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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R. _____

To facilitate the development of affordable housing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. WATERS introduced the following bill; which was referred to the
Committee on _____

A BILL

To facilitate the development of affordable housing, 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 “Housing is Infrastruc-
5 ture Act of 2019”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) Affordable housing is a critical part of the
9 national infrastructure of the United States but

1 there is a severe shortage of affordable housing in
2 the United States and the existing stock is badly in
3 need of repair.

4 (2) According to a 2010 study sponsored by the
5 Department of Housing and Urban Development,
6 there was a \$26 billion backlog of capital needs for
7 public housing; that figure is likely higher today,
8 with some groups estimating the backlog of capital
9 needs for public housing to be as high as \$70 billion.

10 (3) There are 14,000 units supported by Rural
11 Rental Housing Loans under section 515 of the
12 Housing Act of 1949 and Farm Labor Housing
13 Loans under section 514 of the Housing Act of
14 1949 that have an estimated unmet reserve need of
15 \$5,600,000,000 according to the latest estimate
16 from the Department of Agriculture.

17 (4) Federal investment in housing helps to cre-
18 ate jobs and stimulate the economy.

19 (5) When the American Recovery and Reinvest-
20 ment Act of 2009 (Pub. L. 111-5) was enacted,
21 which included funding for public housing, research-
22 ers found that for each \$1.00 in direct spending on
23 public housing, there was an additional \$2.12 of in-
24 direct and induced economic activity nationwide for

1 a total economic impact of \$3.12 for each \$1.00 in
2 direct spending on public housing.

3 (6) According to the National Association of
4 Home Builders, building 100 affordable rental
5 homes generates \$11.7 million in local income,
6 \$2,200,000 in taxes and revenue for local govern-
7 ments, and 161 local jobs.

8 (7) Researchers estimate that the growth in the
9 gross domestic product from 1964-2009 would have
10 been 13.5 percent higher if families had better ac-
11 cess to affordable housing, which in turn could have
12 led to an additional \$1.7 trillion increase in income,
13 equivalent to \$8,775 in additional wages for each
14 worker.

15 **SEC. 3. PUBLIC HOUSING CAPITAL FUND.**

16 (a) IN GENERAL.—There is authorized to be appro-
17 priated for the Capital Fund under section 9(d) of the
18 United States Housing Act of 1937 (42 U.S.C. 1437g(d))
19 \$70,000,000,000 and any amounts appropriated pursuant
20 to this subsection shall remain available until the expira-
21 tion of the 5-year period beginning upon the date of such
22 appropriation.

23 (b) REQUIREMENTS.—The Secretary of Housing and
24 Urban Development (in this Act referred to as the “Sec-
25 retary”) shall—

1 (1) distribute not less than 35 percent and not
2 more than 75 percent of any amounts appropriated
3 pursuant to subsection (a) under the same formula
4 used for amounts made available for the Capital
5 Fund for fiscal year 2019, except that the Secretary
6 may determine not to allocate funding to public
7 housing agencies that are designated as troubled at
8 the time of such determination or to public housing
9 agencies that elect not to accept such funding, or
10 both; and

11 (2) make available all remaining amounts by
12 competition for priority investments, including in-
13 vestments that address lead hazards, other urgent
14 health and safety concerns, and such other priorities
15 as the Secretary may identify.

16 (c) **TIMING.**—The Secretary of Housing and Urban
17 Development shall obligate amounts—

18 (1) made available under subsection (b)(1)
19 within 30 days of enactment of the Act appro-
20 priating such funds; and

21 (2) made available under subsection (b)(2)
22 within 12 months of enactment of the Act appro-
23 priating such funds.

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

4 (e) USE OF FUNDS.—Not more than 0.5 percent of
5 any amount appropriated pursuant to this section shall be
6 used by the Secretary for costs associated with staff, train-
7 ing, technical assistance, technology, monitoring, travel,
8 enforcement, research, and evaluation.

9 (f) MONITORING.—With respect to any public hous-
10 ing agency that is designated as troubled at the time that
11 amounts appropriated pursuant to this section are obli-
12 gated for such public housing agency, the Secretary shall
13 provide additional monitoring and oversight of such public
14 housing authorities to ensure that any amounts provided
15 are used in accordance with this section and any applica-
16 ble laws.

17 (g) SUPPLEMENT NOT SUPPLANT.—The Secretary
18 shall ensure that amounts provided pursuant to this sec-
19 tion shall serve to supplement and not supplant other
20 amounts generated by a recipient of such amounts or
21 amounts provided by other Federal, State, or local
22 sources.

23 (h) WATER AND ENERGY EFFICIENCY.—In distrib-
24 uting any amounts pursuant to subsection (b), the Sec-
25 retary shall give priority to public housing agencies located

1 in States and localities that have a plan to increase water
2 and energy efficiency when developing or rehabilitating
3 public housing using any amounts distributed.

