

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOUSING OPPORTUNITY PROGRAM EXTENSION ACT OF 1995

Mr. LOTT. Mr. President, I ask unanimous consent that the Banking Committee be immediately discharged from further consideration of S. 1494, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1494) to provide an extension for fiscal year 1996 for certain programs administered by the Secretary of Housing and Urban Development and the Secretary of Agriculture, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. BOND. Mr. President, I urge support for the Housing Opportunity Program Extenders Act of 1995. This legislation is designed to provide HUD and Farmers Home with authority to continue certain housing programs which are strongly supported by the American public.

Most importantly, similar to the VA/ HUD fiscal year 1996 appropriations bill, this bill would require HUD to renew expiring section 8 project-based contracts for fiscal year 1996 for 1 year at current rents. There are some 900,000 FHA-insured units with section 8 project-based assistance expiring over the next 10 years. Many of these section 8 contracts are oversubsidized under existing contracts and fiscal responsibility requires that Congress contain the spiraling costs associated with this inventory. Moreover, under a recent HUD legal opinion, HUD may renew these expiring section 8 project-based contracts at the market rent with some exceptions for contract rents up to 120 percent of the market rents; this means that these section 8 projects will begin to default and face foreclosure by HUD during fiscal year 1996.

I believe it is critical that Congress reform and adjust the costs, including section 8 costs, of this assisted housing to the existing market rents. However, in doing so, we must balance the cost of the expiring section 8 contracts with the cost of foreclosure of these projects to the FHA insurance fund, as well as the significant social policy of the possible displacement of low-income housing residents and the disinvestment by project owners in these projects which could result in significant deterioration of this valuable housing stock. Like the VA/ HUD fiscal year 1996 appropriations bill, renewing these section 8 contracts for 1 year will provide the Banking Committee with an oppor-

tunity to develop a dialog and resulting meaningful policy that will preserve this valuable housing resource as low-income housing at a reasonable cost to the Federal Government.

Second, the legislation would extend the Home Equity Conversion Mortgage Program through fiscal year 1996, increasing the maximum number of units eligible for insurance from 25,000 to 30,000. This program is designed to allow the elderly to tap the accumulated equity in their homes for needed expenses without the risk of losing the housing as a principal residence. This is a successful program that is growing in popularity among the elderly population as an option to assist in providing continuing independence, both financially and through the continuing use of their homes as a principal residence.

Third, the legislation would extend the home ownership program under the CDBG Program as a continuing eligible activity through fiscal year 1996. This program is widely supported by a number of communities throughout the Nation which use the program as an additional resource to expand homeownership opportunities.

Finally, the bill would extend the FmHA's section 515 rural multifamily program for fiscal year 1996. Currently, the fiscal year 1996 Agriculture appropriations has limited the section 515 funding for fiscal year 1996 to rehabilitation. However, there is a significant number of section 515 projects in the development pipeline. Section 515 projects are, in many cases, the only available and affordable low-income housing in rural areas. While there has been substantial criticism leveled at abuses in the section 515 program, FmHA has addressed a number of the failings in the program and the Banking Committee has pledged to review closely the section 515 program and address any concerns as part of a major housing and community development overhaul and reform bill.

In addition, a manager's amendment to this bill legislation would incorporate Habitat for Humanity as an eligible organization under the National Community Development Initiative [NCDI]. Habitat for Humanity is one of the best models in this country for the development of affordable low-income housing. The foundation of this program is sweat equity, where a potential homeowner must contribute their own labor and hard work to the construction of their home and the homes of others. In this way, participating families develop a tangible bond with their homes combined with a strong interest in maintaining them. Since 1976, Habitat has constructed over 40,000 homes worldwide, in every U.S. State and in 45 other countries. As a consequence, some 250,000 people are living in decent, safe and affordable housing.

Under this program, Habitat for Humanity would receive a \$25 million authorization to assist in the acquisition of land or infrastructure improve-

ments, and only in the United States. I urge HUD to develop flexible requirements for Habitat for Humanity's participation in NCDI with deference to the underlying vision of homeowner contribution to the construction of their home.

