

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3767

To improve and simplify the HOME investment partnerships program, and  
for other purposes.

---

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1994

Mrs. ROUKEMA introduced the following bill; which was referred to the  
Committee on Banking, Finance and Urban Affairs

---

## A BILL

To improve and simplify the HOME investment partnerships  
program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “HOME Investment  
5 Partnerships Act Amendments of 1994”.

6 **SEC. 2. PARTICIPATION BY STATE AGENCIES OR INSTRU-**  
7 **MENTALITIES.**

8 Section 104(2) of the Cranston-Gonzalez National  
9 Affordable Housing Act (42 U.S.C. 12704(2)) is amended  
10 by inserting before the period at the end the following:

1 “, or any agency or instrumentality thereof that is estab-  
2 lished pursuant to legislation and designated by the chief  
3 executive to act on behalf of the State with regard to the  
4 provisions of this Act”.

5 **SEC. 3. SIMPLIFICATION OF PROGRAM-WIDE INCOME**  
6 **TARGETING FOR RENTAL HOUSING.**

7 Section 214(1) of the Cranston-Gonzalez National  
8 Affordable Housing Act (42 U.S.C. 12744(1)) is amend-  
9 ed—

10 (1) in subparagraph (A)—

11 (A) by striking “such funds are invested  
12 with respect to dwelling units that are occupied  
13 by” and inserting “(i) the families receiving  
14 such rental assistance are”; and

15 (B) by striking “, and” and inserting “or  
16 (ii) the dwelling units assisted with such funds  
17 are occupied by families having such incomes;  
18 and”; and

19 (2) in subparagraph (B)—

20 (A) by striking “such funds are invested  
21 with respect to dwelling units that are occupied  
22 by” and inserting “(i) the families receiving  
23 such rental assistance are”; and

24 (B) by inserting before the semicolon at  
25 the end the following: “, or (ii) the dwelling

1 units assisted with such funds are occupied by  
2 such households”.

3 **SEC. 4. CHANGES RELATING TO HOMEOWNERSHIP UNITS.**

4 (a) REMOVAL OF FIRST-TIME HOMEBUYER RE-  
5 QUIREMENT.—Section 215(b) of the Cranston-Gonzalez  
6 National Affordable Housing Act (42 U.S.C. 12745(b)) is  
7 amended—

8 (1) by striking paragraph (3); and

9 (2) by redesignating paragraphs (4) and (5) as  
10 paragraphs (3) and (4), respectively.

11 (b) SIMPLIFICATION OF RESALE PROVISIONS.—Sec-  
12 tion 215(b)(4)(B) of the Cranston-Gonzalez National Af-  
13 fordable Housing Act (42 U.S.C. 12745(b)(4)(B)), as re-  
14 designated by subsection (a) of this section, is amended  
15 by striking “subsection” and inserting “title”.

16 **SEC. 5. STABILIZATION OF FUNDING THRESHOLDS.**

17 The Cranston-Gonzalez National Affordable Housing  
18 Act (42 U.S.C. 12701 et seq.) is amended—

19 (1) in section 216, by striking paragraph (10);

20 (2) in section 217(b), by striking paragraph  
21 (4);

22 (3) in section 217(b)(3)—

23 (A) in the first sentence, by striking “only  
24 those jurisdictions” and all that follows through  
25 “allocation” and inserting “jurisdictions that

1 are not participating jurisdictions that are allo-  
2 cated an amount of \$500,000 or more and ju-  
3 risdictions that are participating jurisdictions  
4 shall receive an allocation”; and

5 (B) in the last sentence, by striking “, ex-  
6 cept as provided in paragraph (4)””; and

7 (4) in section 216—

8 (A) in paragraph (3)(A), by striking “Ex-  
9 cept as provided in paragraph (10), a jurisdic-  
10 tion” and inserting “A jurisdiction”; and

11 (B) in paragraph (9)(B), by striking “, ex-  
12 cept as provided in paragraph (10)”’.

