

112TH CONGRESS

2nd SESSION

H. R. XXXX

To authorize the Secretary of Housing and Urban Development to conduct a loan repayment program regarding the provision of architecture services in shortage areas.

IN THE HOUSE OF REPRESENTATIVES

July XX, 2012

Introduced by: _____

A BILL

To authorize the department of Housing and Urban Development to conduct a loan repayment program regarding the provision of architectural services in shortage situations, and for other purposes.

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

An Act

To authorize the Secretary of Housing and Urban Development to conduct a loan repayment program regarding the provision of design services in shortage situations, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Design Services Act of 2012”.

SEC. 2. ESTABLISHMENT OF LOAN REPAYMENT PROGRAM REGARDING DESIGN .

42 U.S.C. 69 is amended by inserting after section 5321 the following new section:

“SEC. 5322. DESIGN LOAN REPAYMENT.

“(a) PROGRAM.—

“(1) SERVICE IN UNDERSERVED AREAS.—The Secretary shall carry out a program to provide for design assistance for underserved areas, under which-

- (a) Eligible architects agree to provide, for a period of time as determined by the Secretary and specified in the agreement, eligible design services to a community design center in underserved areas. For each year of such service under an agreement under this paragraph, the Secretary shall pay an amount, as determined by the Secretary and specified in the agreement, of the principal and interest of qualifying educational loans of the architects.
- (b) Eligible community design centers agree to provide internships to eligible architects for performance of eligible design services. In exchange for each eligible individual provided an internship by the community design center, the Secretary shall pay an amount, as determined by the Secretary, to reimburse the community design center for administrative costs and other expenses.

“(b) ADMINISTRATION.—

“(1) AUTHORITY.—The Secretary may carry out this program directly or enter into agreements with another Federal agency or other service provider to assist in the administration of this program.

“(2) BREACH REMEDIES.—

“(A) IN GENERAL.—Agreements with program participants shall provide remedies for any breach of an agreement by a participant, including repayment or partial repayment of financial assistance received, with interest.

“(B) AMOUNTS RECOVERED.—Funds recovered under this subsection shall be credited to the account available to carry out this section and shall remain available until expended.

“(3) WAIVER.—The Secretary may grant a waiver of the repayment obligation for breach of contract in the event of extreme hardship or extreme need, as determined by the Secretary.

“(4) AMOUNT.—The Secretary shall develop regulations to determine the amount of loan repayment for a year of service by an architect. In making the determination, the Secretary shall consider the extent to which such determination—

“(A) affects the ability of the Secretary to maximize the number of agreements that can be provided under the Design Loan Repayment Program from the amounts appropriated for such agreements; and

“(B) provides an incentive to serve in design service shortage areas with the greatest need.

“(5) QUALIFYING EDUCATIONAL LOANS.—Loan repayments provided under this section may consist of payments on behalf of participating individuals of the principal and interest on government [and commercial] loans received by the individual for attendance of the individual at an accredited school of architecture resulting in a degree of Master of Architecture or the equivalent, which loans were made for—

“(A) tuition expenses;

“(B) all other reasonable educational expenses, including fees, books, technology, and studio expenses, incurred by the individual; or

“(C) Reasonable living expenses as determined by the Secretary.

“(6) REPAYMENT SCHEDULE.—The Secretary may enter into an agreement with the holder of any loan for which payments are made under this section to establish a schedule for the making of such payments.

“(7) TAX LIABILITY.—In addition to educational loan repayments, the Secretary shall make such additional payments to participants as the Secretary determines to be appropriate for the purpose of providing reimbursements to participants for individual tax liability resulting from participation in this program.

“(c) DEFINITIONS.—

“(1) Underserved areas. – An “underserved area” is a region within the United States that is at or below the poverty line.

“(2) Eligible architect. - An “eligible architect” is an individual who is licensed or registered in at least one state or territory as an architect.

“(3) Intern architect. An “intern architect” is an individual who has graduated from an accredited architecture program and is enrolled in the National Council of Architectural Registration Board Intern Development Program.”

(3) Eligible design services. –

1. In general. “Eligible design services” shall include-

- a. The design, including the preparation of construction documents, of housing facilities, schools, health clinics, libraries, community centers and other public facilities (except for buildings for the general conduct of government);
- b. Public education sessions and community charrettes;
- c. The development of comprehensive long-range community development plans;
- d. The development of plans for neighborhoods that are blighted, deteriorated, or deteriorating, or are appropriate for rehabilitation or conservation activities;
- e. The preservation or rehabilitation of historic sites;
- f. The design, including the preparation of construction documents, of building retrofits that improve energy and water efficiency and conservation;

- g. Assessment of the safety of structures that are in disrepair or have been damaged as the result of natural or manmade disasters;
 - h. The design of improvements that remove material and architectural barriers which restrict the mobility and accessibility of elderly and handicapped persons;
 - i. Plans for the redevelopment of traditional main streets and business districts; and
 - j. Other activities as the Secretary may determine.
2. Construction – Nothing in this section shall be construed to allow community design centers to prepare building plans or construction documents in ways that do not comply with applicable state and local laws and regulations related to building codes and permits.

(4) Community design center.- A “community design center” is a not for profit organization administered by an eligible architect whose primary function is to provide design and planning assistance to community groups, not for profit organizations, academic institutions and local governments that represent underserved areas and underfunded projects within the area.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for carrying out this section such sums as may be necessary and such sums shall remain available to the Secretary for the purposes of this section until expended.”.