

Community Development Act of 1974 is amended by striking out "and not to exceed \$5,000,000 for the fiscal year 1976" and inserting in lieu thereof "not to exceed \$6,250,000 for the fiscal year 1976, and for the transition quarter, not to exceed \$5,000,000 for fiscal year 1977, and not to exceed \$5,000,000 for the fiscal year 1978".

Sec. 23. (a) Section 103(a)(2) of the Housing and Community Development Act of 1974 is amended by striking "fiscal years 1975 and 1976", and inserting in lieu thereof: "fiscal years 1975 and 1976, and \$200,000,000 for fiscal year 1977, of which amount not more than 50 per centum may be used under section 106(d)(1)(A)".

(b) Section 106 of the Housing and Community Development Act of 1974 is amended by redesignating subsection "(d)" as subsection "(d)(1)"; paragraphs "(1)" and "(2)" as subparagraphs "(A)" and "(B)", respectively; and subparagraphs "(A)", "(B)", and "(C)" as clauses "(i)", "(ii)" and "(iii)", respectively.

(c) Section 106(d) of the Housing and Community Development Act of 1974, as amended by subsection (b) of this section, is further amended by adding the following paragraph at the end thereof:

"(2) In the event the total amount available in fiscal year 1977 for allocation under section 106(d)(1) is insufficient to meet in full the hold-harmless needs of metropolitan cities, urban counties, and other units of general local government in metropolitan areas as computed under subsections (g) and (h), the Secretary shall make up any such deficiency from amounts available for use under section 107 and, if such amounts are exhausted, by a ratable reduction in basic grant amounts determined under subsection (b)".

Sec. 24. (a) Section 202(b) of the Flood Disaster Protection Act of 1973 is amended by striking out all that follows the words "shall not apply to" and inserting in lieu thereof the following: "(1) any loan made to extend, renew, or increase the financing or refinancing of a previously occupied residential dwelling completed and occupied as a residence prior to January 1, 1976, (2) any loan to finance the acquisition of a building or structure completed and occupied as a residence or by a small business concern prior to January 1, 1976, (3) any loan or loans, which in the aggregate to do not exceed \$10,000, to finance improvements to or rehabilitation of a building or structure occupied as a residence prior to January 1, 1976, or (4) any loan or loans, which in the aggregate do not exceed an amount prescribed by the Secretary, to finance nonresidential additions or improvements for agricultural purposes to a farm".

(b) Section 3(a)(4) of the Flood Disaster Protection Act of 1973 is amended by striking out the semicolon at the end thereof and adding the following: "and assistance provided under any such Act for natural disasters other than floods".

Sec. 25. Section 235 of the National Housing Act is amended—

(1) by striking out in subsection (b)(2) "\$21,600", "\$25,200", "\$25,200", and "\$28,800" and inserting in lieu thereof "\$25,000", "\$29,200", "\$29,200", and "\$33,400", respectively;

(2) by striking out in subsection (1)(3)(B) "\$21,600", "\$25,200", "\$25,200", and "\$28,800" and inserting in lieu thereof "\$25,000", "\$29,200", "\$29,200", and "\$33,400", respectively.

Sec. 26. (a) Section 221 of the National Housing Act is amended by—

(1) striking out "General Insurance Fund" where it appears in the second proviso of subsection (d)(4)(iv) and inserting in lieu thereof "Special Risk Insurance Fund";

(2) striking out in the fourth sentence of subsection (f) all that follows the words "as the Secretary may determine" and inserting in lieu thereof a period; and

(3) striking out "General Insurance Fund" where it appears in paragraphs (1) and (3) of subsection (g) and inserting in lieu thereof "Special Risk Insurance Fund".

(b) Section 238 of such Act is amended by—

(1) inserting "221," in subsection (b) immediately after the word "sections" each time such word immediately precedes an enumeration of sections of the National Housing Act; and

(2) adding at the end thereof the following new subsections:

"(d) Notwithstanding any other provision of law, there are hereby transferred to the fund created under this section all receipts, funds, and other assets, all actual or contingent liabilities, all commitments for insurance, and all insurance on mortgages, of or chargeable to the General Insurance Fund created by section 519 of this Act which have arisen from or in connection with the insurance of mortgages under section 221 of this Act. All such assets, liabilities, commitments for insurance, and insurance of mortgages shall be and are hereby made assets, liabilities, commitments, and insurance of the fund established under this section as if they had originally been subject or chargeable to such fund.

"(e) Notwithstanding the limitations contained elsewhere in this Act, debentures of the General Insurance Fund may be used to pay mortgage insurance premiums for mortgages insured under section 221 of this Act."

(c) Section 519(e) of such Act is amended by inserting immediately before "223(e)" the following: "221,".

(d) Notwithstanding any other provision of law, all references to the General Insurance Fund in section 207 or any other section of the National Housing Act shall, to the extent such references pertain to section 221 of that Act, be construed to refer instead to the Special Risk Insurance Fund.

(e) The provisions of subsections (a) through (d) shall become effective on such date, not to exceed ninety days after the date of enactment of this Act, as the Secretary deems appropriate.