This manager's amendment also would provide clear statutory guidance to empower PHAs and assisted property owners with the tools to screen out and evict from public and assisted housing persons who illegally use drugs or whose abuse of alcohol is a risk to other tenants. I cannot emphasize enough the need to take the bull by the horns and provide real solutions to the problems created by alcohol abuse and illegal drug use in federally assisted housing.

Mr. President, this legislation is bipartisan, simple, straightforward and necessary. I strongly urge my colleagues to support this legislation.

AMENDMENT NO. 3118

(Purpose: To make a series of amendments)

Mr. LOTT. I understand that there is a managers' amendment at the desk in behalf of Senators D'AMATO, MACK, and BAUCUS.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] for Mr. D'AMATO, for himself, Mr. MACK, and Mr. BAUCUS, proposes an amendment numbered 3118.

Mr. LOTT. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 2, line 5, strike "During fiscal year 1996" and insert the following: "To the extent that amounts are made available in advance in any appropriations act for contract renewals under section 8 of the United States Housing Act of 1937 for fiscal year 1996".

On page 2, line 11, insert "project-based" after "for".

On page 5, between lines 7 and 8, insert the following new sections:

SEC. 7. CAPACITY BUILDING FOR COMMUNITY DEVELOPMENT AND AFFORDABLE HOUSING.

Section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note) is amended—

(1) in subsection (a)—

(A) by striking "Initiative to develop" and inserting the following: "Initiative—
“(1) to develop”;

(B) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(2) for national or regional organizations or consortia, including Habitat for Humanity International, that have experience in providing or facilitating self-help housing homeownership opportunities.”;

(2) in subsection (b)—

(A) in paragraph (2), by striking “and” at the end;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:

“(3) innovative homeownership opportunities for the acquisition and rehabilitation of single family housing through the provision

of self-help housing, under which the homeowner contributes a significant amount of sweat equity toward the construction of the new dwelling; and"; and

(3) by striking subsection (e) and inserting the following:

"(e) AUTHORIZATION.—There are authorized to be appropriated to carry out this section \$50,000,000 for fiscal year 1996, of which \$25,000,000 shall be made available to Habitat for Humanity International for activities under this section."

SEC. 8. THE NATIONAL CITIES IN SCHOOLS COMMUNITY DEVELOPMENT PROGRAM.

Section 930(c) of the Housing and Community Development Act of 1992 (Public Law 102-550, 106 Stat. 3887) is amended to read as follows:

"(c) AUTHORIZATION.—There are authorized to be appropriated to carry out this section \$10,000,000 for fiscal year 1996."

SEC. 9. AMENDMENTS TO THE UNITED STATES HOUSING ACT OF 1937 FOR SAFETY AND SECURITY IN PUBLIC AND ASSISTED HOUSING.

(a) CONTRACT PROVISIONS AND REQUIREMENTS.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(1) in subsection (k), by striking "on or near such premises" and inserting "on or off such premises"; and

(2) in subsection (l)(5), by striking "on or near such premises" and inserting "on or off such premises".

(b) AVAILABILITY OF CRIMINAL RECORDS FOR SCREENING AND EVICTION; EVICTION FOR DRUG-RELATED ACTIVITY.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended by adding at the end the following new subsections:

"(q) AVAILABILITY OF RECORDS.—

"(1) IN GENERAL.—

"(A) PROVISION OF INFORMATION.—Notwithstanding any other provision of law, except as provided in subparagraph (B), the National Crime Information Center, police departments, and other law enforcement agencies shall, upon request, provide information to public housing agencies regarding the criminal conviction records of adult applicants for, or tenants of, public housing for purposes of applicant screening, lease enforcement, and eviction.

