the date of the enactment of this
15 section.

16 (2) REALLOCATION OF FUNDS.—If a State or
17 eligible entity does not demonstrate the capacity to
18 expend grant funds provided under this section, the
19 Secretary shall reallocate the grant funds of such
20 grantee among States and eligible entities that dem-
21 onstrate to the Secretary the capacity to expend
22 such amounts and that are satisfactorily meeting the
23 goals of this section.

24 (d) TERMS AND CONDITIONS OF GRANTS ALLO-
25 CATED OR AWARDED FROM FUND.—

1 (1) USES OF FUNDS.—States and eligible enti-
2 ties receiving grants from the Fund shall—

3 (A) use such grants to provide assistance
4 on behalf of a qualified homebuyer who has
5 completed a program of housing counseling be-
6 fore entering into a sales purchase agreement,
7 as the Secretary shall require, provided through
8 a housing counseling agency approved by the
9 Secretary for—

10 (i) costs in connection with the acqui-
11 sition, involving an eligible mortgage loan,
12 of an eligible home, including downpay-
13 ment costs, closing costs, and costs to re-
14 duce the rates of interest on eligible mort-
15 gage loans;

16 (ii) subsidies to make shared equity
17 homes affordable to eligible homebuyers by
18 discounting the price for which the home
19 will be sold and to preserve the home's
20 affordabililty for subsequent homebuyers;
21 and

22 (iii) pre-occupancy home modifications
23 that may be necessary to meet required
24 property standards or accommodate quali-

1 fied homebuyers or members of their
2 household with disabilities;

3 (B) use not more than 10 percent of their
4 grant allocation or award for administrative
5 costs and training for carrying out the program
6 of the State or eligible entity to provide assist-
7 ance with such grant amounts, as well as to de-
8 velop the capacity to track and monitor pro-
9 gram outcomes in consultation with community-
10 based and nonprofit organizations that have as
11 their mission to advance fair housing and fair
12 lending; and

13 (C) comply with the obligation to affirma-
14 tively further fair housing, as defined by the
15 Secretary to implement section 808(e)(5) of the
16 Fair Housing Act (42 U.S.C. 3608(e)(5)), in
17 any program or activity related to the use of
18 such funds.

19 (2) AMOUNT AND LAYERING OF ASSISTANCE.—
20 Assistance under this section—

21 (A) may be provided to or on behalf of any
22 qualified homebuyer only once;

23 (B) may not exceed the greater of \$20,000
24 or 10 percent of the purchase price in the case
25 of a qualified homebuyer, not to include assist-

1 ance received under subsection (d)(1)(A)(iii) for
2 disability related home modifications, except
3 that the Secretary may increase such maximum
4 limitation amounts in the case of a qualified
5 homebuyer who is economically disadvantaged;
6 and

7 (C) may be provided to or on behalf of a
8 qualified homebuyer who is receiving assistance
9 from other sources, including other State, Fed-
10 eral, local, private, public, and nonprofit
11 sources, for acquisition of an eligible home.

12 (3) PROHIBITION OF PRIORITY.—In selecting
13 qualified homebuyers for assistance with grant
14 amounts under this section, a State or eligible entity
15 may not provide any priority or preference for home-
16 buyers who are acquiring eligible homes with a mort-
17 gage loan made, insured, guaranteed, or otherwise
18 assisted by the State housing finance agency for the
19 State, any other housing agency of the State, or an
20 eligible entity when applicable.

21 (4) REPAYMENT OF ASSISTANCE.—

22 (A) REQUIREMENT.—The Secretary shall
23 require that, if a homebuyer to or on behalf of
24 whom assistance is provided from grant
25 amounts under this section fails or ceases to oc-

1 copy the property acquired using such assist-
2 ance as the primary residence of the home-
3 buyer, except in the case of assistance is pro-
4 vided in connection with the purchase of a prin-
5 cipal residence through a shared equity home-
6 ownership program, the homebuyer shall repay
7 to the State or eligible entity, as applicable, in
8 a proportional amount of the assistance the
9 homebuyer receives based on the number of
10 years they have occupied the eligible home up
11 to 5 years, except that no assistance shall be re-
12 paid if the qualified homebuyer occupies the eli-
13 gible home as a primary residence for 5 years
14 or more.

15 (B) LIMITATION.—Notwithstanding sub-
16 paragraph (A), a homebuyer to or on behalf of
17 whom assistance is provided from grant
18 amounts under this section shall not be liable to
19 the State or eligible entity for the repayment of
20 the amount of such shortage if the homebuyer
21 fails or ceases to occupy the property acquired
22 using such assistance as the principal residence
23 of the homebuyer at least in part because of a
24 hardship, such as death or military deployment;
25 a financial hardship, such as a significant re-

1 duction in income, or increase in medical ex-
2 penses; relocation for a reason related to do-
3 mestic violence, dating violence, sexual assault,
4 or stalking, as defined in the Secretary's regula-
5 tions implementing the Violence Against
6 Women Act; or relocation for a reason related
7 to the homebuyer or a member of the house-
8 hold's disabilities; or another hardships based
9 on criteria established by the Secretary, or sells
10 the property acquired with such assistance be-
11 fore the expiration of the 60-month period be-
12 ginning on such date of acquisition and the cap-
13 ital gains from such sale to a bona fide pur-
14 chaser in an arm's length transaction are less
15 than the amount the homebuyer is required to
16 repay the State or eligible entity under sub-
17 paragraph (A).

