

107TH CONGRESS
1ST SESSION

H. R. 2589

AN ACT

To amend the Multifamily Assisted Housing Reform and Affordability Act of 1997 to reauthorize the Office of Multifamily Housing Assistance Restructuring, and for other purposes.

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AN ACT

To amend the Multifamily Assisted Housing Reform and Affordability Act of 1997 to reauthorize the Office of Multifamily Housing Assistance Restructuring, 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,*

1 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Mark-to-Market Extension Act of 2001”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title and table of contents.

Sec. 2. Purposes.

Sec. 3. Effective date.

TITLE I—MULTIFAMILY HOUSING MORTGAGE AND ASSISTANCE
RESTRUCTURING AND SECTION 8 CONTRACT RENEWAL

Sec. 101. Definitions.

Sec. 102. Mark-to-market program amendments.

Sec. 103. Consistency of rent levels under enhanced voucher assistance and rent
restructurings.

Sec. 104. Eligible inclusions for renewal rents of partially assisted buildings.

Sec. 105. Eligibility of restructuring projects for miscellaneous housing insur-
ance.

Sec. 106. Technical corrections.

TITLE II—OFFICE OF MULTIFAMILY HOUSING ASSISTANCE
RESTRUCTURING

Sec. 201. Reauthorization of Office and extension of program.

Sec. 202. Appointment of Director.

Sec. 203. Vacancy in position of Director.

Sec. 204. Oversight by Federal Housing Commissioner.

Sec. 205. Limitation on subsequent employment.

TITLE III—MISCELLANEOUS HOUSING PROGRAM AMENDMENTS

Sec. 301. Extension of CDBG public services cap exception.

Sec. 302. Use of section 8 enhanced vouchers for prepayments.

Sec. 303. Prepayment and refinancing of loans for section 202 supportive hous-
ing.

Sec. 304. Technical correction.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to continue the progress of the Multifamily
9 Assisted Housing Reform and Affordability Act of
10 1997 (referred to in this section as “that Act”);

1 (2) to ensure that properties that undergo
2 mortgage restructurings pursuant to that Act are re-
3 habilitated to a standard that allows the properties
4 to meet their long-term affordability requirements;

5 (3) to ensure that, for properties that undergo
6 mortgage restructurings pursuant to that Act, re-
7 serves are set at adequate levels to allow the prop-
8 erties to meet their long-term affordability require-
9 ments;

10 (4) to ensure that properties that undergo
11 mortgage restructurings pursuant to that Act are
12 operated efficiently, and that operating expenses are
13 sufficient to ensure the long-term financial and
14 physical integrity of the properties;

15 (5) to ensure that properties that undergo rent
16 restructurings have adequate resources to maintain
17 the properties in good condition;

18 (6) to ensure that the Office of Multifamily
19 Housing Assistance Restructuring of the Depart-
20 ment of Housing and Urban Development continues
21 to focus on the portfolio of properties eligible for re-
22 structuring under that Act;

23 (7) to ensure that the Department of Housing
24 and Urban Development carefully tracks the condi-
25 tion of those properties on an ongoing basis;

1 (8) to ensure that tenant groups, nonprofit or-
2 ganizations, and public entities continue to have the
3 resources for building the capacity of tenant organi-
4 zations in furtherance of the purposes of subtitle A
5 of that Act; and

6 (9) to encourage the Office of Multifamily
7 Housing Assistance Restructuring to continue to
8 provide participating administrative entities, includ-
9 ing public participating administrative entities, with
10 the flexibility to respond to specific problems that in-
11 dividual cases may present, while ensuring consistent
12 outcomes around the country.

13 **SEC. 3. EFFECTIVE DATE.**

14 Except as provided in sections 106(a)(2), 303(b), and
15 304(b), this Act and the amendments made by this Act
16 shall take effect or are deemed to have taken effect, as
17 appropriate, on the earlier of—

18 (1) the date of the enactment of this Act; or

19 (2) September 30, 2001.