"(B) EXCEPTION.—Except as provided under any provision of State, tribal, or local law, no law enforcement agency described in subparagraph (A) shall provide information under this paragraph relating to any criminal conviction if the date of that conviction occurred 5 or more years prior to the date on which the request for the information is made.

"(2) OPPORTUNITY TO DISPUTE.—Before an adverse action is taken with regard to assistance under this title on the basis of a criminal record, the public housing agency shall provide the tenant or applicant with a copy of the criminal record and an opportunity to dispute the accuracy and relevance of that record.

"(3) FEE.—A public housing agency may be charged a reasonable fee for information provided under paragraph (1).

"(4) RECORDS MANAGEMENT.—Each public housing agency shall establish and implement a system of records management that ensures that any criminal record received by the public housing agency is—

"(A) maintained confidentially;

"(B) not misused or improperly disseminated; and

"(C) destroyed, once the purpose for which the record was requested has been accomplished.

"(5) DEFINITION.—For purposes of this subsection, the term 'adult' means a person who is 18 years of age or older, or who has been convicted of a crime as an adult under any Federal, State, or tribal law.

"(r) EVICTION FOR DRUG-RELATED ACTIVITY.—Any tenant evicted from housing assisted under this title by reason of drug-related criminal activity (as that term is defined in section 8(f)(5)) shall not be eligible for housing assistance under this title during the 3-year period beginning on the date of such eviction, unless the evicted tenant successfully completes a rehabilitation program approved by the public housing agency (which shall include a waiver of this subsection if the circumstances leading to eviction no longer exist)."

(c) LIMITATION ON OCCUPANCY IN ELDERLY AND DISABLED HOUSING.—

(1) IN GENERAL.—Section 7 of the United States Housing Act of 1937 (42 U.S.C. 1437e) is amended by adding at the end the following new subsection:

"(h) LIMITATION ON OCCUPANCY IN DESIGNATED PROJECTS.—

"(1) OCCUPANCY LIMITATION.—Notwithstanding any other provision of law, a dwelling unit in a public housing project (or portion of a project) that is designated under subsection (a) shall not be occupied by any person whose illegal use (or pattern of illegal use) of a controlled substance or abuse (or pattern of abuse) of alcohol provides reasonable cause for the public housing agency to believe that such occupancy could interfere with the health, safety, or right to peaceful enjoyment of the premises by the tenants of the public housing project.

"(2) REQUIRED STATEMENT.—A public housing agency may not make a dwelling unit in a public housing project (or portion of a project) designated under subsection (a) available for occupancy to any family, unless the application for occupancy by that family is accompanied by a signed statement that no person who will be occupying the unit illegally uses a controlled substance, or abuses alcohol, in a manner that would interfere with the health, safety, or right to peaceful enjoyment of the premises by the tenants of the public housing project."

(2) LEASE PROVISIONS.—Section 6(l) of the United States Housing Act of 1937 (42 U.S.C. 1437d(l)) is amended—

(A) in paragraph (5), by striking "and" at the end;

(B) by redesignating paragraph (6) as paragraph (7); and

(C) by inserting after paragraph (5) the following new paragraph:

"(6) provide that any occupancy in violation of section 7(h)(1) or the furnishing of any false or misleading information pursuant to section 7(h)(2) shall be cause for termination of tenancy; and".

(d) INELIGIBILITY OF ILLEGAL DRUG USERS AND ALCOHOL ABUSERS FOR ASSISTED HOUSING.—Section 16 of the United States Housing Act of 1937 (42 U.S.C. 1437n) is amended by adding at the end the following new subsection:

"(e) INELIGIBILITY OF ILLEGAL DRUG USERS AND ALCOHOL ABUSERS.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, a public housing agency shall establish standards for occupancy in public housing dwelling units—

"(A) that prohibit occupancy in any such unit by any person—

"(i) who the public housing agency determines is illegally using a controlled substance; or

"(ii) if the public housing agency determines that it has reasonable cause to believe that such person's illegal use (or pattern of illegal use) of a controlled substance, or abuse (or pattern of abuse) of alcohol, could interfere with the health, safety, or right to peaceful enjoyment of the premises by the tenants of the public housing project; and

"(B) that allow the public housing agency to terminate the tenancy in any public housing unit of any person—

"(i) if the public housing agency determines that such person is illegally using a controlled substance; or

"(ii) whose illegal use of a controlled substance, or whose abuse of alcohol, is determined by the public housing agency to interfere with the health, safety, or right to peaceful enjoyment of the premises by the tenants of the public housing project.