18 (5) COMMUNITY LAND TRUSTS AND SHARED
19 EQUITY HOMEOWNERSHIP PROGRAMS.—If assistance
20 from grant amounts under this section is provided in
21 connection with an eligible home made available
22 through a community land trust or shared equity
23 homeownership program, such assistance shall re-
24 main in the community land trust or shared equity
25 property upon transfer of the property to keep the

1 home affordable to the next eligible community land
2 trust or shared equity homebuyer.

3 (6) RELIANCE ON BORROWER ATTESTATIONS.—

4 No additional documentation beyond the borrower’s
5 attestation shall be required to demonstrate eligi-
6 bility under subparagraphs (B) and (C) of sub-
7 section (e)(6) and no State, eligible entity, or cred-
8 itor shall be subject to liability, including monetary
9 penalties or requirements to indemnify a Federal
10 agency or repurchase a loan that has been sold or
11 securitized, based on the provision of assistance
12 under this section to or on behalf of a borrower who
13 does not meet the eligibility requirements under such
14 subparagraphs if the creditor does so in good faith
15 reliance on borrower attestations of eligibility re-
16 quired under such subparagraphs.

17 (7) REPORTING.—The Secretary may require
18 the reporting of such information on the use of
19 grants provided from the Fund as the Secretary may
20 require to carry out this subsection.

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

23 (1) COMMUNITY LAND TRUST.—The term
24 “community land trust” means a nonprofit organi-

1 zation or State or local government, agencies or in-
2 strumentalities thereof, that—

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

6 (i) make homeownership units afford-
7 able to households; and

8 (ii) stipulate a preemptive option to
9 purchase the affordable homeownership
10 units so that the affordability of the units
11 is preserved for successive income-eligible
12 households; and

13 (B) monitor properties to ensure
14 affordability is preserved.

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

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

21 (B) a community development financial in-
22 stitution, as such term is defined in section 103
23 of the Riegle Community Development and
24 Regulatory Improvement Act of 1994 (12
25 U.S.C. 4702), that is certified by the Secretary

1 of the Treasury and targets services to low-in-
2 come and socially disadvantaged populations
3 and provides services in neighborhoods having
4 high concentrations of minority, low-income and
5 socially disadvantaged populations; and

6 (C) any other nonprofit, mission-driven en-
7 tity that the Secretary finds has a track record
8 of providing assistance to homeowners, targets
9 services to low-income and socially disadvan-
10 taged populations, and provides services in
11 neighborhoods having high concentrations of
12 minority, low-income, or socially disadvantaged
13 populations.

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

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

19 (B) will be occupied by the qualified home-
20 buyer, in accordance with such assurances and
21 commitments as the Secretary shall require, as
22 the primary residence of the homebuyer.

23 (4) ELIGIBLE MORTGAGE LOAN.—The term “el-
24 igible mortgage loan” means a single-family residen-
25 tial mortgage loan that—

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

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

7 (C) is made, insured, or guaranteed under
8 title V of the Housing Act of 1949 (42 U.S.C.
9 1471 et seq.);

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

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

15 (5) FIRST GENERATION HOMEBUYER.—The
16 term “first-generation homebuyer” means a home-
17 buyer that is, as attested by the homebuyer—

18 (A) an individual—

19 (i) whose living parents or legal
20 guardians do not, to the best of the indi-
21 vidual’s knowledge, have any present fee
22 simple ownership interest in a principal
23 residence in any State, excluding owner-
24 ship of heir property;

1 (ii) who, if no parents or legal guard-
2 ians are living upon acquisition of the eligi-
3 ble home to be acquired using such assist-
4 ance, to the best of the individual's knowl-
5 edge, their parents or legal guardians did
6 not have any ownership interest in a prin-
7 cipal residence in any State at the time of
8 their death, excluding ownership of heir
9 property; and

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

19 (B) an individual who has at any time
20 been placed in foster care or institutional care
21 whose spouse or domestic partner has not, dur-
22 ing the 3-year period ending upon acquisition of
23 the eligible home to be acquired using such as-
24 sistance, had any ownership interest in a prin-
25 cipal residence in any State, excluding owner-

1 ship of heir property, whether such individuals
2 are co-borrowers on the loan or not.