4 **SEC. 4. RURAL MULTIFAMILY PRESERVATION AND REVI-**
5 **TALIZATION DEMONSTRATION PROGRAM.**

6 (a) IN GENERAL.—There is authorized to be appro-
7 priated for carrying out the Multifamily Preservation and
8 Revitalization Demonstration program of the Rural Hous-
9 ing Service (as authorized under sections 514, 515, and
10 516 of the Housing Act of 1949 (42 U.S.C. 1484; 1485;
11 1486)) \$1,000,000,000 and any amounts appropriated
12 pursuant to this section shall remain available until ex-
13 pended.

14 (b) WATER AND ENERGY EFFICIENCY.—Not less
15 than 10 percent of all amounts made available pursuant
16 to this section shall be used only for activities relating to
17 water and energy efficiency and, at the Secretary's discre-
18 tion, other strategies to reduce emissions.

19 **SEC. 5. FLOOD MITIGATION ASSISTANCE GRANT PROGRAM.**

20 (a) IN GENERAL.—There is authorized to be appro-
21 priated for carrying out the Flood Mitigation Assistance
22 Grant Program under section 1366 of the National Flood
23 Insurance Act of 1968 (42 U.S.C. 4104e) \$1,000,000,000
24 and any amounts appropriated pursuant to this section
25 shall remain available until expended.

1 (b) MULTIFAMILY RESIDENCES AND ATTACHED AND
2 SEMI-ATTACHED HOMES.—With regard to any structure
3 that is a multifamily residence or an attached or semi-
4 attached residence, the Administrator shall consult with
5 the Secretary of Housing and Urban Development and es-
6 tablish alternative forms of mitigation.

7 (c) DEFINITIONS.—For the purposes of this section,
8 the term “multifamily residence” has the same meaning
9 as in the Flood Disaster Protection Act of 1973 and the
10 National Flood Insurance Act of 1968.

11 **SEC. 6. HOUSING TRUST FUND.**

12 (a) IN GENERAL.—There is authorized to be appro-
13 priated for the Housing Trust Fund under section 1338
14 of the Housing and Urban Development Act of 1992 (12
15 U.S.C. 4568) \$5,000,000,000 and any amounts appro-
16 priated pursuant to this subsection shall remain available
17 until expended. The Secretary shall ensure that priority
18 for occupancy in dwelling units assisted with amounts
19 made available pursuant to this section that become avail-
20 able for occupancy shall be given to persons and house-
21 holds who are homeless (as such term is defined in section
22 103 of the McKinney-Vento Homeless Assistance Act (42
23 U.S.C. 11302)) or at risk of homelessness (as such term
24 is defined in section 401 of such Act (42 U.S.C. 11360)).

1 (b) WATER AND ENERGY EFFICIENCY.—Not less
2 than 10 percent of all amounts made available pursuant
3 to this section shall be used only for activities relating to
4 water and energy efficiency and, at the Secretary’s discre-
5 tion, other strategies to reduce emissions.

6 **SEC. 7. SINGLE-FAMILY HOUSING REPAIR LOANS AND**
7 **GRANTS.**

8 (a) IN GENERAL.—There is authorized to be appro-
9 priated for carrying out single family housing repair loans
10 and grants under section 504 of the Housing Act of 1949
11 (42 U.S.C. 1474) \$100,000,000 and any amounts appro-
12 priated pursuant to this section shall remain available
13 until expended.

14 (b) WATER AND ENERGY EFFICIENCY.—Not less
15 than 10 percent of all amounts made available pursuant
16 to this section shall be used only for activities relating to
17 water and energy efficiency and, at the Secretary’s discre-
18 tion, other strategies to reduce emissions.

19 **SEC. 8. NATIVE AMERICAN HOUSING BLOCK GRANT PRO-**
20 **GRAM.**

21 (a) IN GENERAL.—There is authorized to be appro-
22 priated for carrying out the Native American housing
23 block grant program under title I of the Native American
24 Housing Assistance and Self-Determination Act of 1996
25 (25 U.S.C. 4111 et seq.) \$1,000,000,000 and any

1 amounts appropriated pursuant to this section shall re-
2 main available until expended.

3 (b) WATER AND ENERGY EFFICIENCY.—Not less
4 than 10 percent of all amounts made available pursuant
5 to this section shall be used only for activities relating to
6 water and energy efficiency and, at the Secretary’s discre-
7 tion, other strategies to reduce emissions.

8 **SEC. 9. HOME INVESTMENT PARTNERSHIPS PROGRAM.**

9 (a) IN GENERAL.—There is authorized to be appro-
10 priated for carrying out the HOME Investment Partner-
11 ship Program under title II of the Cranston-Gonzalez Na-
12 tional Affordable Housing Act (42 U.S.C. 12721 et seq.)
13 \$5,000,000,000 and any amounts appropriated pursuant
14 to this section shall remain available until expended.