Sec. 27. Section 235(a) of the National Housing Act is amended—

(1) by inserting "(1)" immediately after "(a)"; and

(2) by adding at the end thereof the following:

"(2) (A) Notwithstanding any other provision of this section, the Secretary is authorized to make periodic assistance payments under this section on behalf of families whose incomes do not exceed the maximum income limits prescribed pursuant to subsection (b)(2) of this section for the purpose of assisting such families in acquiring ownership of a mobile home consisting of two or more modules and a lot on which such mobile home is or will be situated. Assistance payments under this section pursuant to this paragraph shall be accomplished through payments on behalf of an owner of lower-income of a mobile home as described in the preceding sentence to a financial institution which makes the loan, advance of credit, or purchase of an obligation representing the loan or advance of credit to finance the purchase of the mobile home and the lot on which such mobile home is or will be situated, but only if insurance under section 2 of this Act covering such loan, advance of credit, or obligation has been granted to such institution.

"(B) Notwithstanding the provisions of subsection (c) of this section, assistance payments provided pursuant to this paragraph shall be in an amount not exceeding the lesser of—

"(1) the balance of the monthly payment for principal, interest, real and personal property taxes, insurance, and insurance premium

chargeable under section 2 of this Act due under the loan or advance of credit remaining unpaid after applying 20 per centum of the mobile home owner's income; or

"(1) the difference between the amount of the monthly payment for principal, interest, and insurance premium chargeable under section 2 of this Act which the mobile home owner is obligated to pay under the loan or advance of credit and the monthly payment for principal and interest which the owner would be obligated to pay if the loan or advance of credit were to bear interest at a rate derived by subtracting from the interest rate applicable to such loan or advance of credit the interest rate plus mortgage insurance premium applicable to mortgages insured under subsection (1) of this section at the time such loan or advance of credit is made and the interest rate which such mortgages are presumed, under regulations prescribed by the Secretary, to bear for purposes of subsection (c)(2) of this section.

"(C) For purposes of this paragraph, where used in this section, the terms 'mortgage', 'mortgagor', and 'mortgagee' include a loan or advance of credit, borrower, and financial institution, respectively, as defined under section 2 of this Act."

Sec. 28. The United States Housing Act of 1937 is amended by adding at the end thereof the following:

"Section 32. An assistance payment made with respect to a dwelling unit under this Act may not be considered as income or a resource for the purposes of determining the eligibility or the extent of eligibility of any person living in such unit for assistance under the Social Security Act or any other Federal law."

Sec. 29. Section 520(3)(B) of the Housing Act of 1949 is amended by adding the words "for lower- and moderate-income families" after the word "credit."

Sec. 30. Section 7 of the Department of Housing and Urban Development Act, is amended by adding at the end thereof a new subsection (n) reading as follows:

"(n) Notwithstanding any other provision of law, the Secretary is authorized by contract or otherwise to establish, equip and operate a day care center facility for the purpose of serving children who are members of households of employees of the department. The Secretary is authorized to establish or provide for the establishment of appropriate fees and charges to be chargeable against the Department of Housing and Urban Development employees or others who are beneficiaries of services provided by such a day care center."

Sec. 31. The twelfth undersigned paragraph of section 5(c) of the Home Owner's Loan Act of 1933 (12 U.S.C. 1464(c)), as amended, is amended by adding in the first sentence, immediately after the words "made pursuant to either of such sections" and before the period the following language: "and in the share capital and capital reserve of the Inter-American Savings and Loan Bank".

Sec. 32. Section 3(e)(1) of the United States Housing Act of 1937 is amended by inserting after "State or local agency" the following: "or the Farmers Home Administration."

Mr. PROXMIER. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make technical and clerical corrections in the engrossment of S. 3295.

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

FAIR HOUSING MONTH

Mr. BROOKE. Mr. President, I send to the desk a concurrent resolution and ask that it be stated.

The **PRESIDING OFFICER** (Mr. GARY HART). The resolution will be stated.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 112) relating to fair housing month.

Mr. BROOKE. Mr. President, title VIII of the Civil Rights Act of 1968 states that "it is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States." This month marks the eighth anniversary of the signing of the fair housing law, and as one who was active in the initial passage of the fair housing law, I continue to be concerned about the full and fair enforcement of its provisions.

Primary responsibility for enforcement of the law lies with the Department of Housing and Urban Development through its Office of Fair Housing and Equal Opportunity. That office administers title VIII and carries out a program designed to assure that no person will be discriminated against in the sale, rental, or financing of housing on the grounds of race, color, religion, sex, or national origin. HUD investigates complaints from persons who claim that they have been injured by a discriminatory practice and attempts to resolve these complaints through informal methods of conference, conciliation, and persuasion. If the complaint cannot be resolved informally, the individual may commence legal action or HUD may refer the complaint to the Justice Department for court proceedings.

Last year, over 3,000 complaints were received by HUD. It is estimated that complaints will reach close to 4,000 this year and 5,000 in 1977. This projected increase demonstrates the greater public awareness of this program and the impact of HUD's advertising and educational campaign.