3 (6) QUALIFIED HOMEBUYER.—The term
4 “qualified homebuyer” means a homebuyer—

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

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

9 (I) the area in which the home to
10 be acquired using such assistance is
11 located; or

12 (II) the area in which the place
13 of residence of the homebuyer is lo-
14 cated; or

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

21 (B) who is a first-time homebuyer, as such
22 term is defined at 42 U.S.C. 12704, except that
23 ownership of heir property shall not be treated
24 as owning a home for purposes of determining

1 whether a borrower qualifies as a first-time
2 homebuyer; and

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

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

6 (8) SHARED EQUITY HOMEOWNERSHIP PRO-
7 GRAM.—

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

14 (B) AFFORDABILILTY REQUIREMENTS.—
15 Any such program under subparagraph (A)
16 shall—

17 (i) provide affordable homeownership
18 opportunities to households; and

19 (ii) utilize a ground lease, deed re-
20 striction, subordinate loan, or similar legal
21 mechanism that includes provisions ensur-
22 ing that the program shall—

23 (I) maintain the homeownership
24 unit as affordable for subsequent very
25 low-, low-, or moderate-income fami-

1 lies for an affordability term of at
2 least 30 years after recordation;

3 (II) apply a resale formula that
4 limits the homeowner's proceeds upon
5 resale; and

6 (III) provide the program admin-
7 istrator or such administrator's as-
8 signee a preemptive option to pur-
9 chase the homeownership unit from
10 the homeowner at resale.

11 (9) STATE.—The term “State” means any
12 State of the United States, the District of Columbia,
13 the Commonwealth of Puerto Rico, the United
14 States Virgin Islands, Guam, the Commonwealth of
15 the Northern Mariana Islands, and American
16 Samoa.

17 (10) HEIR PROPERTY.—The term “heir prop-
18 erty” means residential property for which title
19 passed by operation of law through intestacy and is
20 held by two or more heirs as tenants in common.

21 (f) IMPLEMENTATION.—The Secretary shall have au-
22 thority to issue such regulations or other notices, guid-
23 ance, forms, instructions, and publications as may be nec-
24 essary or appropriate to carry out the programs, projects,
25 or activities authorized under this section, including to en-

1 sure that such programs, projects, or activities are com-
2 pleted in a timely and effective manner.

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

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

8 (1) \$480,000,000 to the Secretary of Housing
9 and Urban Development for carrying out the pro-
10 gram established under subsection (b) and programs
11 of the Federal Housing Administration and the Gov-
12 ernment National Mortgage Association generally,
13 including information technology, financial report-
14 ing, other cross-program costs in support of pro-
15 grams administered by the Secretary in this Act,
16 other costs, and for the cost of guaranteed loans and
17 other obligations; and

18 (2) \$20,000,000 to the Secretary of Agriculture
19 for carrying out the program established under sub-
20 section (b) and programs of the Rural Housing
21 Service generally, including information technology
22 and financial reporting in support of the Program
23 administered by the Secretary of Agriculture in this
24 Act, other costs, and for the cost of guaranteed
25 loans and other obligations.

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

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 FUNDS.—

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 by the Secretary of Housing and Urban De-
21 velopment to the Department of the Treasury in an
22 amount equal to, as determined by the Secretary of
23 the Treasury, in consultation with the Secretary of
24 Housing and Urban Development—

1 (A) the amount the Secretary of the Treas-
2 ury estimates to be necessary for the purchase
3 of securities under the Program during the pe-
4 riod for which the funds are intended to be
5 available;

6 (B) the difference between—

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

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

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

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

22 (d) ESTABLISHMENT OF THE LIFT HOME PRO-
23 GRAM.—Each Secretary shall establish, and carry out,
24 with respect to any mortgage with a case number issued
25 on or before December 31, 2025, that is subsequently in-

1 sured or guaranteed by such Secretary, a program to
2 make covered mortgage loans available to eligible home-
3 buyers to purchase a single-family residence for use as
4 their principal residence (referred to in this section as the
5 “Program”), under which—

6 (1) the Secretary of the Treasury—

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

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

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

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

24 (C) may use the services of any agency or
25 instrumentality of the United States or compo-

1 nent thereof on a reimbursable basis, and any
2 such agency or instrumentality or component
3 thereof is authorized to provide services as re-
4 quested by the Secretary using all authorities
5 vested in or delegated to that agency, instru-
6 mentality, or component;

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

12 (E) may establish and use vehicles to pur-
13 chase, hold, and sell financial instruments and
14 other assets; and

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

19 (2) each Secretary of a Loan Guarantee Agency
20 shall—

21 (A) establish pricing terms for covered
22 mortgage loans such that the covered mortgage
23 loans carry a monthly mortgage payment of
24 principal and interest that is not more than 110
25 percent and not less than 100 percent of the

1 monthly payment of principal, interest, and
2 periodic mortgage insurance premium or loan
3 guarantee fee associated with a newly origi-
4 nated 30-year mortgage loan with the same
5 loan balance insured or guaranteed by the Loan
6 Guarantee Agency as determined by each Sec-
7 retary, or such pricing terms as are determined
8 by each Secretary to be necessary to develop li-
9 quidity for securities backed by covered mort-
10 gage loans and expand Program participation
11 by eligible homebuyers; and

12 (B) establish an outreach and counseling
13 program to increase stakeholder awareness of
14 the Program; and