15 (b) WATER AND ENERGY EFFICIENCY.—Not less
16 than 10 percent of all amounts made available pursuant
17 to this section shall be used only for activities relating to
18 water and energy efficiency and, at the Secretary’s discre-
19 tion, other strategies to reduce emissions.

20 **SEC. 10. PROGRAM FOR SUPPORTIVE HOUSING FOR PER-**
21 **SONS WITH DISABILITIES.**

22 (a) IN GENERAL.—There is authorized to be appro-
23 priated \$2,500,000,000 for project rental assistance under
24 the program for supportive housing for persons with dis-
25 abilities under section 811(b)(3) of the Cranston-Gonzalez

1 National Affordable Housing Act (42 U.S.C. 8013(b)(3))
2 for State housing finance agencies and any amounts ap-
3 propriated pursuant to this section shall remain available
4 until expended.

5 (b) WATER AND ENERGY EFFICIENCY.—Not less
6 than 10 percent of all amounts made available pursuant
7 to this section shall be used only for activities relating to
8 water and energy efficiency and, at the Secretary’s discre-
9 tion, other strategies to reduce emissions.

10 **SEC. 11. PROGRAM FOR SUPPORTIVE HOUSING FOR THE**
11 **ELDERLY.**

12 (a) IN GENERAL.—There is authorized to be appro-
13 priated \$2,500,000,000 for—

14 (1) for capital advances pursuant to section
15 202(c)(1) of the Housing Act of 1959 (12 U.S.C.
16 1701q(c)(1)), including amendments to capital ad-
17 vance contracts for housing for the elderly as au-
18 thorized by section 202 of such Act;

19 (2) for project rental assistance for the elderly
20 under section 202(c)(2) of such Act, including
21 amendments to contracts for such assistance and re-
22 newal of expiring contracts for such assistance for
23 up to a 1-year term;

24 (3) for senior preservation rental assistance
25 contracts, including renewals, as authorized by sec-

1 tion 811(e) of the American Housing and Economic
2 Opportunity Act of 2000 (12 U.S.C. 1701g note);
3 and

4 (4) for supportive services associated with hous-
5 ing assisted under paragraph (1), (2), or (3).

6 (b) **AVAILABILITY OF AMOUNTS.**—Any amounts ap-
7 propriated pursuant to this section shall remain available
8 until September 30, 2023.

9 (c) **WATER AND ENERGY EFFICIENCY.**—Not less
10 than 10 percent of all amounts made available pursuant
11 to this section shall be used only for activities relating to
12 water and energy efficiency and, at the Secretary’s discre-
13 tion, other strategies to reduce emissions.

14 **SEC. 12. CAPITAL MAGNET FUND.**

15 (a) There is authorized to be appropriated for the
16 Capital Magnet Fund under section 1339 of the Federal
17 Housing Enterprises Financial Safety and Soundness Act
18 of 1992 (12 U.S.C. 4569) \$2,500,000,000 and any
19 amounts appropriated pursuant to this subsection shall re-
20 main available until expended.

21 (b) **WATER AND ENERGY EFFICIENCY.**—Not less
22 than 10 percent of all amounts made available pursuant
23 to this subsection shall be used only for activities relating
24 to water and energy efficiency and, at the Secretary’s dis-
25 cretion, other strategies to reduce emissions.

1 **SEC. 13. COMMUNITY DEVELOPMENT BLOCK GRANT FUND-**
2 **ING FOR AFFORDABLE HOUSING AND INFRA-**
3 **STRUCTURE.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—

5 (1) IN GENERAL.—Subject to the provisions of
6 this section, there is authorized to be appropriated
7 for assistance under the community development
8 block grant program under title I of the Housing
9 and Community Development Act of 1974 (42
10 U.S.C. 5301 et seq.) \$10,000,000,000 and any
11 amounts appropriated pursuant to this section shall
12 remain available until expended.

13 (2) ADMINISTRATIVE AND PLANNING COSTS.—
14 Not more than 15 percent of any amounts appro-
15 priated pursuant to paragraph (1) may be used for
16 administrative and planning costs.

17 (b) ELIGIBLE ACTIVITIES.—Amounts made available
18 for assistance under this section may be used only for—

19 (1) the development and preservation of quali-
20 fied affordable housing, including the construction of
21 such housing;

22 (2) the responsible elimination or waiving of
23 zoning requirements and other requirements that
24 limit affordable housing development, including high
25 density and multifamily development restrictions,

1 off-street parking requirements, and height limita-
2 tions; or

3 (3) any project or entity eligible for a discre-
4 tionary grant provided by the Department of Trans-
5 portation.

