

112TH CONGRESS
2D SESSION

S. 3278

To amend the Consolidated Farm and Rural Development Act to provide and improve housing in rural areas for educators, public safety officers, and medical providers, and their households, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 7, 2012

Mr. BEGICH introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To amend the Consolidated Farm and Rural Development Act to provide and improve housing in rural areas for educators, public safety officers, and medical providers, and their households, 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 “Rural Educator and
5 American Community Housing Act of 2012”.

1 **SEC. 2. HOUSING FOR EDUCATORS, PUBLIC SAFETY OFFI-**
 2 **CERS, AND MEDICAL PROVIDERS.**

3 Section 306(a) of the Consolidated Farm and Rural
 4 Development Act (7 U.S.C. 1926(a)) is amended by add-
 5 ing at the end the following:

6 “(26) GRANTS AND LOAN GUARANTEES TO
 7 PROVIDE HOUSING FOR EDUCATORS, PUBLIC SAFETY
 8 OFFICERS, AND MEDICAL PROVIDERS.—

9 “(A) DEFINITIONS.—In this paragraph:

10 “(i) EDUCATOR.—The term ‘educator’
 11 means an individual who—

12 “(I) is employed full-time as a
 13 teacher, principal, or administrator
 14 by—

15 “(aa) a public elementary
 16 school or secondary school that
 17 provides direct services to stu-
 18 dents in grades prekindergarten
 19 through grade 12, or a Head
 20 Start program; and

21 “(bb) meets the appropriate
 22 teaching certification or licensure
 23 requirements of the State for the
 24 position in which the individual is
 25 employed; or

1 “(II) is employed full-time as a
2 librarian, a career guidance or coun-
3 seling provider, an education aide, or
4 in another instructional or administra-
5 tive position for a public elementary
6 school or secondary school.

7 “(ii) MEDICAL PROVIDER.—The term
8 ‘medical provider’ means—

9 “(I) a licensed doctor of medicine
10 or osteopathy;

11 “(II) an American Indian, Alaska
12 Native, or Native Hawaiian recog-
13 nized as a traditional healing practi-
14 tioner;

15 “(III) a health care provider
16 that—

17 “(aa) is licensed or certified
18 under Federal or State law, as
19 applicable; and

20 “(bb) is providing services
21 that are eligible for coverage
22 under a plan under the Federal
23 Employees Health Benefits Pro-
24 gram under chapter 89 of title 5,
25 United States Code;

1 “(IV) a provider authorized
 2 under section 119 of the Indian
 3 Health Care Improvement Act (25
 4 U.S.C. 1616*l*); or

5 “(V) any other individual that
 6 the Secretary determines is capable of
 7 providing health care services.

8 “(iii) PUBLIC SAFETY OFFICER.—The
 9 term ‘public safety officer’ means an indi-
 10 vidual who is employed full-time—

11 “(I) as a law enforcement officer
 12 by a law enforcement agency of the
 13 Federal Government, a State, a unit
 14 of general local government, or an In-
 15 dian tribe; or

16 “(II) as a firefighter by a fire de-
 17 partment of the Federal Government,
 18 a State, a unit of general local govern-
 19 ment, or an Indian tribe.

20 “(iv) QUALIFIED COMMUNITY.—The
 21 term ‘qualified community’ means any
 22 open country, or any place, town, village,
 23 or city—

24 “(I) that is not part of or associ-
 25 ated with an urban area; and

1 “(II) that—

2 “(aa) has a population of
3 not more than 2,500; or

4 “(bb)(AA) has a population
5 of not more than 10,000; and

6 “(BB) is not accessible by a
7 motor vehicle, as defined in sec-
8 tion 30102 of title 49, United
9 States Code.

10 “(v) QUALIFIED HOUSING.—The term
11 ‘qualified housing’ means housing for edu-
12 cators, public safety officers, or medical
13 providers that is located in a qualified
14 community.

15 “(vi) QUALIFIED PROJECT.—The
16 term ‘qualified project’ means—

17 “(I) the construction, moderniza-
18 tion, renovation, or repair of qualified
19 housing;

20 “(II) the payment of interest on
21 bonds or other financing instruments
22 (excluding instruments used for refi-
23 nancing) that are issued for the con-
24 struction, modernization, renovation,
25 or repair of qualified housing;

1 “(III) the repayment of a loan
2 used—

3 “(aa) for the construction,
4 modernization, renovation, or re-
5 pair of qualified housing; or

6 “(bb) to purchase real prop-
7 erty on which qualified housing
8 will be constructed;

9 “(IV) purchasing or leasing real
10 property on which qualified housing
11 will be constructed, renovated, mod-
12 ernized, or repaired; or

13 “(V) any other activity normally
14 associated with the construction, mod-
15 ernization, renovation, or repair of
16 qualified housing, as determined by
17 the Secretary.

18 “(vii) EDUCATIONAL SERVICE AGEN-
19 CY, ELEMENTARY SCHOOL, LOCAL EDU-
20 CATIONAL AGENCY, SECONDARY SCHOOL,
21 STATE EDUCATIONAL AGENCY.—The terms
22 ‘educational service agency’, ‘elementary
23 school’, ‘local educational agency’, ‘sec-
24 ondary school’, and ‘State educational
25 agency’ have the meanings given those

1 terms in section 9101 of the Elementary
2 and Secondary Education Act of 1965 (20
3 U.S.C. 7801).

4 “(B) GRANTS.—The Secretary may make
5 a grant to an applicant to carry out a qualified
6 project.

