

ATTACHMENT B

PUBLIC LAW 100-77—JULY 22, 1987

**STEWART B. MCKINNEY HOMELESS
ASSISTANCE ACT**

(1) The total cost of rehabilitation that may be compensated for in a contract for housing assistance payments entered into with the authority provided under this section shall not exceed \$14,000 per unit, plus the expenditures required by subsection (d).

(2) The Secretary of Housing and Urban Development shall increase the limitation contained in paragraph (1) by an amount the Secretary determines is reasonable and necessary to accommodate special local conditions, including—

(A) high construction costs; or

(B) stringent fire or building codes.

(f) **CONTRACT REQUIREMENTS.**—Each contract for annual contributions entered into with a public housing agency to obligate the authority made available under this section shall—

(1) commit the Secretary of Housing and Urban Development to make such authority available to the public housing agency for an aggregate period of 10 years, and require that any amendments increasing such authority shall be available for the remainder of such 10-year period;

(2) provide the Secretary of Housing and Urban Development with the option to renew the contract for an additional period of 10 years, subject to the availability of appropriations; and

(3) provide that, notwithstanding any other provision of law, first priority for occupancy of housing rehabilitated under this section shall be given to homeless individuals.

SEC. 442. COMMUNITY DEVELOPMENT BLOCK GRANT AMENDMENT.

Section 102(a)(6) of the Housing and Community Development Act of 1974 is amended in the second sentence by inserting "or 1984" after "fiscal year 1983". 42 USC 5302

TITLE V—IDENTIFICATION AND USE OF SURPLUS FEDERAL PROPERTY

SEC. 501. USE OF UNDERUTILIZED PUBLIC BUILDINGS AND PROPERTY FOR FACILITIES TO ASSIST THE HOMELESS. 42 USC 11411.

(a) **IDENTIFICATION OF UNDERUTILIZED SUITABLE BUILDINGS AND PROPERTY.**—The Secretary of Housing and Urban Development shall collect information about Federal public buildings and other Federal real properties (including fixtures) that are described in surveys by the heads of controlling agencies as underutilized and shall identify which of those buildings and properties are suitable for use for facilities to assist the homeless. The Secretary, in consultation with the Secretary of Health and Human Services and the Administrator of General Services, shall develop criteria with respect to suitability of such property for use as facilities to assist the homeless.

(b) **AGENCY RESPONSES.**—The Secretary of Housing and Urban Development shall notify each Federal agency with respect to any property of that agency that the Secretary has identified under subsection (a) of this section. The head of such agency shall, within 30 days after receipt of such a notice, transmit to the Secretary and the Administrator of General Services the agency's response, which shall include—

(1) a statement of the agency's intention to declare the property excess to the agency's need, in accordance with applicable law; or

(2) a statement of the reasons that the property cannot be declared excess.

State and local governments.

(c) AVAILABILITY FOR FACILITIES TO ASSIST THE HOMELESS.—The Administrator of General Services and the Secretary of Health and Human Services shall, in accordance with other applicable Federal law, take such actions as may be necessary to make buildings and property identified under subsection (a) available for use for facilities to assist the homeless operated by private nonprofit organizations, units of local government, and States.

(d) AVAILABILITY OF FEDERAL BUILDINGS OR PROPERTY BY LEASE.—

(1) Federal buildings or property may be made available under this section only through the use of leases for at least 1 year. Ownership of the buildings and property shall not be transferred from the Federal Government.

(2) To permit leases of surplus Federal buildings and other real property under this section, the Secretary of Health and Human Services and the Administrator of General Services shall include, as a permissible use in the protection of public health within the meaning of section 203(k) of the Federal Property and Administrative Services Act of 1949, the furnishing of real property for use for facilities to assist the homeless and shall issue regulations permitting leases for such public health purposes.

40 USC 484.

(e) QUARTERLY REPORTS.—Within 90 days after the enactment of this Act and quarterly thereafter, the Administrator of General Services shall submit to the Congress and to the Interagency Council on the Homeless quarterly reports on the implementation of this section. Such reports shall include—

(1) a list of the properties identified by the Secretary of Housing and Urban Development under subsection (a);

(2) a statement of the agency responses under subsection (b) to such identifications; and

State and local governments.

(3) a description of the actions taken by the Administrator and the Secretary of Health and Human Services under applicable law to make such property available for use for facilities to assist the homeless operated by private nonprofit organizations, units of local government, and States.

State and local governments.
42 USC 11412.

SEC. 502. MAKING SURPLUS PERSONAL PROPERTY AVAILABLE TO NON-PROFIT AGENCIES.

(a) ELIGIBILITY.—Section 203(j)(3)(B) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(j)(3)(B)) is amended by inserting "providers of assistance to homeless individuals" after "health centers."

Public information.

(b) REQUIREMENT FOR NOTIFICATION.—Within 90 days after the enactment of this Act, the Administrator of General Services shall require each State agency administering a State plan under section 203(j) of the Federal Property and Administrative Services Act of 1949 to make generally available information about surplus personal property which may be used in the provision of food, shelter, or other services to homeless individuals.

40 USC 484.

(c) COSTS.—Surplus personal property identified pursuant to this section shall be made available to providers of assistance to homeless individuals by a State agency distributing such property at (1) a

nominal cost to the Administrator agree care and handling of

TITLE VI

Subtitle A-Sub

SEC. 601. ESTABLISH

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The Stewart B. McKinney Homeless Assistance Amendment Act
of 1988

**TITLE V—IDENTIFICATION AND USE OF
SURPLUS FEDERAL PROPERTY**

**SEC. 501. IDENTIFICATION AND USE OF UNUTILIZED AND UNDERUTILIZED
PUBLIC BUILDINGS AND PROPERTY.**

Section 501 of the Stewart B. McKinney Homeless Assistance Act
(42 U.S.C. 11411) is amended—

(1) by inserting "UNUTILIZED AND" before "UNDERUTILIZED" in the heading of such section;

(2) in subsection (a)—

(A) by inserting "unutilized or" before "underutilized";

(B) by inserting before "shall identify" a comma and "within 2 months after collecting such information,"; and

(3) in subsection (b)—

(A) in paragraph (1), by inserting after "agency's need" the following: "or to make the property available, on an interim basis, for use as facilities to assist the homeless"; and

(B) in paragraph (2), by inserting after "be declared excess" the following: "or made available on an interim basis for use as facilities to assist the homeless"; and

(4) in subsection (d)—

(A) by striking out "BY LEASE" from the heading of such subsection;

(B) by striking out paragraph (1) and inserting the following:

"(1) The ownership of buildings and property made available under this section shall not be transferred from the Federal Government. Property identified pursuant to subsection (a)—

"(A) which has been designated as surplus property, may be made available under this section only through the use of leases for at least 1 year; or

"(B) which has not been so designated, may be made available for interim use by lease for at least 1 year or by permit."; and

(C) in paragraph (2), by striking out "To permit leases of surplus Federal buildings and other real property under this section," and inserting in lieu thereof the following: "With respect to property identified under subsection (a) which has been designated as surplus property,".

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