13 **SEC. 6. COMPREHENSIVE AFFORDABLE HOUSING STRAT-**  
14 **EGY.**

15 (a) HOME PROGRAM.—Section 218(d) of the Cran-  
16 ston-Gonzalez National Affordable Housing Act (42  
17 U.S.C. 12748(d)) is amended in the first sentence, by in-  
18 serting “that it is complying with a current housing af-  
19 fordability strategy that has been approved by the Sec-  
20 retary in accordance with section 105, and” after “certifi-  
21 cation”.

22 (b) HOMELESS HOUSING ASSISTANCE PROGRAMS.—  
23 Section 401 of the Stewart B. McKinney Homeless Assist-  
24 ance Act (42 U.S.C. 11361) is amended to read as follows:

1 **“SEC. 401. HOUSING AFFORDABILITY STRATEGY.**

2       “(a) REQUIREMENT TO COMPLY WITH CHAS.—As-  
3 sistance may be made available under subtitle B to metro-  
4 politan cities, urban counties, and States receiving a for-  
5 mula amount under section 413, only if the jurisdiction  
6 certifies that it is complying with a current housing afford-  
7 ability strategy that has been approved by the Secretary  
8 in accordance with section 105 of the Cranston-Gonzalez  
9 National Affordable Housing Act.

10       “(b) REQUIREMENT FOR CONSISTENCY WITH  
11 CHAS.—Assistance may be made available under this title  
12 only if the application for such assistance contains a cer-  
13 tification that the proposed project or activities are con-  
14 sistent with the housing affordability strategy of the State  
15 or unit of general local government in which the project  
16 is located. The certification shall be made by the public  
17 official responsible for submitting the strategy for the ju-  
18 risdiction.”.

19       (c) CONFORMING AMENDMENTS.—Title IV of the  
20 Stewart B. McKinney Homeless Assistance Act (42 U.S.C.  
21 11361 et seq.) is amended—

22               (1) in section 426(a)(2)—

23                       (A) in subparagraph (E), by inserting

24                       “and” after the semicolon at the end;

25                       (B) by striking subparagraph (F); and

1 (C) by redesignating subparagraph (G) as  
2 subparagraph (F);

3 (2) in section 434(a)—

4 (A) by striking paragraph (10); and

5 (B) by redesignating paragraphs (11),  
6 (12), and (13) as paragraphs (10), (11), and  
7 (12), respectively; and

8 (3) in section 454(b)—

9 (A) by striking paragraph (9); and

10 (B) by redesignating paragraphs (10),  
11 (11), and (12) as paragraphs (9), (10), and  
12 (11), respectively.

13 **SEC. 7. MATCHING REQUIREMENTS.**

14 Section 220(a) of the Cranston-Gonzalez National  
15 Affordable Housing Act (42 U.S.C. 12750(a)) is amended  
16 to read as follows:

17 “(a) CONTRIBUTION.—Each participating jurisdic-  
18 tion shall make contributions to housing that qualifies as  
19 affordable housing under this title that total, throughout  
20 a fiscal year, not less than 25 percent of the funds drawn  
21 from the jurisdiction’s HOME Investment Trust Fund in  
22 such fiscal year. Such contributions shall be in addition  
23 to any amounts made available under section  
24 216(3)(A)(ii).”.

1 **SEC. 8. SEPARATE AUDIT REQUIREMENT.**

2 Section 283 of the Cranston-Gonzalez National Af-  
3 fordable Housing Act (42 U.S.C. 12833) is amended—

4 (1) by striking the section designation and  
5 heading and inserting the following:

6 **“SEC. 283. AUDITS BY COMPTROLLER GENERAL.”;**

7 (2) by striking subsection (a);

8 (3) in subsection (b)—

9 (A) by striking “(b) AUDITS BY THE  
10 COMPTROLLER GENERAL.—”;

11 (B) by redesignating paragraphs (1) and  
12 (2) as subsections (a) and (b), respectively; and

13 (C) by moving subsections (a) and (b), as  
14 redesignated by subparagraph (B), 2 ems to the  
15 left so that such subsections are flush with the  
16 left margin; and

17 (4) in subsection (a), as redesignated by para-  
18 graph (3)(B), by striking the second sentence.

