

118TH CONGRESS
1ST SESSION

H. R. 3170

To amend the National Housing Act to establish a mortgage insurance program for first responders, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2023

Mr. RUTHERFORD (for himself and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the National Housing Act to establish a mortgage insurance program for first responders, 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 “Homes for Every Local
5 Protector, Educator, and Responder Act of 2023” or the
6 “HELPER Act of 2023”.

7 **SEC. 2. FHA MORTGAGE INSURANCE PROGRAM FOR MORT-**
8 **GAGES FOR FIRST RESPONDERS.**

9 Section 203 of the National Housing Act (12 U.S.C.
10 1709) is amended by adding at the end the following:

1 “(z) FHA MORTGAGE INSURANCE PROGRAM FOR
2 MORTGAGES FOR FIRST RESPONDERS.—

3 “(1) DEFINITIONS.—In this subsection:

4 “(A) FIRST RESPONDER.—The term ‘first
5 responder’ means an individual who is, as at-
6 tested by the individual—

7 “(i)(I) employed full-time by a law en-
8 forcement agency of the Federal Govern-
9 ment, a State, a Tribal government, or a
10 unit of general local government; and

11 “(II) in carrying out such full-time
12 employment, sworn to uphold, and make
13 arrests for violations of, Federal, State,
14 county, township, municipal, or Tribal
15 laws, or authorized by law to supervise
16 sentenced criminal offenders or individuals
17 with pending criminal charges;

18 “(ii) employed full-time as a fire-
19 fighter, paramedic, or emergency medical
20 technician by a fire department or emer-
21 gency medical services responder unit of
22 the Federal Government, a State, a Tribal
23 government, or a unit of general local gov-
24 ernment; or

1 “(iii) employed as a full-time teacher
2 by a State-accredited public school or pri-
3 vate school that provides direct services to
4 students in grades pre-kindergarten
5 through 12.

6 “(B) FIRST-TIME HOMEBUYER.—The term
7 ‘first-time homebuyer’ has the meaning given
8 the term in section 104 of the Cranston-Gon-
9 zalez National Affordable Housing Act (42
10 U.S.C. 12704).

11 “(C) STATE.—The term ‘State’ has the
12 meaning given the term in section 201.

13 “(D) TRIBAL GOVERNMENT.—The term
14 ‘Tribal government’ means the recognized gov-
15 erning body of any Indian or Alaska Native
16 tribe, band, nation, pueblo, village, community,
17 component band, or component reservation, in-
18 dividually identified (including parenthetically)
19 in the list published most recently pursuant to
20 section 104 of the Federally Recognized Indian
21 Tribe List Act of 1994 (25 U.S.C. 5131).

22 “(2) AUTHORITY.—The Secretary may, upon
23 application by a mortgagee, insure any mortgage eli-
24 gible for insurance under this subsection to an eligi-
25 ble mortgagor and, upon such terms and conditions

1 as the Secretary may prescribe, make commitments
2 for the insurance of such mortgages prior to the
3 date of their execution or disbursement.

4 “(3) MORTGAGE TERMS; MORTGAGE INSURANCE
5 PREMIUM.—

6 “(A) TERMS.—

7 “(i) IN GENERAL.—A mortgage in-
8 sured under this subsection shall—

9 “(I) be made to an eligible mort-
10 gator;

11 “(II) comply with the require-
12 ments established under paragraphs
13 (1) through (7) of subsection (b); and

14 “(III) be used only to—

15 “(aa) purchase or repair a
16 1-family residence, including a 1-
17 family dwelling unit in a condo-
18 minium project, to serve as a
19 principal residence of the mort-
20 gator, as attested by the mort-
21 gator; or

22 “(bb) purchase a principal
23 residence of the mortgagor, as at-
24 tested by the mortgagor, which
25 is—

1 “(AA) a manufactured
2 home to be permanently af-
3 fixed to a lot that is owned
4 by the mortgagor and titled
5 as real property; or

6 “(BB) a manufactured
7 home and a lot to which the
8 home will be permanently
9 affixed that is titled as real
10 property.