15 (3) the Secretary of Housing and Urban Devel-
16 opment shall—

17 (A) in consultation with the Secretary of
18 Treasury, establish the pricing terms for the
19 purchase of securities guaranteed by the Asso-
20 ciation secured by covered mortgage loans such
21 that the covered mortgage loans carry a month-
22 ly mortgage payment of principal and interest
23 that is not more than 110 percent and not less
24 than 100 percent of the monthly payment of
25 principal, interest, and periodic mortgage insur-

1 ance premium or loan guarantee fee associated
2 with a newly originated 30-year mortgage loan
3 with the same loan balance insured or guaran-
4 teed by the Loan Guarantee Agency, or such
5 pricing terms as are determined by the Secre-
6 taries to be necessary to develop liquidity for
7 securities backed by covered mortgage loans
8 and expand Program participation by eligible
9 homebuyers;

10 (B) have the authority to designate mort-
11 gage bankers, financial institutions, including
12 banks, savings associations, trust companies,
13 security brokers or dealers, asset managers, in-
14 vestment advisers, and other institutions and
15 such institutions shall—

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

19 (ii) be paid for such duties using ap-
20 propriations available under this section to
21 the Secretary of Housing and Urban De-
22 velopment to reimburse these entities in
23 their capacity as agents of the United
24 States;

1 (C) have the authority to use the services
2 of any agency or instrumentality of the United
3 States or component thereof on a reimbursable
4 basis, and any such agency or instrumentality
5 or component thereof is authorized to provide
6 services as requested by the Secretary of Hous-
7 ing and Urban Development using all authori-
8 ties vested in or delegated to that agency, in-
9 strumentality, or component;

10 (D) operate the Program in coordination
11 with the Association, the Federal Housing Ad-
12 ministration, the Rural Housing Service, and
13 the Secretary of the Treasury so as to dem-
14 onstrate feasibility and workability to market
15 participants, including—

16 (i) originators and servicers of mort-
17 gages;

18 (ii) issuers of mortgage-backed securi-
19 ties; and

20 (iii) investors; and

21 (E) gain price discovery experience by in-
22 structing the Secretary of the Treasury, fol-
23 lowing consultation with the Secretary of Treas-
24 ury to sell acquired securities described in sub-
25 paragraph (A) as soon as practicable, thereby

1 hastening the development of liquidity for secu-
2 rities backed by covered mortgage loans.

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

8 (4) GNMA GUARANTEE AUTHORITY.—To carry
9 out the purposes of this section, the Association may
10 enter into new commitments to issue guarantees of
11 securities based on or backed by mortgages insured
12 under this section, not exceeding \$10,000,000,000.

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

18 (e) DEFINITIONS.—In this section:

19 (1) ASSOCIATION.—The term “Association”
20 means the Government National Mortgage Associa-
21 tion.

22 (2) COVERED MORTGAGE LOAN.—

23 (A) IN GENERAL.—The term “covered
24 mortgage loan” means, for purposes of the Pro-
25 gram established by the Secretary of Housing

1 and Urban Development, a mortgage loan
2 that—

3 (i) is insured or guaranteed by the
4 Federal Housing Administration pursuant
5 to section 203(b) of the National Housing
6 Act, subject to the eligibility criteria set
7 forth in this subsection, and has a case
8 number issued on or before December 31,
9 2025;

10 (ii) is made for an original term of 20
11 years or for an original term determined
12 by the Secretary to be necessary to develop
13 liquidity for securities backed by covered
14 mortgage loans and expand Program par-
15 ticipation by eligible homebuyers;

16 (iii) subject to subparagraph (C) of
17 this paragraph and notwithstanding sec-
18 tion 203(b)(2)(C) of the National Housing
19 Act (12 U.S.C. 1709(b)(2)(C)), has a
20 mortgage insurance premium of not more
21 than 4 percent of the loan balance that is
22 paid at closing, financed into the principal
23 balance of the loan, paid through an an-
24 nual premium, or a combination thereof;

1 (iv) involves a rate of interest that is
2 fixed over the term of the mortgage loan;
3 and

4 (v) is secured by a single-family resi-
5 dence that is the principal residence of an
6 eligible homebuyer.

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

12 (i) notwithstanding section
13 502(h)(7)(A) of the Housing Act of 1949
14 (42 U.S.C. 1472(h)(7)(A)), is made for an
15 original term of 20 years or for an original
16 term determined by the Secretary to be
17 necessary to develop liquidity for securities
18 backed by covered mortgage loans and ex-
19 pand Program participation by eligible
20 homebuyers; and

21 (ii) subject to subparagraph (C) of
22 this paragraph and notwithstanding sec-
23 tion 502(h)(8)(A) of the Housing Act of
24 1949 (42 U.S.C. 1472(h)(8)(A)), has a

1 loan guarantee fee of not more than 4 per-
2 cent of the principal obligation of the loan.

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

17 (3) DEPARTMENT.—Unless otherwise specified,
18 the term “Department” means the Department of
19 Housing and Urban Development or the Department
20 of Agriculture, as appropriate.