19 **SEC. 9. ENVIRONMENTAL REVIEW.**

20 Section 288 of the Cranston-Gonzalez National Af-  
21 fordable Housing Act (42 U.S.C. 12838) is amended—

22 (1) in subsection (a)—

23 (A) in the first sentence, by striking “par-  
24 ticipating jurisdictions” and inserting “jurisdic-  
25 tions, Indian tribes, or insular areas”; and

1 (B) by adding at the end the following new  
2 sentences: “The regulations shall—

3 “(1) provide for the monitoring of environ-  
4 mental reviews performed under this section;

5 “(2) at the discretion of the Secretary, facilitate  
6 training for the performance of such reviews; and

7 “(3) establish criteria for the suspension or ter-  
8 mination of the assumption under this section.

9 The Secretary’s duty under this subsection shall not be  
10 construed to limit any responsibility assumed by a State  
11 or unit of general local government with respect to any  
12 particular release of funds.”;

13 (2) in the first sentence of subsection (b), by  
14 striking “participating jurisdiction” and inserting  
15 “jurisdiction, Indian tribe, or insular area”;

16 (3) in subsection (c)(4)(B), by striking “partici-  
17 pating jurisdiction” and inserting “jurisdiction, In-  
18 dian tribe, or insular area”; and

19 (4) in subsection (d), by striking “ASSISTANCE  
20 TO A STATE.—In the case of assistance to States”  
21 and inserting the following: “ASSISTANCE TO UNITS  
22 OF GENERAL LOCAL GOVERNMENT FROM A  
23 STATE.—In the case of assistance to units of gen-  
24 eral local government from a State”.

1 **SEC. 10. USE OF CDBG FUNDS FOR HOME PROGRAM EX-**  
2 **PENSES.**

3 (a) ADMINISTRATIVE EXPENSES.—Section  
4 105(a)(13) of the Housing and Community Development  
5 Act of 1974 (42 U.S.C. 5305(a)(13)) is amended by in-  
6 serting after “charges related to” the following: “(A) ad-  
7 ministering the HOME program under title II of the  
8 Cranston-Gonzalez National Affordable Housing Act; and  
9 (B)”.

10 (b) PROJECT DELIVERY COSTS.—Section 105(a)(21)  
11 of the Housing and Community Development Act of 1974  
12 (42 U.S.C. 5305(a)(21)) is amended—

13 (1) by inserting “in connection with tenant-  
14 based rental assistance and affordable housing  
15 projects assisted under title II of the Cranston-Gon-  
16 zalez National Affordable Housing Act” after “hous-  
17 ing counseling”; and

18 (2) by striking “authorized” and all that follows  
19 through “any law” and inserting “assisted under  
20 title II of the Cranston-Gonzalez National Afford-  
21 able Housing Act”.

22 **SEC. 11. MATCHING REQUIREMENT UNDER HOPE III PRO-**  
23 **GRAM.**

24 Section 443(c)(1) of the Cranston-Gonzalez National  
25 Affordable Housing Act (42 U.S.C. 12893(c)(1)) is

1 amended by striking “33 percent” and inserting “25 per-  
2 cent”.

3 **SEC. 12. FLEXIBILITY OF CDBG PROGRAM FOR DISASTER**  
4 **AREAS.**

5 Title I of the Housing and Community Development  
6 Act of 1974 (42 U.S.C. 5301 et seq.) is amended by add-  
7 ing at the end the following new section:

8 **“SEC. 122. SUSPENSION OF REQUIREMENTS FOR DISASTER**  
9 **AREAS.**

10 “For the duration that the declaration of an area as  
11 a disaster area by the President under title IV of the Rob-  
12 ert T. Stafford Disaster Relief and Emergency Assistance  
13 Act is in effect, the Secretary may suspend any or all re-  
14 quirements for assistance under section 106 for such area,  
15 except for the requirements related to public notice of  
16 funding availability, nondiscrimination, fair housing, labor  
17 standards, and environmental standards, and require-  
18 ments that activities benefit persons of low- and moderate-  
19 income.”.

○