1 **TITLE I—MULTIFAMILY HOUS-**
2 **ING MORTGAGE AND ASSIST-**
3 **ANCE RESTRUCTURING AND**
4 **SECTION 8 CONTRACT RE-**
5 **NEWAL**

6 **SEC. 101. DEFINITIONS.**

7 Section 512 of the Multifamily Assisted Housing Re-
8 form and Affordability Act of 1997 (42 U.S.C. 1437f
9 note) is amended by adding at the end the following new
10 paragraph:

11 “(19) OFFICE.—The term ‘Office’ means the
12 Office of Multifamily Housing Assistance Restruc-
13 turing established under section 571.”.

14 **SEC. 102. MARK-TO-MARKET PROGRAM AMENDMENTS.**

15 (a) FUNDING FOR TENANT AND NONPROFIT PAR-
16 TICIPATION.—Section 514(f)(3)(A) of the Multifamily As-
17 sisted Housing Reform and Affordability Act of 1997 (42
18 U.S.C. 1437f note) is amended—

19 (1) by striking “Secretary may provide not
20 more than \$10,000,000 annually in funding” and in-
21 sserting “Secretary shall make available not more
22 than \$10,000,000 annually in funding, which
23 amount shall be in addition to any amounts made
24 available under this subparagraph and carried over
25 from previous years,”; and

1 (2) by striking “entities) and for tenant serv-
2 ices,” and inserting “entities), for tenant services,
3 and for tenant groups, nonprofit organizations, and
4 public entities described in section 517(a)(5),”.

5 (b) EXCEPTION RENTS.—Section 514(g)(2)(A) of the
6 Multifamily Assisted Housing Reform and Affordability
7 Act of 1997 (42 U.S.C. 1437f note) is amended by strik-
8 ing “restructured mortgages in any fiscal year” and in-
9 serting “portfolio restructuring agreements”.

10 (c) NOTICE TO DISPLACED TENANTS.—Section
11 516(d) of the Multifamily Assisted Housing Reform and
12 Affordability Act of 1997 (42 U.S.C. 1437f note) is
13 amended by striking “Subject to” and inserting the fol-
14 lowing:

15 “(1) NOTICE TO CERTAIN RESIDENTS.—The
16 Office shall notify any tenant that is residing in a
17 project or receiving assistance under section 8 of the
18 United States Housing Act of 1937 (42 U.S.C.
19 1437f) at the time of rejection under this section, of
20 such rejection, except that the Office may delegate
21 the responsibility to provide notice under this para-
22 graph to the participating administrative entity.

23 “(2) ASSISTANCE AND MOVING EXPENSES.—
24 Subject to”.

1 (d) RESTRUCTURING PLANS FOR TRANSFERS OF
2 PREPAYMENT PROJECTS.—The Multifamily Assisted
3 Housing Reform and Affordability Act of 1997 (42 U.S.C.
4 1437f note) is amended—

5 (1) in section 524(e), by adding at the end the
6 following new paragraph:

7 “(3) MORTGAGE RESTRUCTURING AND RENTAL
8 ASSISTANCE SUFFICIENCY PLANS.—Notwithstanding
9 paragraph (1), the owner of the project may request,
10 and the Secretary may consider, mortgage restruc-
11 turing and rental assistance sufficiency plans to fa-
12 cilitate sales or transfers of properties under this
13 subtitle, subject to an approved plan of action under
14 the Emergency Low Income Housing Preservation
15 Act of 1987 (12 U.S.C. 1715l note) or the Low-In-
16 come Housing Preservation and Resident Home-
17 ownership Act of 1990 (12 U.S.C. 4101 et seq.),
18 which plans shall result in a sale or transfer of those
19 properties.”; and

20 (2) in the last sentence of section 512(2), by in-
21 serting “, but does include a project described in
22 section 524(e)(3)” after “section 524(e)”.

23 (e) ADDITION OF SIGNIFICANT FEATURES.—Section
24 517 of the Multifamily Assisted Housing Reform and Af-

1 fordability Act of 1997 (42 U.S.C. 1437f note) is
2 amended—

3 (1) by striking subsection (c) (except that the
4 striking of such subsection may not be construed to
5 have any effect on the provisions of law amended by
6 such subsection, as such subsection was in effect be-
7 fore the date of the enactment of this Act);

8 (2) in subsection (b)—

9 (A) in paragraph (7), by striking “(7)”
10 and inserting “(1)”; and

11 (B) by adding at the end the following new
12 paragraph:

13 “(2) ADDITION OF SIGNIFICANT FEATURES.—

14 “(A) AUTHORITY.—An approved mortgage
15 restructuring and rental assistance sufficiency
16 plan may require the improvement of the
17 project by the addition of significant features
18 that are not necessary for rehabilitation to the
19 standard provided under paragraph (1), such as
20 air conditioning, an elevator, and additional
21 community space. The Secretary shall establish
22 guidelines regarding the inclusion of require-
23 ments regarding such additional significant fea-
24 tures under such plans.