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

23 (A) for purposes of the Program estab-
24 lished by the Secretary of Housing and Urban
25 Development—

1 (i) has an annual household income
2 that is less than or equal to—

3 (I) 120 percent of median income
4 for the area, as determined by the
5 Secretary of Housing and Urban De-
6 velopment for—

7 (aa) the area in which the
8 home to be acquired using such
9 assistance is located; or

10 (bb) the area in which the
11 place of residence of the home-
12 buyer is located; or

13 (II) if the homebuyer is acquiring
14 an eligible home that is located in a
15 high-cost area, 140 percent of the me-
16 dian income, as determined by the
17 Secretary, for the area within which
18 the eligible home to be acquired using
19 assistance provided under this section
20 is located;

21 (ii) is a first-time homebuyer, as de-
22 fined in paragraph (6) of this subsection;
23 and

1 (iii) (iii) is a first-generation home-
2 buyer as defined in paragraph (5) of this
3 subsection;

4 (B) for purposes of the Program estab-
5 lished by the Secretary of Agriculture—

6 (i) meets the applicable requirements
7 in section 502(h) of the Housing Act of
8 1949 (42 U.S.C. 1472(h)); and

9 (ii) is a first-time homebuyer as de-
10 fined in paragraph (6) of this subsection
11 and a first-generation homebuyer as de-
12 fined in paragraph (5) of this subsection.

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

16 (A) an individual—

17 (i) whose living parents or legal
18 guardians do not, to the best of the indi-
19 vidual’s knowledge, have any present fee
20 simple ownership interest in a principal
21 residence in any State, excluding owner-
22 ship of heir property;

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

1 to the best of the individual's knowledge,
2 whose parents or legal guardians did not
3 have any ownership interest in a principal
4 residence in any State at the time of their
5 death, excluding ownership of heir prop-
6 erty; and

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

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

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

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

13 (8) **LOAN GUARANTEE AGENCY.**—Unless other-
14 wise specified, the term “Loan Guarantee Agency”
15 means the Federal Housing Administration of the
16 Department of Housing and Urban Development or
17 the Rural Housing Service of the Department of Ag-
18 riculture, as appropriate.

19 (9) **SECRETARY.**—Unless otherwise specified,
20 the term “Secretary” means the Secretary of Hous-
21 ing and Urban Development or the Secretary of Ag-
22 riculture, as appropriate.

23 (f) **RELIANCE ON BORROWER ATTESTATIONS.**—No
24 additional documentation beyond the borrower’s attesta-
25 tion shall be required to demonstrate eligibility under

1 paragraph (4) of subsection (e) and no State, eligible enti-
2 ty, or creditor shall be subject to liability, including mone-
3 tary penalties or requirements to indemnify a Federal
4 agency or repurchase a loan that has been sold or
5 securitized, based on the provision of assistance under this
6 section to a borrower who does not meet the eligibility re-
7 quirements under paragraph (4) of subsection (e) if the
8 creditor does so in good faith reliance on borrower attesta-
9 tions of eligibility required under such paragraph.

10 (g) IMPLEMENTATION.—The Secretary of Housing
11 and Urban Development, the Secretary of Agriculture,
12 and the Secretary of Treasury shall have authority to issue
13 such regulations or other notices, guidance, forms, in-
14 structions, and publications as may be necessary or appro-
15 priate to carry out the programs, projects, or activities au-
16 thorized under this section, including to ensure that such
17 programs, projects, or activities are completed in a timely
18 and effective manner.

19 **SEC. 40203. HUD-INSURED SMALL DOLLAR MORTGAGE**
20 **DEMONSTRATION PROGRAM.**

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

1 (1) \$76,000,000 for a program to increase ac-
2 cess to small-dollar mortgages, as defined in sub-
3 section (b), which may include payment of incentives
4 to lenders, adjustments to terms and costs, indi-
5 vidual financial assistance, technical assistance to
6 lenders and certain financial institutions to help
7 originate loans, lender and borrower outreach, and
8 other activities;

9 (2) \$10,000,000 for the cost of insured or guar-
10 anteed loans, including the cost of modifying loans,
11 as defined in section 502 of the Congressional Budg-
12 et Act of 1974 (2 U.S.C. 661a); and

13 (3) \$14,000,000 for the costs to the Secretary
14 of administering and overseeing the implementation
15 of this section and programs in the Office of Hous-
16 ing generally, including information technology, fi-
17 nancial reporting, research and evaluations, fair
18 lending compliance, and other cross-program costs in
19 support of programs administered by the Secretary
20 in this title, and other costs; the Secretary may
21 transfer and merge amounts appropriated by this
22 paragraph to section 40301.

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

1 (b) 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; and

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

14 (c) IMPLEMENTATION.—The Secretary shall have au-
15 thority to issue such regulations or other notices, guid-
16 ance, forms, instructions, and publications as may be nec-
17 essary or appropriate to carry out the programs, projects,
18 or activities authorized under this section, including to en-
19 sure that such programs, projects, or activities are com-
20 pleted in a timely and effective manner.