6 (c) LIMITATION.—With respect to amounts used pur-
7 suant to subsection (b)(2), the Secretary shall ensure that
8 recipients of amounts provided pursuant to this section
9 are not incentivized or otherwise rewarded for eliminating
10 or undermining the intent of the zoning regulations or
11 other regulations or policies that—

12 (1) establish fair wages for labors;

13 (2) ensure the health and safety of buildings for
14 residents and the general public;

15 (3) protect fair housing;

16 (4) provide environmental protections;

17 (5) prevent tenant displacement; or

18 (6) protect any other interest that the Secretary
19 determines is in the public interest to preserve.

20 (d) COMPETITION.—Amounts made available for as-
21 sistance under this section shall be awarded to States,
22 units of general local government, and Indian tribes on
23 a competitive basis, based on the extent to which the appli-
24 cant—

1 (1) demonstrates that the applicant is respon-
2 sibly streamlining the process for development of
3 qualified affordable housing;

4 (2) is eliminating or reducing impact fees for
5 housing within boundaries of the State, unit of local
6 government, or Indian tribe, as applicable, and other
7 assessments by State or local governments upon the
8 owners of new housing development projects that
9 offset governmental capital expenditures for infra-
10 structure required to serve or made necessary by the
11 new housing developments, except for fees that are
12 invested exclusively for housing; and

13 (3) provides assurances that the applicant will
14 supplement assistance provided under this section
15 with amounts from non-Federal sources for costs of
16 the qualified affordable housing or infrastructure eli-
17 gible under subsection (b) to be funded with assist-
18 ance under this section, and the extent of such sup-
19 plemental assistance to be provided.

20 (e) WATER AND ENERGY EFFICIENCY.—Not less
21 than 10 percent of all amounts made available for assist-
22 ance pursuant to this section shall be used only for eligible
23 activities relating to water and energy efficiency and, at
24 the Secretary's discretion, other strategies to reduce emis-
25 sions.

1 (f) QUALIFIED AFFORDABLE HOUSING.—For pur-
2 poses of this section, the term “qualified affordable hous-
3 ing” means a housing development that—

4 (1) is either—

5 (A) funded in any part by assistance pro-
6 vided by the Department of Housing and Urban
7 Development or the Rural Housing Service of
8 the Department of Agriculture; or

9 (B) includes a qualified low income build-
10 ing as such term is defined in section 42 of the
11 Internal Revenue Code of 1986; or

12 (2) consists of 5 or more dwelling units of
13 which 20 percent or more are made available—

14 (A) for rental only by a low-income family
15 (as defined in section 3(b) of the United States
16 Housing Act of 1937 (42 U.S.C. 1437a(b)));

17 (B) at a monthly rent amount that does
18 not exceed 30 percent of the monthly adjusted
19 income (as defined in such section 3(b)) of the
20 tenant low-income family; and

21 (C) maintains affordability for residents
22 who are low-income families for a period of not
23 less than 30 years.

1 **SEC. 14. INCLUSION OF MINORITY AND WOMEN'S BUSINESS**
2 **ENTERPRISES.**

3 (a) DUTY.—It shall be the duty of each relevant
4 agency head—

5 (1) to consult and cooperate with grantees and
6 recipients, when utilizing funds made available pur-
7 suant to this Act, to promote the inclusion of minor-
8 ity and women's business enterprises, as defined in
9 subsection (b) including to establish—

10 (A) special consideration to increasing
11 grantee and recipient outreach to minority and
12 women's business enterprises to inform such
13 businesses of hiring opportunities created
14 through such funds; and

15 (B) procurement goals for the utilization of
16 minority and women's business enterprises; and

17 (2) to convene meetings with leaders and offi-
18 cials of State and local governments, tribal entities,
19 and public housing authorities for the purpose of
20 recommending and promoting funding opportunities
21 and initiatives needed to advance the position of mi-
22 nority and women's business enterprises when com-
23 peting for funds provided in this Act;

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

1 (1) MINORITY.—The term “minority” has the
2 meaning given such term in section 308(b) of the
3 Financial Institutions Reform, Recovery, and En-
4 forcement Act of 1989 (12 U.S.C. 1463 note) and
5 also includes any indigenous person in the United
6 States or its territories.

7 (2) MINORITY AND WOMEN’S BUSINESS ENTER-
8 PRISE.—The term “minority and women’s business
9 enterprise” means a business at least 51 percent
10 owned and controlled by minority group members or
11 women.

12 (3) RELEVANT AGENCY HEAD.—The term “rel-
13 evant agency head” means, with respect to funds
14 made available pursuant to any section of this Act,
15 the head of the Federal agency responsible for ad-
16 ministering the program under which such funds are
17 to be expended.