

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5187  
OFFERED BY MS. WATERS OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Housing is Infrastruc-  
3 ture Act of 2020”.

**4 SEC. 2. FINDINGS.**

5       The Congress finds the following:

6           (1) Affordable housing is a critical part of the  
7 national infrastructure of the United States but  
8 there is a severe shortage of affordable housing in  
9 the United States and the existing stock is badly in  
10 need of repair.

11           (2) According to a 2010 study sponsored by the  
12 Department of Housing and Urban Development,  
13 there was a \$26 billion backlog of capital needs for  
14 public housing; that figure is likely higher today,  
15 with some groups estimating the backlog of capital  
16 needs for public housing to be as high as \$70 billion.

17           (3) There are 14,000 units supported by Rural  
18 Rental Housing Loans under section 515 of the

1       Housing Act of 1949 and Farm Labor Housing  
2       Loans under section 514 of the Housing Act of  
3       1949. According to National Rural Housing Coal-  
4       ition, it would take an estimated \$1 billion in the  
5       Multi-Family Housing Revitalization Demonstration  
6       Program (MPR) funding to fully address the capital  
7       backlog for rural housing properties.

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

10              (5) When the American Recovery and Reinvest-  
11       ment Act of 2009 (Public Law 111–5) was enacted,  
12       which included funding for public housing, research-  
13       ers found that for each \$1.00 in direct spending on  
14       public housing, there was an additional \$2.12 of in-  
15       direct and induced economic activity nationwide for  
16       a total economic impact of \$3.12 for each \$1.00 in  
17       direct spending on public housing.

18              (6) According to the National Association of  
19       Home Builders, building 100 affordable rental  
20       homes generates \$11.7 million in local income,  
21       \$2,200,000 in taxes and revenue for local govern-  
22       ments, and 161 local jobs.

23              (7) Researchers estimate that the growth in the  
24       gross domestic product from 1964–2009 would have  
25       been 13.5 percent higher if families had better ac-

1       cess to affordable housing, which in turn could have  
2       led to an additional \$1.7 trillion increase in income,  
3       equivalent to \$8,775 in additional wages for each  
4       worker.

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

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

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

16           (1) distribute not less than 35 percent and not  
17           more than 75 percent of any amounts appropriated  
18           pursuant to subsection (a) under the same formula  
19           used for amounts made available for the Capital  
20           Fund for fiscal year 2019; and

21           (2) make available all remaining amounts by  
22           competition for priority investments, including in-  
23           vestments that address lead hazards, other urgent  
24           health and safety concerns, and such other priorities  
25           as the Secretary may identify.

1 (c) TIMING.—The Secretary shall obligate amounts—

2 (1) made available under subsection (b)(1)  
3 within 30 days of enactment of the Act appro-  
4 priating such funds; and

5 (2) made available under subsection (b)(2)  
6 within 12 months of enactment of the Act appro-  
7 priating such funds.

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

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

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

22 (g) WATER AND ENERGY EFFICIENCY.—In distrib-  
23 uting any amounts pursuant to subsection (b), the Sec-  
24 retary shall give priority to public housing agencies located  
25 in States and localities that have a plan to increase water

1 and energy efficiency when developing or rehabilitating  
2 public housing using any amounts distributed.

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

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

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

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 enhance the environmental sus-  
6 tainability of housing production and design.

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

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

21 **SEC. 8. NATIVE AMERICAN HOUSING BLOCK GRANT PRO-**  
22 **GRAM.**

23 (a) IN GENERAL.—There is authorized to be appro-  
24 priated for carrying out the Native American housing  
25 block grant program under title I of the Native American

1 Housing Assistance and Self-Determination Act of 1996  
2 (25 U.S.C. 4111 et seq.) \$1,000,000,000 and any  
3 amounts appropriated pursuant to this section shall re-  
4 main available 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 enhance the environmental sus-  
10 tainability of housing production and design.

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

12 (a) IN GENERAL.—There is authorized to be appro-  
13 priated for carrying out the HOME Investment Partner-  
14 ship Program under title II of the Cranston-Gonzalez Na-  
15 tional Affordable Housing Act (42 U.S.C. 12721 et seq.)  
16 \$5,000,000,000 and any amounts appropriated pursuant  
17 to this section shall remain available until expended.

18 (b) WATER AND ENERGY EFFICIENCY.—Not less  
19 than 10 percent of all amounts made available pursuant  
20 to this section shall be used only for activities relating to  
21 water and energy efficiency and, at the Secretary’s discre-  
22 tion, other strategies to enhance the environmental sus-  
23 tainability of housing production and design.



1 **SEC. 10. PROGRAM FOR SUPPORTIVE HOUSING FOR PER-**  
2 **SONS WITH DISABILITIES.**

3 (a) IN GENERAL.—There is authorized to be appro-  
4 priated \$2,500,000,000 for project rental assistance under  
5 the program for supportive housing for persons with dis-  
6 abilities under section 811(b)(3) of the Cranston-Gonzalez  
7 National Affordable Housing Act (42 U.S.C. 8013(b)(3))  
8 for State housing finance agencies and any amounts ap-  
9 propriated pursuant to this section shall remain available  
10 until expended.

11 (b) WATER AND ENERGY EFFICIENCY.—Not less  
12 than 10 percent of all amounts made available pursuant  
13 to this section shall be used only for activities relating to  
14 water and energy efficiency and, at the Secretary's discre-  
15 tion, other strategies to enhance the environmental sus-  
16 tainability of housing production and design.