"(2) INAPPLICABILITY TO INDIAN HOUSING.—This subsection does not apply to any dwelling unit assisted by an Indian housing authority."

SEC. 10. ELIGIBLE HOME EQUITY CONVERSION MORTGAGES.

Section 255(d)(3) of the National Housing Act (12 U.S.C. 1715z-20(d)(3)) is amended to read as follows:

"(3) be secured by a dwelling that is designed principally for a 1- to 4-family residence in which the mortgagor occupies 1 of the units;"

On page 5, strike line 8, and insert the following:

SEC. 11. APPLICABILITY.

Mr. LOTT. Mr. President, I ask unanimous consent that the amendment be agreed to, the bill be deemed read for a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3118) was agreed to.

The bill (S. 1494), as amended, was deemed read a third time, and passed, as follows:

S. 1494

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; DEFINITION.

(a) SHORT TITLE.—This Act may be cited as the "Housing Opportunity Program Extension Act of 1995".

(b) DEFINITION.—For purposes of this Act, the term "Secretary" means the Secretary of Housing and Urban Development.

SEC. 2. SECTION 8 CONTRACT RENEWALS.

(a) IN GENERAL.—To the extent that amounts are made available in advance in any appropriations Act for contract renewals under section 8 of the United States Housing Act of 1937 for fiscal year 1996, with respect to any project that is determined by the Secretary to meet housing quality standards under the United States Housing Act of 1937 and to be otherwise in compliance with that Act, at the request of the owner of the project, the Secretary shall renew, for a period of 1 year, any contract for project-based assistance under section 8 of the United States Housing Act of 1937 that expires or terminates during fiscal year 1996, at current rent levels under the expiring or terminating contract.

(b) AMENDMENTS TO THE NATIONAL HOUSING ACT.—Section 236(f) of the National Housing Act (12 U.S.C. 1715z-1(f)) is amended—

(1) in paragraph (1), by striking the second sentence and inserting the following: "The rental charge for each dwelling unit shall be at the basic rental charge, or such greater amount, not to exceed the lesser of (i) the fair market rental charge determined pursuant to this paragraph, or (ii) the fair market rental established under section 8(c) of the United States Housing Act of 1937 for existing housing in the market area in which the

housing is located, as represents 30 percent of the tenant's adjusted income." and

(2) by striking paragraph (6).

SEC. 3. COMMUNITY DEVELOPMENT BLOCK GRANT ELIGIBLE ACTIVITIES.

Notwithstanding the amendments made by section 907(b)(2) of the Cranston-Gonzalez National Affordable Housing Act, section 105(a)(25) of the Housing and Community Development Act of 1974, as in existence on September 30, 1995, shall apply to the use of assistance made available under title I of the Housing and Community Development Act of 1974 during fiscal year 1996.

SEC. 4. EXTENSION OF RURAL HOUSING PROGRAMS.

(a) UNDERSERVED AREAS SET-ASIDE.—Section 509(f)(4)(A) of the Housing Act of 1949 (42 U.S.C. 1479(f)(4)(A)) is amended—

(1) in the first sentence, by striking "fiscal years 1993 and 1994" and inserting "fiscal year 1996"; and

(2) in the second sentence, by striking "each".

(b) RURAL MULTIFAMILY RENTAL HOUSING.—Section 515(b)(4) of the Housing Act of 1949 (42 U.S.C. 1485(b)(4)) is amended by striking "September 30, 1994" and inserting "September 30, 1996".