11 “(ii) NO DOWN PAYMENT.—Notwith-
12 standing any provision to the contrary in
13 the matter following subsection (b)(2)(B)
14 with respect to first-time homebuyers—

15 “(I) the Secretary may insure
16 any mortgage that involves an original
17 principal obligation (including allow-
18 able charges and fees and the pre-
19 mium pursuant to subparagraph (B)
20 of this paragraph) in an amount not
21 to exceed 100 percent of the appraised
22 value of the property involved; and

23 “(II) the mortgagor of a mort-
24 gage described in subclause (I) shall
25 not be required to pay any amount, in

1 cash or its equivalent, on account of
2 the property.

3 “(B) MORTGAGE INSURANCE PREMIUM.—

4 “(i) UP-FRONT PREMIUM.—The Sec-
5 retary shall establish and collect an insur-
6 ance premium in connection with mort-
7 gages insured under this subsection that is
8 a percentage of the original insured prin-
9 cipal obligation of the mortgage amount,
10 which shall be collected at the time and in
11 the manner provided under subsection
12 (c)(2)(A), except that the premiums col-
13 lected under this subparagraph—

14 “(I) may be in an amount that
15 exceeds 3 percent of the amount of
16 the original insured principal obliga-
17 tion of the mortgage; and

18 “(II) may be adjusted by the
19 Secretary from time to time by in-
20 creasing or decreasing such percent-
21 ages as the Secretary considers nec-
22 essary, based on the performance of
23 mortgages insured under this sub-
24 section and market conditions.

1 “(ii) PROHIBITION OF MONTHLY PRE-
2 MIUMS.—A mortgage insured under this
3 subsection shall not be subject to a month-
4 ly insurance premium, including a pre-
5 mium under subsection (c)(2)(B).

6 “(4) ELIGIBLE MORTGAGORS.—The mortgagor
7 for a mortgage insured under this subsection shall,
8 at the time the mortgage is executed—

9 “(A) be a first-time homebuyer;

10 “(B) have completed a program of housing
11 counseling provided through a housing coun-
12 seling agency approved by the Secretary;

13 “(C) as attested by the mortgagor—

14 “(i) be employed as a first responder;

15 “(ii) have been—

16 “(I) employed as a first re-
17 sponder for not less than 4 of the 5
18 years preceding the date on which the
19 mortgagor submitted an application to
20 insure the mortgage under this sec-
21 tion; or

22 “(II) released from employment
23 as a first responder due to an occupa-
24 tion-connected disability resulting
25 from such duty or employment;

1 “(iii) be in good standing as a first re-
2 sponder and not on probation or under in-
3 vestigation for conduct that, if determined
4 to have occurred, is grounds for termi-
5 nation of employment;

6 “(iv) in good faith intend to continue
7 as a first responder for not less than 1
8 year following the date of closing on the
9 mortgage; and

10 “(v) have previously never been the
11 mortgagor under a mortgage insured under
12 this subsection;

13 “(D) meet such requirements as the Sec-
14 retary shall establish to ensure that insurance
15 of the mortgage represents an acceptable risk to
16 the Mutual Mortgage Insurance Fund; and

17 “(E) meet such underwriting requirements
18 as the Secretary shall establish to meet actu-
19 arial objectives identified by the Secretary,
20 which may include avoiding a positive subsidy
21 rate or complying with the capital ratio require-
22 ment under section 205(f)(2).

23 “(5) AUTHORIZATION OF APPROPRIATIONS.—
24 There is authorized to be appropriated to carry out
25 the program under this subsection—

1 “(A) \$660,000 for fiscal year 2024, to re-
2 main available until expended; and

3 “(B) \$160,000 for each of fiscal years
4 2025 through 2030, to remain available until
5 expended.

6 “(6) REAUTHORIZATION REQUIRED.—The au-
7 thority to enter into new commitments to insure
8 mortgages under this subsection shall expire on the
9 date that is 5 years after the date on which the Sec-
10 retary first makes available insurance for mortgages
11 under this subsection.”.

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