1 “(B) FUNDING.—Significant features
2 added pursuant to an approved mortgage re-
3 structuring and rental assistance sufficiency
4 plan may be paid from the funding sources
5 specified in the first sentence of paragraph
6 (1)(A).

7 “(C) LIMITATION ON OWNER CONTRIBU-
8 TION.—An owner of a project may not be re-
9 quired to contribute from non-project resources,
10 toward the cost of any additional significant
11 features required pursuant to this paragraph,
12 more than 25 percent of the amount of any as-
13 sistance received for the inclusion of such fea-
14 tures.

15 “(D) APPLICABILITY.—This paragraph
16 shall apply to all eligible multifamily housing
17 projects, except projects for which the Secretary
18 and the project owner executed a mortgage re-
19 structuring and rental assistance sufficiency
20 plan on or before the date of the enactment of
21 the Mark-to-Market Extension Act of 2001.”;
22 and

23 (3) by inserting after paragraph (6) of sub-
24 section (b) the following:

1 “(c) REHABILITATION NEEDS AND ADDITION OF
2 SIGNIFICANT FEATURES.—”.

3 (f) LOOK-BACK PROJECTS.—Section 512(2) of the
4 Multifamily Assisted Housing Reform and Affordability
5 Act of 1997 (42 U.S.C. 1437f note) is amended by adding
6 after the period at the end of the last sentence the fol-
7 lowing: “Notwithstanding any other provision of this title,
8 the Secretary may treat a project as an eligible multi-
9 family housing project for purposes of this title if (I) the
10 project is assisted pursuant to a contract for project-based
11 assistance under section 8 of the United States Housing
12 Act of 1937 renewed under section 524 of this Act, (II)
13 the owner consents to such treatment, and (III) the
14 project met the requirements of the first sentence of this
15 paragraph for eligibility as an eligible multifamily housing
16 project before the initial renewal of the contract under sec-
17 tion 524.”.

18 (g) SECOND MORTGAGES.—Section 517(a) of the
19 Multifamily Assisted Housing Reform and Affordability
20 Act of 1997 (42 U.S.C. 1437f note) is amended—

21 (1) in paragraph (1)(B), by striking “no more
22 than the” and inserting the following: “not more
23 than the greater of—

24 “(i) the full or partial payment of
25 claim made under this subtitle; or

1 “(ii) the”; and

2 (2) in paragraph (5), by inserting “of the sec-
3 ond mortgage, assign the second mortgage to the ac-
4 quiring organization or agency,” after “terms”.

5 (h) EXEMPTIONS FROM RESTRUCTURING.—Section
6 514(h)(2) of the Multifamily Assisted Housing Reform
7 and Affordability Act of 1997 (42 U.S.C. 1437f note) is
8 amended by inserting before the semicolon the following:
9 “, or refinanced pursuant to section 811 of the American
10 Homeownership and Economic Opportunity Act of 2000
11 (12 U.S.C. 1701q note)”.

12 **SEC. 103. CONSISTENCY OF RENT LEVELS UNDER EN-**
13 **HANCED VOUCHER ASSISTANCE AND RENT**
14 **RESTRUCTURINGS.**

15 Subtitle A of the Multifamily Assisted Housing Re-
16 form and Affordability Act of 1997 (42 U.S.C. 1437f
17 note) is amended by adding at the end the following new
18 section:

19 **“SEC. 525. CONSISTENCY OF RENT LEVELS UNDER EN-**
20 **HANCED VOUCHER ASSISTANCE AND RENT**
21 **RESTRUCTURINGS.**

22 “(a) IN GENERAL.—The Secretary shall examine the
23 standards and procedures for determining and estab-
24 lishing the rent standards described under subsection (b).
25 Pursuant to such examination, the Secretary shall estab-

1 lish procedures and guidelines that are designed to ensure
2 that the amounts determined by the various rent stand-
3 ards for the same dwelling units are reasonably consistent
4 and reflect rents for comparable unassisted units in the
5 same area as such dwelling units.