(c) RURAL RENTAL HOUSING FUNDS FOR NONPROFIT ENTITIES.—The first sentence of section 515(w)(1) of the Housing Act of 1949 (42 U.S.C. 1485(w)(1)) is amended by striking "fiscal years 1993 and 1994" and inserting "fiscal year 1996".

SEC. 5. EXTENSION OF FHA MORTGAGE INSURANCE PROGRAM FOR HOME EQUITY CONVERSION MORTGAGES.

(a) EXTENSION OF PROGRAM.—The first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)) is amended by striking "September 30, 1995" and inserting "September 30, 1996".

(b) LIMITATION ON NUMBER OF MORTGAGES.—The second sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)) is amended by striking "25,000" and inserting "30,000".

SEC. 6. EXTENSION OF MULTIFAMILY HOUSING FINANCE PROGRAMS.

(a) RISK-SHARING PILOT PROGRAM.—The first sentence of section 542(b)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1707 note) is amended by striking "on not more than 15,000 units over fiscal years 1993 and 1994" and inserting "on not more than 7,500 units during fiscal year 1996".

(b) HOUSING FINANCE AGENCY PILOT PROGRAM.—The first sentence of section 542(c)(4) of the Housing and Community Development Act of 1992 (12 U.S.C. 1707 note) is amended by striking "on not to exceed 30,000 units over fiscal years 1993, 1994, and 1995" and inserting "on not more than 10,000 units during fiscal year 1996".

SEC. 7. CAPACITY BUILDING FOR COMMUNITY DEVELOPMENT AND AFFORDABLE HOUSING.

Section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note) is amended—

(1) in subsection (a)—

(A) by striking "Initiative to develop" and inserting the following: "Initiative—

"(1) to develop";

(B) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(2) for national or regional organizations or consortia, including Habitat for Humanity International, that have experience in providing or facilitating self-help housing homeownership opportunities.";

(2) in subsection (b)—

(A) in paragraph (2), by striking "and" at the end;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:

"(3) innovative homeownership opportunities for the acquisition and rehabilitation of single family housing through the provision of self-help housing, under which the homeowner contributes a significant amount of sweat equity toward the construction of the new dwelling; and"; and

(3) by striking subsection (e) and inserting the following:

"(e) AUTHORIZATION.—There are authorized to be appropriated to carry out this section \$50,000,000 for fiscal year 1996, of which \$25,000,000 shall be made available to Habitat for Humanity International for activities under this section."

SEC. 8. THE NATIONAL CITIES IN SCHOOLS COMMUNITY DEVELOPMENT PROGRAM.

Section 930(c) of the Housing and Community Development Act of 1992 (Public Law 102-550, 106 Stat. 3887) is amended to read as follows:

"(c) AUTHORIZATION.—There are authorized to be appropriated to carry out this section \$10,000,000 for fiscal year 1996."

SEC. 9. AMENDMENTS TO THE UNITED STATES HOUSING ACT OF 1937 FOR SAFETY AND SECURITY IN PUBLIC AND ASSISTED HOUSING.

(a) CONTRACT PROVISIONS AND REQUIREMENTS.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(1) in subsection (k), by striking "on or near such premises" and inserting "on or off such premises"; and

(2) in subsection (l)(5), by striking "on or near such premises" and inserting "on or off such premises".

(b) AVAILABILITY OF CRIMINAL RECORDS FOR SCREENING AND EVICTION; EVICTION FOR DRUG-RELATED ACTIVITY.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended by adding at the end the following new subsections:

"(q) AVAILABILITY OF RECORDS.—

"(1) IN GENERAL.—

"(A) PROVISION OF INFORMATION.—Notwithstanding any other provision of law, except as provided in subparagraph (B), the National Crime Information Center, police departments, and other law enforcement agencies shall, upon request, provide information to public housing agencies regarding the criminal conviction records of adult applicants for, or tenants of, public housing for purposes of applicant screening, lease enforcement, and eviction.