21 **SEC. 40204. INVESTMENTS IN RURAL HOMEOWNERSHIP.**

22 (a) APPROPRIATION.—In addition to amounts other-
23 wise available, there is appropriated to the Secretary of
24 Agriculture (in this section referred to as the “Sec-

1 retary”), out of any money in the Treasury not otherwise
2 appropriated—

3 (1) \$70,000,000 for direct loans made under
4 section 502 of the Housing Act of 1949 (42 U.S.C.
5 1472);

6 (2) \$95,000,000 for providing single family
7 housing repair grants under section 504 of the
8 Housing Act of 1949 (42 U.S.C. 1474), subject to
9 the terms and conditions in subsection (b) of this
10 section;

11 (3) \$25,000,000 for grants under section 523
12 of the Housing Act of 1949 (42 U.S.C. 1490c); and

13 (4) \$10,000,000 for administrative expenses of
14 the Secretary that in whole or in part support activi-
15 ties funded by this section and related activities.

16 Amounts appropriated by this section shall remain avail-
17 able until expended.

18 (b) TERMS AND CONDITIONS.—

19 (1) ELIGIBILITY.—Eligibility for grants from
20 amounts made available by subsection (a)(2) shall
21 not be subject to the limitations in section
22 3550.103(b) of title 7, Code of Federal Regulations.

23 (2) USES.—Notwithstanding the limitations in
24 section 3550.102(a) of title 7, Code of Federal Reg-
25 ulations, grants from amounts made available by

1 subsection (a)(2) shall be available for the eligible
2 purposes in section 3550.102(b) of title 7, Code of
3 Federal Regulations.

4 **SEC. 40205. SELF-HELP HOMEOWNERSHIP OPPORTUNITY**
5 **PROGRAM.**

6 In addition to amounts otherwise available, there is
7 appropriated for fiscal year 2022, out of any amounts in
8 the Treasury not otherwise appropriated, to the Secretary
9 of Housing and Urban Development—

10 (1) \$49,500,000 for grants under section 11 of
11 the Housing Opportunity Program Extension Act of
12 1996 (42 U.S.C. 12805 note); and

13 (2) \$500,000 for costs to the Secretary of ad-
14 ministering and overseeing the implementation of
15 this section, including information technology, finan-
16 cial reporting, research and evaluations, fair lending
17 compliance, and other cross-program costs in sup-
18 port of programs administered by the Secretary in
19 this title, and other costs.

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

1 **Subtitle D—HUD and Community**
2 **Capacity Building**

3 **SEC. 40301. PROGRAM ADMINISTRATION, TRAINING, TECH-**
4 **NICAL ASSISTANCE, AND CAPACITY BUILD-**
5 **ING, AND USICH.**

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

10 (1) \$1,985,000,000 to the Secretary of Housing
11 and Urban Development for—

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

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

1 (2) \$5,000,000 to the United States Inter-
2 agency Council on Homelessness for necessary ex-
3 penses in carrying out the functions of the Council
4 pursuant to title II of the McKinney-Vento Home-
5 less Assistance Act (42 U.S.C. 11311 et seq.); and

6 (3) \$10,000,000 to the Secretary of Housing
7 and Urban Development for necessary salaries and
8 expenses of the Office of the Inspector General of
9 the Department of Housing and Urban Development
10 in carrying out the Inspector General Act of 1978.

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

13 (b) IMPLEMENTATION.—The Secretary shall have au-
14 thority to issue such regulations or other notices, guid-
15 ance, forms, instructions, and publications as may be nec-
16 essary or appropriate to carry out the programs, projects,
17 or activities authorized under this section, including to en-
18 sure that such programs, projects, or activities are com-
19 pleted in a timely and effective manner.

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

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

1 (1) \$90,000,000 for competitively awarded
2 funds for technical assistance and capacity building
3 to non-Federal entities, including nonprofit organi-
4 zations that can provide technical assistance activi-
5 ties to community development corporations, com-
6 munity housing development organizations, commu-
7 nity land trusts, nonprofit organizations in insular
8 areas, and other mission-driven and nonprofit orga-
9 nizations that target services to low-income and so-
10 cially disadvantaged populations, and provide serv-
11 ices in neighborhoods having high concentrations of
12 minority, low-income, or socially disadvantaged pop-
13 ulations to—

14 (A) provide training, education, support,
15 and advice to enhance the technical and admin-
16 istrative capabilities of community development
17 corporations, community housing development
18 organizations, community land trusts, and other
19 mission-driven and nonprofit organizations
20 seeking to undertake affordable housing devel-
21 opment, acquisition, preservation, or rehabilita-
22 tion activities;

23 (B) provide grants or predevelopment as-
24 sistance to community development corpora-
25 tions, community housing development organi-

1 zations, and other mission-driven and nonprofit
2 organizations seeking to undertake affordable
3 housing development, acquisition, preservation,
4 or rehabilitation activities; and

5 (C) carry out such other activities as may
6 be determined by the grantees in consultation
7 with the Secretary; and

8 (2) \$10,000,000 for the costs to the Secretary
9 of administering and overseeing the implementation
10 of this section and the Department's technical as-
11 sistance programs generally, including information
12 technology, research and evaluations, financial re-
13 porting, fair housing compliance, and other cross-
14 program costs in support of programs administered
15 by the Secretary in this title and other costs; the
16 Secretary may transfer and merge amounts set aside
17 under this subsection to section 40301.