6 “(b) RENT STANDARDS.—The rent standards de-
7 scribed in this subsection are as follows:

8 “(1) ENHANCED VOUCHERS.—The payment
9 standard for enhanced voucher assistance under sec-
10 tion 8(t) of the United States Housing Act of 1937
11 (42 U.S.C. 1437f(t)).

12 “(2) MARK-TO-MARKET.—The rents derived
13 from comparable properties, for purposes of section
14 514(g) of the Multifamily Assisted Housing Reform
15 and Affordability Act of 1997 (42 U.S.C. 1437f
16 note).

17 “(3) CONTRACT RENEWAL.—The comparable
18 market rents for the market area, for purposes of
19 section 524(a)(4) of the Multifamily Assisted Hous-
20 ing Reform and Affordability Act of 1997 (42
21 U.S.C. 1437f note).”.

22 **SEC. 104. ELIGIBLE INCLUSIONS FOR RENEWAL RENTS OF**
23 **PARTIALLY ASSISTED BUILDINGS.**

24 Section 524(a)(4)(C) of the Multifamily Assisted
25 Housing Reform and Affordability Act of 1997 (42 U.S.C.

1 1437f note) is amended by adding after the period at the
2 end the following: “Notwithstanding any other provision
3 of law, the Secretary shall include in such budget-based
4 cost increases costs relating to the project as a whole (in-
5 cluding costs incurred with respect to units not covered
6 by the contract for assistance), but only (I) if inclusion
7 of such costs is requested by the owner or purchaser of
8 the project, (II) if inclusion of such costs will permit cap-
9 ital repairs to the project or acquisition of the project by
10 a nonprofit organization, and (III) to the extent that in-
11 clusion of such costs (or a portion thereof) complies with
12 the requirement under clause (ii).”.

13 **SEC. 105. ELIGIBILITY OF RESTRUCTURING PROJECTS FOR**
14 **MISCELLANEOUS HOUSING INSURANCE.**

15 Section 223(a)(7) of the National Housing Act (12
16 U.S.C. 1715n(a)(7)) is amended—

17 (1) by striking “under this Act: *Provided*, That
18 the principal” and inserting the following: “under
19 this Act, or an existing mortgage held by the Sec-
20 retary that is subject to a mortgage restructuring
21 and rental assistance sufficiency plan pursuant to
22 the Multifamily Assisted Housing Reform and Af-
23 fordability Act of 1997 (42 U.S.C. 1437f note), pro-
24 vided that—

25 “(A) the principal”;

1 (2) by striking “except that (A)” and inserting
2 “except that (i)”;

3 (3) by striking “(B)” and inserting “(ii)”;

4 (4) by striking “(C)” and inserting “(iii)”;

5 (5) by striking “(D)” and inserting “(iv)”;

6 (6) by striking “: *Provided further*, That a
7 mortgage” and inserting the following “; and

8 “(B) a mortgage”;

9 (7) by striking “or” at the end; and

10 (8) by adding at the end the following new sub-
11 paragraph:

12 “(C) a mortgage that is subject to a mort-
13 gage restructuring and rental assistance suffi-
14 ciency plan pursuant to the Multifamily As-
15 sisted Housing Reform and Affordability Act of
16 1997 (42 U.S.C. 1437f note) and is refinanced
17 under this paragraph may have a term of not
18 more than 30 years; or”.

19 **SEC. 106. TECHNICAL CORRECTIONS.**

20 (a) EXEMPTIONS FROM RESTRUCTURING.—

21 (1) IN GENERAL.—Section 514(h) of the Multi-
22 family Assisted Housing Reform and Affordability
23 Act of 1997 (42 U.S.C. 1437f note) is amended to
24 read as if the amendment made by section 531(c) of

1 Public Law 106–74 (113 Stat. 1116) were made to
2 “Section 514(h)(1)” instead of “Section 514(h)”.

3 (2) RETROACTIVE EFFECT.—The amendment
4 made by paragraph (1) of this subsection is deemed
5 to have taken effect on the date of the enactment of
6 Public Law 106–74 (113 Stat. 1109).