"(B) EXCEPTION.—Except as provided under any provision of State, tribal, or local law, no law enforcement agency described in subparagraph (A) shall provide information under this paragraph relating to any criminal conviction if the date of that conviction occurred 5 or more years prior to the date on which the request for the information is made.

"(2) OPPORTUNITY TO DISPUTE.—Before an adverse action is taken with regard to assistance under this title on the basis of a criminal record, the public housing agency shall provide the tenant or applicant with a copy of the criminal record and an opportunity to dispute the accuracy and relevance of that record.

"(3) FEE.—A public housing agency may be charged a reasonable fee for information provided under paragraph (1).

"(4) RECORDS MANAGEMENT.—Each public housing agency shall establish and implement a system of records management that ensures that any criminal record received by the public housing agency is—

"(A) maintained confidentially;

"(B) not misused or improperly disseminated; and

"(C) destroyed, once the purpose for which the record was requested has been accomplished.

"(5) DEFINITION.—For purposes of this subsection, the term 'adult' means a person who is 18 years of age or older, or who has been convicted of a crime as an adult under any Federal, State, or tribal law.

"(r) EVICTION FOR DRUG-RELATED ACTIVITY.—Any tenant evicted from housing assisted under this title by reason of drug-related criminal activity (as that term is defined in section 8(f)(5)) shall not be eligible for housing assistance under this title during the 3-year period beginning on the date of such eviction, unless the evicted tenant successfully completes a rehabilitation program approved by the public housing agency (which shall include a waiver of this subsection if the circumstances leading to eviction no longer exist)."

(c) LIMITATION ON OCCUPANCY IN ELDERLY AND DISABLED HOUSING.—

(1) IN GENERAL.—Section 7 of the United States Housing Act of 1937 (42 U.S.C. 1437e) is amended by adding at the end the following new subsection:

"(h) LIMITATION ON OCCUPANCY IN DESIGNATED PROJECTS.—

"(1) OCCUPANCY LIMITATION.—Notwithstanding any other provision of law, a dwelling unit in a public housing project (or portion of a project) that is designated under subsection (a) shall not be occupied by any person whose illegal use (or pattern of illegal use) of a controlled substance or abuse (or pattern of abuse) of alcohol provides reasonable cause for the public housing agency to believe that such occupancy could interfere with the health, safety, or right to peaceful enjoyment of the premises by the tenants of the public housing project.

"(2) REQUIRED STATEMENT.—A public housing agency may not make a dwelling unit in a public housing project (or portion of a project) designated under subsection (a) available for occupancy to any family, unless the application for occupancy by that family is accompanied by a signed statement that no person who will be occupying the unit illegally uses a controlled substance, or abuses alcohol, in a manner that would interfere with the health, safety, or right to peaceful enjoyment of the premises by the tenants of the public housing project."

(2) LEASE PROVISIONS.—Section 6(l) of the United States Housing Act of 1937 (42 U.S.C. 1437d(l)) is amended—

(A) in paragraph (5), by striking "and" at the end;

(B) by redesignating paragraph (6) as paragraph (7); and

(C) by inserting after paragraph (5) the following new paragraph:

"(6) provide that any occupancy in violation of section 7(h)(1) or the furnishing of any false or misleading information pursuant to section 7(h)(2) shall be cause for termination of tenancy; and"

(d) INELIGIBILITY OF ILLEGAL DRUG USERS AND ALCOHOL ABUSERS FOR ASSISTED HOUSING.—Section 16 of the United States Housing Act of 1937 (42 U.S.C. 1437n) is amended by adding at the end the following new subsection:

"(e) INELIGIBILITY OF ILLEGAL DRUG USERS AND ALCOHOL ABUSERS.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, a public housing agency shall establish standards for occupancy in public housing dwelling units—

"(A) that prohibit occupancy in any such unit by any person—

"(i) who the public housing agency determines is illegally using a controlled substance; or