17 **SEC. 11. PROGRAM FOR SUPPORTIVE HOUSING FOR THE**  
18 **ELDERLY.**

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

21 (1) capital advances pursuant to section  
22 202(c)(1) of the Housing Act of 1959 (12 U.S.C.  
23 1701q(c)(1)), including amendments to capital ad-  
24 vance contracts for housing for the elderly as au-  
25 thorized by section 202 of such Act;

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

6           (3) senior preservation rental assistance con-  
7           tracts, including renewals, as authorized by section  
8           811(e) of the American Housing and Economic Op-  
9           portunity Act of 2000 (12 U.S.C. 1701g note); and

10          (4) supportive services associated with housing  
11          assisted under paragraph (1), (2), or (3).

12          (b) AVAILABILITY OF AMOUNTS.—Any amounts ap-  
13          propriated pursuant to this section shall remain available  
14          until September 30, 2023.

15          (c) 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 enhance the environmental sus-  
20          tainability of housing production and design.

21          **SEC. 12. CAPITAL MAGNET FUND.**

22          (a) There is authorized to be appropriated for the  
23          Capital Magnet Fund under section 1339 of the Federal  
24          Housing Enterprises Financial Safety and Soundness Act  
25          of 1992 (12 U.S.C. 4569) \$2,500,000,000 and any

1 amounts appropriated pursuant to this subsection 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 enhance the environmental sus-  
8 tainability of housing production and design.

9 **SEC. 13. COMMUNITY DEVELOPMENT BLOCK GRANT FUND-**  
10 **ING FOR AFFORDABLE HOUSING AND INFRA-**  
11 **STRUCTURE.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—

13 (1) IN GENERAL.—Subject to the provisions of  
14 this section, there is authorized to be appropriated  
15 for assistance under the community development  
16 block grant program under title I of the Housing  
17 and Community Development Act of 1974 (42  
18 U.S.C. 5301 et seq.) \$10,000,000,000 and any  
19 amounts appropriated pursuant to this section shall  
20 remain available until expended.

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

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

3 (1) the development and preservation of quali-  
4 fied affordable housing, including the construction of  
5 such housing;

6 (2) the responsible elimination or waiving of  
7 zoning requirements and other requirements that  
8 limit affordable housing development, including high  
9 density and multifamily development restrictions,  
10 off-street parking requirements, and height limita-  
11 tions; or

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

15 (c) LIMITATION.—With respect to amounts used pur-  
16 suant to subsection (b)(2), the Secretary shall ensure that  
17 recipients of amounts provided pursuant to this section  
18 are not incentivized or otherwise rewarded for eliminating  
19 or undermining the intent of the zoning regulations or  
20 other regulations or policies that—

21 (1) establish fair wages for labors;

22 (2) ensure the health and safety of buildings for  
23 residents and the general public;

24 (3) protect fair housing;

25 (4) provide environmental protections;

1 (5) prevent tenant displacement; or

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

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

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

12 (2) is eliminating or reducing impact fees for  
13 housing within boundaries of the State, unit of local  
14 government, or Indian tribe, as applicable, and other  
15 assessments by State or local governments upon the  
16 owners of new housing development projects that  
17 offset governmental capital expenditures for infra-  
18 structure required to serve or made necessary by the  
19 new housing developments, except for fees that are  
20 invested exclusively for housing; and

21 (3) provides assurances that the applicant will  
22 supplement assistance provided under this section  
23 with amounts from non-Federal sources for costs of  
24 the qualified affordable housing or infrastructure eli-  
25 gible under subsection (b) to be funded with assist-

1           ance under this section, and the extent of such sup-  
2           plemental assistance to be provided.

3           (e) WATER AND ENERGY EFFICIENCY.—Not less  
4 than 10 percent of all amounts made available for assist-  
5 ance pursuant to this section shall be used only for eligible  
6 activities relating to water and energy efficiency and, at  
7 the Secretary’s discretion, other strategies to enhance the  
8 environmental sustainability of housing production and  
9 design.

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

13           (1) is either—

14                   (A) funded in any part by assistance pro-  
15                   vided by the Department of Housing and Urban  
16                   Development or the Rural Housing Service of  
17                   the Department of Agriculture; or

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

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

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

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

5 (C) maintains affordability for residents  
6 who are low-income families for a period of not  
7 less than 30 years.

8 **SEC. 14. INCLUSION OF MINORITY AND WOMEN'S BUSINESS**  
9 **ENTERPRISES.**

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

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

17 (A) special consideration to increasing  
18 grantee and recipient outreach to minority and  
19 women's business enterprises to inform such  
20 businesses of hiring opportunities created  
21 through such funds; and

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

24 (2) to convene meetings with leaders and offi-  
25 cials of State and local governments, tribal entities,

1 and public housing authorities for the purpose of  
2 recommending and promoting funding opportunities  
3 and initiatives needed to advance the position of mi-  
4 nority and women’s business enterprises when com-  
5 peting for funds provided in this Act.

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

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

14 (2) MINORITY AND WOMEN’S BUSINESS ENTER-  
15 PRISE.—The term “minority and women’s business  
16 enterprise” means a business at least 51 percent  
17 owned and controlled by minority group members or  
18 women.

19 (3) RELEVANT AGENCY HEAD.—The term “rel-  
20 evant agency head” means, with respect to funds  
21 made available pursuant to any section of this Act,  
22 the head of the Federal agency responsible for ad-  
23 ministering the program under which such funds are  
24 to be expended.