7 (b) OTHER.—The Multifamily Assisted Housing Re-
8 form and Affordability Act of 1997 (42 U.S.C. 1437f
9 note) is amended—

10 (1) in section 511(a)(12), by striking “this
11 Act” and inserting “this title”;

12 (2) in section 513, by striking “this Act” each
13 place such term appears in subsections (a)(2)(I) and
14 (b)(3) and inserting “this title”;

15 (3) in section 514(f)(3)(B), by inserting “Hous-
16 ing” after “Multifamily”;

17 (4) in section 515(c)(1)(B), by inserting “or”
18 after the semicolon;

19 (5) in section 517(b)—

20 (A) in each of paragraphs (1) through (6),
21 by capitalizing the first letter of the first word
22 that follows the paragraph heading;

23 (B) in each of paragraphs (1) through (5),
24 by striking the semicolon at the end and insert-
25 ing a period; and

1 (C) in paragraph (6), by striking “; and”
2 at the end and inserting a period;
3 (6) in section 520(b), by striking “Banking
4 and”; and
5 (7) in section 573(d)(2), by striking “Banking
6 and”.

7 **TITLE II—OFFICE OF MULTI-**
8 **FAMILY HOUSING ASSIST-**
9 **ANCE RESTRUCTURING**

10 **SEC. 201. REAUTHORIZATION OF OFFICE AND EXTENSION**
11 **OF PROGRAM.**

12 Section 579 of the Multifamily Assisted Housing Re-
13 form and Affordability Act of 1997 (42 U.S.C. 1437f
14 note) is amended—

15 (1) by striking subsection (a) and inserting the
16 following new subsection:

17 “(a) REPEALS.—

18 “(1) MARK-TO-MARKET PROGRAM.—Subtitle A
19 (except for section 524) is repealed effective October
20 1, 2006.

21 “(2) OMHAR.—Subtitle D (except for this sec-
22 tion) is repealed effective October 1, 2004.”;

23 (2) in subsection (b), by striking “October 1,
24 2001” and inserting “October 1, 2006”;

1 (3) in subsection (c), by striking “upon Sep-
2 tember 30, 2001” and inserting “at the end of Sep-
3 tember 30, 2004”; and

4 (4) by striking subsection (d) and inserting the
5 following new subsection:

6 “(d) TRANSFER OF AUTHORITY.—Effective upon the
7 repeal of subtitle D under subsection (a)(2) of this section,
8 all authority and responsibilities to administer the pro-
9 gram under subtitle A are transferred to the Secretary.”.

10 **SEC. 202. APPOINTMENT OF DIRECTOR.**

11 (a) IN GENERAL.—Section 572 of the Multifamily
12 Assisted Housing Reform and Affordability Act of 1997
13 (42 U.S.C. 1437f note) is amended by striking subsection
14 (a) and inserting the following new subsection:

15 “(a) APPOINTMENT.—The Office shall be under the
16 management of a Director, who shall be appointed by the
17 President from among individuals who are citizens of the
18 United States and have a demonstrated understanding of
19 financing and mortgage restructuring for affordable multi-
20 family housing.”.

21 (b) APPLICABILITY.—The amendment made by sub-
22 section (a) shall apply to the first Director of the Office
23 of Multifamily Housing Assistance Restructuring of the
24 Department of Housing and Urban Development ap-

1 pointed after the date of the enactment of this Act, and
2 any such Director appointed thereafter.

3 **SEC. 203. VACANCY IN POSITION OF DIRECTOR.**

4 (a) IN GENERAL.—Section 572 of the Multifamily
5 Assisted Housing Reform and Affordability Act of 1997
6 (42 U.S.C. 1437f note) is amended by striking subsection
7 (b) and inserting the following new subsection:

8 “(b) VACANCY.—A vacancy in the position of Direc-
9 tor shall be filled by appointment in the manner provided
10 under subsection (a). The President shall make such an
11 appointment not later than 60 days after such position
12 first becomes vacant.”.

13 (b) APPLICABILITY.—The amendment made by sub-
14 section (a) shall apply to any vacancy in the position of
15 Director of the Office of Multifamily Housing Assistance
16 Restructuring of the Department of Housing and Urban
17 Development which occurs or exists after the date of the
18 enactment of this Act.