"(ii) if the public housing agency determines that it has reasonable cause to believe

that such person's illegal use (or pattern of illegal use) of a controlled substance, or abuse (or pattern of abuse) of alcohol, could interfere with the health, safety, or right to peaceful enjoyment of the premises by the tenants of the public housing project; and

"(B) that allow the public housing agency to terminate the tenancy in any public housing unit of any person—

"(i) if the public housing agency determines that such person is illegally using a controlled substance; or

"(ii) whose illegal use of a controlled substance, or whose abuse of alcohol, is determined by the public housing agency to interfere with the health, safety, or right to peaceful enjoyment of the premises by the tenants of the public housing project.

"(2) INAPPLICABILITY TO INDIAN HOUSING.—This subsection does not apply to any dwelling unit assisted by an Indian housing authority."

SEC. 10. ELIGIBLE HOME EQUITY CONVERSION MORTGAGES.

Section 255(d)(3) of the National Housing Act (12 U.S.C. 1715z-20(d)(3)) is amended to read as follows:

"(3) be secured by a dwelling that is designed principally for a 1- to 4-family residence in which the mortgagor occupies 1 of the units;"

SEC. 11. APPLICABILITY.

This Act and the amendments made by this Act shall be construed to have become effective on October 1, 1995.

ORDERS FOR JANUARY 25 AND JANUARY 26, 1996

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 12 noon on Thursday, January 25; further, that immediately following the prayer the Journal of proceedings be deemed approved to date, no resolutions come under over under the rule, the call of the calendar be dispensed with, and the morning hour be deemed to have expired, and that the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business not to extend beyond the hour of 4 p.m. equally divided between the majority and the minority; and, that immediately following the conclusion or yielding back of that time the Senate immediately adjourn over until the hour of 12 noon on Friday, January 26, and further that the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that there then be a period for morning business with Senators permitted to speak for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. LOTT. Mr. President, for the information of all Senators, we will reconvene then tomorrow at noon for a period of morning business. Rollcall votes are not expected during tomorrow's session.

The Senate will then adjourn over until noon on Friday. During Friday's session, rollcall votes could occur on a continuing resolution, the Department of Defense authorization conference report or the START II Treaty. All Members will be notified of any scheduled rollcall votes during Friday's session, if there are to be any, as soon as possible.

ADJOURNMENT UNTIL TOMORROW

Mr. LOTT. Mr. President, if there be no further business to come before the Senate, I move then that the Senate adjourn under the previous order.

The motion was agreed to, and the Senate, at 6 p.m., adjourned until Thursday, January 25, 1996, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate January 24, 1996:

DEPARTMENT OF STATE

LAWRENCE NEAL BENEDICT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAPE VERDE.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

JOSEPH J. DINUNNO, OF MARYLAND, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2000. (REAPPOINTMENT)

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

RONNIE FEUERSTEIN HEYMAN, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2000. VICE JOCELYN LEVI STRAUS, TERM EXPIRED.

EXECUTIVE OFFICE OF THE PRESIDENT

BARRY R. MCCAFFREY, OF WASHINGTON, TO BE DIRECTOR OF NATIONAL DRUG CONTROL POLICY, VICE LEE PATRICK BROWN, RESIGNED.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

ROBERT B. ROGERS, OF MISSOURI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM OF 3 YEARS. (NEW POSITION)

NATIONAL COUNCIL ON DISABILITY

SHIRLEY W. RYAN, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 1997. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL ON THE RETIRED LIST PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. STEPHEN B. CROKER, 000-00-0000, U.S. AIR FORCE.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL ON THE RETIRED LIST PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. ARLEN D. JAMESON, 000-00-0000, U.S. AIR FORCE.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL D. MCGINTY, 000-00-0000, U.S. AIR FORCE.

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT IN THE REGULAR AIR FORCE OF THE UNITED STATES TO THE POSITIONS AND GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 8037:

THE JUDGE ADVOCATE GENERAL OF THE U.S. AIR FORCE

To be major general

BRIG. GEN. BRYAN G. HAWLEY, 000-00-0000.