7 “(C) LOAN GUARANTEES.—The Secretary
8 may guarantee a loan made to an applicant for
9 the construction, modernization, renovation, or
10 repair of qualified housing.

11 “(D) FINANCING MECHANISMS.—The Sec-
12 retary may make payments of interest on
13 bonds, loans, or other financial instruments
14 (other than financial instruments used for refi-
15 nancing) that are issued to an applicant for a
16 qualified project.

17 “(E) APPLICATION.—An applicant that de-
18 sires a grant, loan guarantee, or payment of in-
19 terest under this paragraph shall submit to the
20 Secretary an application that—

21 “(i) indicates whether the qualified
22 housing for which the grant, loan guar-
23 antee, or payment of interest is sought is
24 located in a qualified community;

25 “(ii) identifies the applicant;

1 “(iii) indicates whether the applicant
2 prefers to receive a grant, loan guarantee,
3 or payment of interest under this para-
4 graph;

5 “(iv) describes how the applicant
6 would ensure the adequate maintenance of
7 qualified housing assisted under this para-
8 graph;

9 “(v) demonstrates a need for qualified
10 housing in a qualified community, which
11 may include a deficiency of affordable
12 housing, a deficiency of habitable housing,
13 or the need to modernize, renovate, or re-
14 pair housing;

15 “(vi) describes the expected impact of
16 the grant, loan guarantee, or payment of
17 interest on—

18 “(I) educators, public safety offi-
19 cers, and medical providers in a quali-
20 fied community, including the impact
21 on recruitment and retention of edu-
22 cators, public safety officers, and
23 medical providers; and

24 “(II) the economy of a qualified
25 community, including—

1 “(aa) any plans to use small
 2 business concerns for the con-
 3 struction, modernization, renova-
 4 tion, or repair of qualified hous-
 5 ing; and

6 “(bb) the short- and long-
 7 term impact on the rate of em-
 8 ployment in the qualified commu-
 9 nity; and

10 “(vii) describes how the applicant
 11 would ensure that qualified housing as-
 12 sisted under this paragraph is used for
 13 educators, public safety officers, and med-
 14 ical providers.

15 “(F) INPUT FROM STATE DIRECTOR OF
 16 RURAL DEVELOPMENT.—The State Director of
 17 Rural Development for a State may submit to
 18 the Secretary an evaluation of any application
 19 for a qualified project in the State for which an
 20 application for assistance under this paragraph
 21 is submitted and the Secretary shall take into
 22 consideration the evaluation in determining
 23 whether to provide assistance.

24 “(G) PRIORITY.—In awarding grants and
 25 making loan guarantees and payments of inter-

est under this paragraph, the Secretary shall
give priority to an applicant that is—

“(i) a State educational agency or
local educational agency;

“(ii) an educational service agency;

“(iii) a State or local housing author-
ity;

“(iv) an Indian tribe or tribal organi-
zation, as those terms are defined in sec-
tion 4 of the Indian Self-Determination
and Education Assistance Act (25 U.S.C.
450b);

“(v) a tribally designated housing en-
tity;

“(vi) a local government; or

“(vii) a consortium of any of the enti-
ties described in clauses (i) through (vi).

“(H) LIMITATION.—The Secretary may
provide assistance to the same applicant under
only 1 of subparagraphs (B), (C), and (D).

“(I) REQUIREMENT.—As a condition of eli-
gibility for a grant, loan guarantee, or payment
of interest under this paragraph, at least 1
named applicant shall be required to maintain
ownership of the qualified housing that is the

1 subject of the grant, loan guarantee, or pay-
2 ment of interest during the greater of—

3 “(i) 15 years; or

4 “(ii) the period of the loan for which
5 a loan guarantee or payment of interest is
6 made under this paragraph.

7 “(J) REPORTING.—

8 “(i) BY APPLICANTS.—Not later than
9 2 years after the date on which an appli-
10 cant receives a grant, loan guarantee, or
11 payment of interest under this paragraph,
12 the applicant shall submit to the Secretary
13 a report that—

14 “(I) describes how the grant,
15 loan guarantee, or payment of interest
16 was used; and

17 “(II) contains an estimate of the
18 number of jobs created or maintained
19 by use of the grant, loan guarantee,
20 or payment of interest.

21 “(ii) BY GAO.—Not later than 2 years
22 after the date of enactment of this para-
23 graph, the Comptroller General of the
24 United States shall submit to Congress a

1 report evaluating the program under this
2 paragraph.

3 “(K) AUTHORIZATION OF APPROPRIA-
4 TIONS.—

5 “(i) IN GENERAL.—There is author-
6 ized to be appropriated to the Secretary
7 \$50,000,0000 for fiscal year 2012, and
8 each fiscal year thereafter.

9 “(ii) AVAILABILITY.—Any amounts
10 appropriated to carry out this paragraph
11 shall remain available for obligation by the
12 Secretary during the 3-year period begin-
13 ning on the date of the appropriation.

14 “(iii) USE OF FUNDS.—Of any
15 amounts appropriated for a fiscal year to
16 carry out this paragraph, the Secretary
17 shall use—

18 “(I) not less than 50 percent to
19 make grants under this paragraph;

20 “(II) not more than 5 percent to
21 carry out national activities under this
22 paragraph, including providing tech-
23 nical assistance and conducting out-
24 reach to qualified communities; and

1 “(III) any amounts not expended
2 in accordance with subclauses (I) and
3 (II) to make loan guarantees and pay-
4 ments of interest under this para-
5 graph.”.

○