19 **SEC. 204. OVERSIGHT BY FEDERAL HOUSING COMMIS-**
20 **SIONER.**

21 (a) IN GENERAL.—Section 578 of the Multifamily
22 Assisted Housing Reform and Affordability Act of 1997
23 (42 U.S.C. 1437f note) is amended to read as follows:

1 **“SEC. 578. OVERSIGHT BY FEDERAL HOUSING COMMIS-**
2 **SIONER.**

3 “All authority and responsibilities assigned under
4 this subtitle to the Secretary shall be carried out through
5 the Assistant Secretary of the Department of Housing and
6 Urban Development who is the Federal Housing Commis-
7 sioner.”.

8 (b) REPORT.—The second sentence of section 573(b)
9 of the Multifamily Assisted Housing Reform and Afford-
10 ability Act of 1997 (42 U.S.C. 1437f note) is amended
11 by striking “Secretary” and inserting “Assistant Sec-
12 retary of the Department of Housing and Urban Develop-
13 ment who is the Federal Housing Commissioner”.

14 **SEC. 205. LIMITATION ON SUBSEQUENT EMPLOYMENT.**

15 Section 576 of the Multifamily Assisted Housing Re-
16 form and Affordability Act of 1997 (42 U.S.C. 1437f
17 note) is amended by striking “2-year period” and inserting
18 “1-year period”.

19 **TITLE III—MISCELLANEOUS**
20 **HOUSING PROGRAM AMEND-**
21 **MENTS**

22 **SEC. 301. EXTENSION OF CDBG PUBLIC SERVICES CAP EX-**
23 **CEPTION.**

24 Section 105(a)(8) of the Housing and Community
25 Development Act of 1974 (42 U.S.C. 5305(a)(8)) is

1 amended by striking “through 2001” and inserting
2 “through 2003”.

3 **SEC. 302. USE OF SECTION 8 ENHANCED VOUCHERS FOR**
4 **PREPAYMENTS.**

5 Section 8(t)(2) of the United States Housing Act of
6 1937 (42 U.S.C. 1437f(t)(2)) is amended by inserting after
7 “insurance contract for the mortgage for such housing
8 project” the following: “(including any such mortgage pre-
9 payment during fiscal year 1996 or a fiscal year thereafter
10 or any insurance contract voluntary termination during
11 fiscal year 1996 or a fiscal year thereafter)”.

12 **SEC. 303. PREPAYMENT AND REFINANCING OF LOANS FOR**
13 **SECTION 202 SUPPORTIVE HOUSING.**

14 (a) IN GENERAL.—Section 811 of the American
15 Homeownership and Economic Opportunity Act of 2000
16 (12 U.S.C. 1701q note) is amended by striking subsection
17 (e).

18 (b) EFFECTIVENESS UPON DATE OF ENACTMENT.—
19 The amendment made by subsection (a) of this section
20 shall take effect upon the date of the enactment of this
21 Act and the provisions of section 811 of the American
22 Homeownership and Economic Opportunity Act of 2000
23 (12 U.S.C. 1701q note), as amended by subsection (a) of
24 this section, shall apply as so amended upon such date
25 of enactment, notwithstanding—

1 (1) any authority of the Secretary of Housing
2 and Urban Development to issue regulations to im-
3 plement or carry out the amendments made by sub-
4 section (a) of this section or the provisions of section
5 811 of the American Homeownership and Economic
6 Opportunity Act of 2000 (12 U.S.C. 1701q note); or

7 (2) any failure of the Secretary of Housing and
8 Urban Development to issue any such regulations
9 authorized.

10 **SEC. 304. TECHNICAL CORRECTION.**

11 (a) IN GENERAL.—Section 101(a) of Public Law
12 100–77 (42 U.S.C. 11301 note) is amended to read as
13 if the amendment made by section 1 of Public Law 106–
14 400 (114 Stat. 1675) were made to “Section 101” instead
15 of “Section 1”.

16 (b) RETROACTIVE EFFECT.—The amendment made
17 by subsection (a) of this section is deemed to have taken
18 effect immediately after the enactment of Public Law
19 106–400 (114 Stat. 1675).

Passed the House of Representatives September 24,
2001.

Attest:

Clerk.