THE DEPUTY JUDGE ADVOCATE GENERAL OF THE U.S. AIR FORCE

To be major general

BRIG. GEN. ANDREW M. EGELAND, JR., 000-00-0000.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. PHILLIP J. FORD, 000-00-0000, U.S. AIR FORCE.

THE FOLLOWING-NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

LT. GEN. KENNETH A. MINIHAN, 000-00-0000, U.S. AIR FORCE.

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE, TO THE GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 8373, 12004, AND 12203:

To be major general

BRIG. GEN. BOYD L. ASHCRAFT, 000-00-0000, AIR FORCE RESERVE.
BRIG. GEN. JIM L. FOLSOM, 000-00-0000, AIR FORCE RESERVE.
BRIG. GEN. JAMES E. HAIGHT, JR., 000-00-0000, AIR FORCE RESERVE.
BRIG. GEN. JOSEPH A. MCNEIL, 000-00-0000, AIR FORCE RESERVE.
BRIG. GEN. ROBERT E. PFISTER, 000-00-0000, AIR FORCE RESERVE.
BRIG. GEN. DONALD B. STOKES, 000-00-0000, AIR FORCE RESERVE.

To be brigadier general

COL. JOHN L. BALDWIN, 000-00-0000, AIR FORCE RESERVE.
COL. JAMES D. BANKERS, 000-00-0000, AIR FORCE RESERVE.
COL. RALPH S. CLEM, 000-00-0000, AIR FORCE RESERVE.
COL. LARRY L. ENYART, 000-00-0000, AIR FORCE RESERVE.
COL. JON S. GINGERICH, 000-00-0000, AIR FORCE RESERVE.
COL. CHARLES H. KING, 000-00-0000, AIR FORCE RESERVE.
COL. RALPH J. LUCIANI, 000-00-0000, AIR FORCE RESERVE.
COL. RICHARD M. MCGILL, 000-00-0000, AIR FORCE RESERVE.
COL. DAVID R. MYERS, 000-00-0000, AIR FORCE RESERVE.
COL. JAMES SANDERS, 000-00-0000, AIR FORCE RESERVE.
COL. SANFORD SCHLITT, 000-00-0000, AIR FORCE RESERVE.
COL. DAVID E. TANZI, 000-00-0000, AIR FORCE RESERVE.
COL. JOHN L. WILKINSON, 000-00-0000, AIR FORCE RESERVE.

IN THE ARMY

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES ARMY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

MAJ. GEN. JOHN M. KEANE, 000-00-0000, U.S. ARMY.

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST OF THE UNITED STATES ARMY IN THE GRADE INDICATED UNDER SECTION 1370 OF TITLE 10, UNITED STATES CODE:

To be lieutenant general

LT. GEN. HOWARD D. GRAVES, 000-00-0000, U.S. ARMY.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE U.S. ARMY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

MAJ. GEN. PATRICK M. HUGHES, 000-00-0000, U.S. ARMY.

IN THE NAVY

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE NAVAL RESERVE OF THE UNITED STATES TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 5912:

UNRESTRICTED LINE

To be rear admiral

REAR ADM. (1H) JAMES WAYNE EASTWOOD, 000-00-0000, U.S. NAVAL RESERVE.
REAR ADM. (1H) JOHN EDWIN KERR, 000-00-0000, U.S. NAVAL RESERVE.
REAR ADM. (1H) JOHN BENJAMIN TOTUSHEK, 000-00-0000, U.S. NAVAL RESERVE.

UNRESTRICTED LINE

To be rear admiral

REAR ADM. (1H) ROBERT HULBURT WEIDMAN, JR., 000-00-0000, U.S. NAVAL RESERVE.

STAFF CORPS

To be rear admiral

REAR ADM. (1H) M. EUGENE FUSSELL, 000-00-0000, U.S. NAVAL RESERVE.