The four bank regulatory agencies—Federal Home Loan Bank Board, Federal Reserve Board, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation—are responsible for enforcing the provisions of title VIII against discrimination in mortgage lending with respect to banks and savings institutions under their jurisdiction. Last month, the Committee on Banking, Housing and Urban Affairs, on which I serve, held oversight hearings on equal opportunity in lending and the enforcement of the provisions of the fair housing law by the bank regulatory agencies.

I commend our distinguished chairman (Mr. PROXMIRE) for holding these hearings, for his leadership, and for the time and attention that he gave to these hearings.

These hearings revealed a disappointing performance by the financial regulatory agencies in the supervision of mortgage lenders and enforcement of fair lending provisions. Clearly, these agencies must do more to comply with the mandate of the fair housing law. They should issue regulations and begin to pursue an affirmative program in the fair lending area.

Earlier this month, HUD Assistant Secretary James Blair indicated that in the

area of discrimination by mortgage lenders, HUD, as part of a Federal task force, was exploring ways of getting into the area of institutional discrimination rather than dealing with discrimination in a case-by-case basis. Just last week, the Justice Department filed a major civil rights action charging that virtually all of the Nation's real estate appraisers and savings and loan associations were using "racially discriminatory standards" in appraisal and lending practices, in violation of the fair housing law. Also last week, the Department filed an action in which it charged two mortgage lenders with discriminating against women in making loans in violation of a 1974 amendment to the Fair Housing Law. This recent activity in the fair housing area demonstrates that the goal of equality of access to housing has not yet been achieved for many Americans. However, it is encouraging to see that the Federal Government is now acting to combat discrimination in the important area of real estate appraisal and mortgage lending.

This month, it seems particularly appropriate for Congress to commemorate the enactment of the fair housing law, as we have done each year since 1968 during the month of April. The Supreme Court decision in the case of *Hills* against *Gautreaux*, which was decided last week, reaffirmed the principle of equal access to housing for all Americans. Mr. President, the resolution I introduce today recognizes the month of April 1976, as fair housing month. It calls upon the Nation to rededicate itself to the goals expressed in the Civil Rights Act of 1968 and calls upon our Government to administer and enforce the law so that fair housing becomes a right guaranteed to all of our citizens.

Mr. PROXMIRE. Mr. President, I commend the Senator from Massachusetts on the resolution. Nobody has worked harder or more effectively for housing than the Senator from Massachusetts has. In fact, I think he is the only Member of the Senate since I have been here, maybe the only Member in history, who has been so effective in getting his amendments adopted. He has them numbered: Brooke 1, Brooke 2, Brooke 3. Incidentally, all of those amendments enable the poor people to get assistance if their income is so low that they cannot afford to pay rent for adequate housing. At any rate, Senator Brooke has certainly been in the forefront on Brooke-Cranston, on so many measures, perhaps more than any other Senator, Democratic or Republican. He deserves great credit for it. I am so happy to support this resolution.

This resolution, however, is not just a mother-apple pie-American flag resolution. The fact is that we do not have fair housing in this country. It is an outrage. Eight years after we enacted the 1968 act that guaranteed the opportunity for people, regardless of sex or race, to get fair housing, we have yet to have the first action by the banking regulatory agencies to enforce that law. The Federal Reserve Board, the Comptroller of the Currency, and the FDIC have taken no action to issue regulations. They have not issued the first regulation. Banks in this country do not even keep

a record of their turndowns by race, so there is no basis for determining discrimination. We have had studies. Every study has shown consistent and cruel discrimination against blacks. On the basis of that record, Mr. President, I think it is about time that we got some action.

I am happy to say that even in the last 48 hours, I think, the civil rights organizations have sued the bank regulatory agencies to require them to obey the law. After 8 years, I think it is about time.

The Senator from Massachusetts has spoken out with great force on this, and great eloquence. I am happy to support his resolution. I hope it can be accepted by the Senate unanimously.

The **PRESIDING OFFICER**. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

Whereas it is the policy of the United States to provide, within for fair housing throughout the United States; constitutional limitations,

Whereas this policy and the individual rights and responsibilities attendant on it are set forth in title VIII of the Civil Rights Act of 1968; and

Whereas since 1968, the month of April has been set aside each year for commemoration of the Fair Housing Law, title VIII of the Civil Rights Act of 1968: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress recognizes the month of April 1976 as Fair Housing Month and hereby rededicates itself to the promulgation and practice of the letter and spirit of the Fair Housing Law throughout the month of April 1976 and thereafter.

ORDER FOR ADJOURNMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 12 o'clock noon tomorrow.

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

VITATION OF ORDER FOR RECOGNITION OF SENATOR HELMS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, are there any orders for recognition of Senators tomorrow?

The **PRESIDING OFFICER**. There is one order for recognition of Mr. HELMS for 15 minutes.

Mr. HELMS. Will the Senator yield?

Mr. ROBERT C. BYRD. Yes.

Mr. HELMS. Mr. President, I ask unanimous consent that that order be vitiated.

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

ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that after the