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

20 (b) IMPLEMENTATION.—The Secretary shall have au-
21 thority to issue such regulations or other notices, guid-
22 ance, forms, instructions, and publications as may be nec-
23 essary or appropriate to carry out the programs, projects,
24 or activities authorized under this section, including to en-

1 sure that such programs, projects, or activities are com-
2 pleted in a timely and effective manner.

3 **Subtitle E—Economic Development**

4 **SEC. 40401. MINORITY BUSINESS DEVELOPMENT AGENCY.**

5 (a) APPROPRIATION.—In addition to amounts other-
6 wise available, there is appropriated to the Minority Busi-
7 ness Development Agency for fiscal year 2022, out of
8 amounts in the Treasury not otherwise appropriated—

9 (1) \$200,000,000, to remain available until
10 September 30, 2026, for carrying out subsection
11 (b)(1);

12 (2) \$1,200,000,000, to remain available until
13 September 30, 2029, for carrying out subparagraphs
14 (A), (B), (C), (D), (E), (F), and (H) of subsection
15 (b)(2);

16 (3) \$50,000,000, to remain available until Sep-
17 tember 30, 2026, for carrying out subparagraph (G)
18 of subsection (b)(2);

19 (4) \$1,500,000,000, to remain available until
20 September 30, 2026, for carrying out subsection
21 (b)(3); and

22 (5) \$150,000,000, to remain available until
23 September 30, 2029, for administrative costs associ-
24 ated with carrying out subsection (b)(3).

25 (b) MINORITY BUSINESS DEVELOPMENT AGENCY.—

1 (1) RURAL BUSINESS CENTERS.—The Director
2 of the Minority Business Development Agency may
3 enter into agreements with one or more rural Busi-
4 ness Centers of the Agency that are operated by a
5 minority-serving institution of higher education or
6 by a consortium of institutions of higher education
7 that is led by a minority-serving institution of higher
8 education. Under such an agreement, a rural Busi-
9 ness Center shall provide assistance primarily to eli-
10 gible business enterprises located within a rural
11 area, as defined by the Director.

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

14 (A) pay salaries and related costs for em-
15 ployees;

16 (B) pay for administrative and other costs
17 to support initiatives that assist the formation,
18 growth, and expansion of eligible business en-
19 terprises;

20 (C) establish and provide assistance to
21 Business Centers and specialty Business Cen-
22 ters, prioritizing for such establishment in
23 States or regions that lack a Business Center
24 and have a significant population of members of
25 an underrepresented community;

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

3 (E) conduct an annual forum between the
4 Federal Government and businesses to review
5 existing programs and current challenges relat-
6 ing to capital formation by eligible business en-
7 terprises;

8 (F) establish a program to assist small,
9 underserved manufacturers in accessing private
10 capital by accelerating technology adoption and
11 providing training and support in supply chain
12 integration;

13 (G) provide grants to minority-serving in-
14 stitutions of higher education to develop and
15 implement entrepreneurship curricula; and

16 (H) collect data and develop research and
17 policies regarding the needs and development of
18 eligible business enterprises.

19 (3) GRANTS.—

20 (A) IN GENERAL.—The Director of the Mi-
21 nority Business Development Agency may pro-
22 vide grants to—

23 (i) a eligible business enterprise; and

24 (ii) an eligible nonprofit organization

25 that will make subgrants to eligible busi-

1 ness enterprises located in areas with sig-
2 nificant populations of members of under-
3 represented communities.

4 (B) APPLICATION.—In making grants and
5 subgrants to eligible business enterprises and
6 eligible nonprofit organizations under this sec-
7 tion, the Director shall establish an application
8 process and selection criteria, which shall in-
9 clude—

10 (i) assurances that the eligible busi-
11 ness enterprise and eligible nonprofit orga-
12 nization will use such grants and sub-
13 grants to address gaps in access to capital,
14 assist with startup costs, or support busi-
15 ness expansion;

16 (ii) criteria for determining the size of
17 grant or subgrant award for the eligible
18 business enterprise and eligible nonprofit
19 organization; and

20 (iii) other criteria as determined by
21 the Director.

22 (C) ELIGIBLE NONPROFIT ORGANIZA-
23 TIONS.—An eligible nonprofit organization that
24 receives a grant under this section shall, when
25 making a subgrant to an eligible business enter-

1 prise described under subparagraph (A)(ii), also
2 use such grant to provide support to the eligible
3 business enterprise in one or more of the fol-
4 lowing ways:

5 (i) Providing resources, which may in-
6 clude physical workspace and facilities, to
7 startups and established eligible business
8 enterprises.

9 (ii) Providing supports to accelerate
10 the growth and success of eligible business
11 enterprises through a variety of services,
12 including—

13 (I) access to capital, business
14 education, and counseling;

15 (II) networking opportunities;

16 (III) mentorship opportunities;

17 (IV) advising on market analysis,
18 company strategy, revenue, growth,
19 commercialization, and securing fund-
20 ing; and

21 (V) other services intended to aid
22 in developing eligible business enter-
23 prises.

24 (D) BUSINESS IDENTIFIERS.—In accepting
25 applications for grants to eligible business en-

1 terprises or subgrants to eligible business enter-
2 prises under this subsection, the Director shall
3 allow each grantee or subgrantee to use existing
4 business identifiers of the subgrantee instead of
5 other forms of registration or identification.

6 (E) ELIGIBLE NONPROFIT ORGANIZA-
7 TION.—In this paragraph, the term “eligible
8 nonprofit organization” means an organization
9 that is described in paragraph (3) or (6) of sec-
10 tion 501(c) of the Internal Revenue Code of
11 1986 and that is exempt from taxation under
12 section 501(a) of such Code for which a pri-
13 mary activity of the organization is to provide
14 services or financial support to eligible business
15 enterprises located in areas with significant
16 populations of members of underrepresented
17 communities.

18 (4) RETURNING FUNDS.—If an entity that re-
19 ceives a grant or assistance under this subsection
20 fails to use all the funds or permanently ceases oper-
21 ations on or before September 30, 2031, the entity
22 shall return the funds to the Minority Business De-
23 velopment Agency. The Minority Business Develop-
24 ment Agency shall return all such funds to the
25 Treasury if not expended by September 30, 2031.

1 (5) PENALTIES FOR FAILURE TO ABIDE BY
2 TERMS OR CONDITIONS OF AWARD.—At the discre-
3 tion of the Director and in addition to any other
4 civil or criminal consequences, the Director shall
5 withhold payments to an eligible applicant or order
6 the eligible applicant to return any assistance pro-
7 vided under this section for failure to abide by the
8 terms and conditions of such assistance.

9 (c) DEFINITIONS.—In this section:

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

12 (A) is established by the Minority Business
13 Development Agency; and

14 (B) provides technical business assistance
15 to minority business enterprises.

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

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

23 (A) a resident of—

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

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

5 (iii) a HUBZone, as defined in section
6 31(b) of the Small Business Act (15
7 U.S.C. 657a);

8 (B) a member of an Indian or Alaska Na-
9 tive tribe, band, nation, pueblo, village, commu-
10 nity, component band, or component reserva-
11 tion, individually identified (including par-
12 enthetically) in the most recent list published
13 pursuant to section 104 of the Federally Recog-
14 nized Indian Tribe List Act of 1994 (25 U.S.C.
15 5131);

16 (C) an individual with a disability, as de-
17 fined in section 3 of the Americans with Dis-
18 abilities Act of 1990 (42 U.S.C. 12102);

19 (D) a veteran, as defined in section 101 of
20 title 38, United States Code;

21 (E) an individual who completed a term of
22 imprisonment; or

23 (F) an individual otherwise identified by
24 the Director.

1 (4) MINORITY-SERVING INSTITUTION OF HIGH-
2 ER EDUCATION.—The term “minority-serving insti-
3 tution of higher education” means—

4 (A) an institution described in section
5 371(a) of the Higher Education Act of 1965
6 (20 U.S.C. 1067q(a)); or

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

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

15 (A) capital access;

16 (B) Federal procurement;

17 (C) entrepreneurship;

18 (D) technology transfer; or

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

1 **SECTION 40402. 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) RULES FOR THE 2022 ALLOCATION.—With re-
10 spect to the 2022 allocation:

11 “(1) TRANSFER OF ALLOCATION.—The Sec-
12 retary shall transfer the full amount of each alloca-
13 tion to a State in a single transfer and shall com-
14 plete such transfer before September 30, 2022.

15 “(2) USE OF TRANSFERRED FUNDS.—States
16 may use allocations of amounts appropriated for fis-
17 cal year 2022 to carry out the Program only—

18 “(A) for making Federal contributions to,
19 or for the account of, an approved State pro-
20 gram, for the purposes of, as determined by the
21 Secretary of the Treasury—

22 “(i) maintaining the economic com-
23 petitiveness of the United States;

24 “(ii) maintaining a strong manufac-
25 turing base in the United States, including

1 promoting advanced manufacturing tech-
2 nology and innovative technology;

3 “(iii) increasing the supply and inno-
4 vation of factory-built housing for
5 affordability, accessibility, efficiency, and
6 resilience; or

7 “(iv) helping the United States transi-
8 tion 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;

12 “(B) as collateral for a qualifying loan or
13 swap funding facility, for the purposes de-
14 scribed under subparagraph (A); and

15 “(C) for paying administrative costs in-
16 curred by the State in implementing an ap-
17 proved State program in an amount not to ex-
18 ceed 5 percent of such State’s allocation.

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

1 “(A) paragraph (1) of section 3004(d)
2 shall be applied by substituting ‘6 months’ for
3 ‘9 months’; and

4 “(B) paragraph (2) of section 3004(d)
5 shall be applied by substituting ‘9 months’ for
6 ‘12 months.’”; and

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

9 (b) APPROPRIATION.—In addition to amounts other-
10 wise available, there is hereby appropriated to the Sec-
11 retary of the Treasury 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, to carry out the amendments made by subsection
15 (a).

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

