

113TH CONGRESS
2D SESSION

S. 1352

To reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 24, 2013

Ms. CANTWELL (for herself, Mr. BARRASSO, Mr. JOHNSON of South Dakota, Mr. TESTER, Mr. UDALL of New Mexico, Mr. FRANKEN, Mr. BEGICH, Ms. HEITKAMP, Ms. HIRONO, Mr. SCHATZ, Mr. HEINRICH, and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

JANUARY 13, 2014

Reported by Ms. CANTWELL, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

JANUARY 13, 2014

Referred to the Committee on Banking, Housing, and Urban Affairs for a period not to exceed 60 calendar days pursuant to the order of May 27, 1988

A BILL

To reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REF-**
 2 **ERENCES.**

3 (a) **SHORT TITLE.**—This Act may be cited as the
 4 “Native American Housing Assistance and Self-Deter-
 5 mination Reauthorization Act of 2013”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
 7 this Act is as follows:

Sec. 1. Short title; table of contents; references.

TITLE I—BLOCK GRANTS AND GRANT REQUIREMENTS

Sec. 101. Treatment of program income and labor standards.

Sec. 102. Environmental review.

Sec. 103. Authorization of appropriations.

TITLE II—AFFORDABLE HOUSING ACTIVITIES

Sec. 201. Low-income requirement and income targeting.

Sec. 202. Lease requirements and tenant selection.

Sec. 203. Self-determined housing activities for tribal communities.

Sec. 204. Total development cost maximum project cost.

TITLE III—COMPLIANCE, AUDITS, AND REPORTS

Sec. 301. Reports to Congress.

**TITLE IV—OTHER HOUSING ASSISTANCE FOR NATIVE
 AMERICANS**

Sec. 401. Demonstration of rental assistance for homeless or at-risk Indian vet-
 erans.

Sec. 402. 50-year leasehold interest in trust or restricted lands for housing pur-
 poses.

Sec. 403. Training and technical assistance.

Sec. 404. Preferences for projects in Indian areas.

TITLE V—MISCELLANEOUS

Sec. 501. Community-based organizations and tribally designated housing enti-
 ties.

Sec. 502. Elimination of limitation on use for Cherokee Nation.

Sec. 503. Reauthorization of Native Hawaiian Homeownership Act.

Sec. 504. Matching or cost-participation requirement.

8 (c) **REFERENCES.**—Except as otherwise expressly
 9 provided, wherever in this Act an amendment or repeal
 10 is expressed in terms of an amendment to, or repeal of,

1 a section or other provision, the reference shall be consid-
2 ered to be made to a section or other provision of the Na-
3 tive American Housing Assistance and Self-Determination
4 Act of 1996 (25 U.S.C. 4101 et seq.).

5 **TITLE I—BLOCK GRANTS AND**
6 **GRANT REQUIREMENTS**

7 **SEC. 101. TREATMENT OF PROGRAM INCOME AND LABOR**
8 **STANDARDS.**

9 Section 104 (25 U.S.C. 4114) is amended—

10 (1) in subsection (a), by striking paragraph (1)
11 and inserting the following:

12 “(1) **AUTHORITY TO RETAIN.**—

13 “(A) **IN GENERAL.**—Notwithstanding any
14 other provision of this Act, a recipient may re-
15 tain any program income that is realized from
16 any grant amounts under this Act if—

17 “(i) the income was realized after the
18 initial disbursement of the grant amounts
19 received by the recipient; and

20 “(ii) the recipient has agreed that the
21 recipient will utilize the income for housing
22 related activities in accordance with this
23 Act.

1 “(B) REQUIREMENTS.—Any income that is
2 realized by a recipient from program income
3 shall—

4 “(i) be considered nonprogram in-
5 come; and

6 “(ii) have no restrictions on use.”;

7 and

8 (2) in subsection (b), by striking paragraph (3)
9 and inserting the following:

10 “(3) APPLICATION OF TRIBAL LAWS.—

11 “(A) IN GENERAL.—Paragraph (1) shall
12 not apply to any contract or agreement for as-
13 sistance, sale, or lease pursuant to this Act, if
14 that contract or agreement is otherwise covered
15 by 1 or more laws or regulations adopted by an
16 Indian tribe that requires the payment of not
17 less than prevailing wages, as determined by
18 the Indian tribe.

19 “(B) WAGES.—The prevailing wages de-
20 scribed in subparagraph (A) shall apply to the
21 administration of all Federal funding for
22 projects funded in part by funds authorized
23 under this Act.”.

1 **SEC. 102. ENVIRONMENTAL REVIEW.**

2 Section 105 (25 U.S.C. 4115) is amended by striking
3 subsection (d) and inserting the following:

4 “(d) ENVIRONMENTAL COMPLIANCE.—Notwith-
5 standing any other provision of law or use of any other
6 source of funding for the project, compliance with the en-
7 vironmental review requirements of this section shall sat-
8 isfy any other applicable environmental review require-
9 ment under any other Federal law (including regulations)
10 required to be carried out by any agency involved in the
11 project.”.

12 **SEC. 103. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 108 (25 U.S.C. 4117) is amended by striking
14 “2009 through 2013” and inserting “2013 through
15 2018”.

16 **TITLE II—AFFORDABLE**
17 **HOUSING ACTIVITIES**

18 **SEC. 201. LOW-INCOME REQUIREMENT AND INCOME TAR-**
19 **GETING.**

20 Section 205 (25 U.S.C. 4135) is amended by striking
21 subsection (e) and inserting the following:

22 “(e) APPLICABILITY.—

23 “(1) IN GENERAL.—The provisions of sub-
24 section (a)(2) regarding binding commitments for
25 the remaining useful life of property shall not apply
26 to—

1 “(A) a family or household member who
2 subsequently takes ownership of a homeowner-
3 ship unit; or

4 “(B) any improvement to a privately
5 owned homeownership unit if the aggregate
6 value of the improvement for the 5-year period
7 following completion of the improvement is less
8 than \$10,000.

9 “(d) PURCHASE.—In the case of rental housing that
10 is made available to a current rental tenant for conversion
11 to a homebuyer or lease-purchase unit, the current rental
12 tenant may purchase through a contract to purchase,
13 lease-purchase agreement, or any other sales agreement
14 if the unit is made available for occupancy by a family
15 that is a low-income family at the time of initial occu-
16 pancy.”.

17 **SEC. 202. LEASE REQUIREMENTS AND TENANT SELECTION.**

18 Section 207 (25 U.S.C. 4137) is amended by adding
19 at the end the following:

20 “(e) NOTICE OF TERMINATION.—The notice period
21 described in subsection (a)(3) shall apply to projects and
22 programs funded in part by amounts authorized under
23 this Act.”.

1 **SEC. 203. SELF-DETERMINED HOUSING ACTIVITIES FOR**
 2 **TRIBAL COMMUNITIES.**

3 Subtitle B of title II (25 U.S.C. 4145 et seq.) is re-
 4 pealed.

5 **SEC. 204. TOTAL DEVELOPMENT COST MAXIMUM PROJECT**
 6 **COST.**

7 Affordable housing (as defined in section 4 of the Na-
 8 tive American Housing Assistance and Self-Determination
 9 Act of 1996 (25 U.S.C. 4103)) that is developed, acquired,
 10 or assisted under the block grant program established
 11 under section 101 of the Native American Housing Assist-
 12 ance and Self-Determination Act of 1996 (25 U.S.C.
 13 4111) shall not exceed by more than 20 percent, without
 14 prior approval of the Secretary of Housing and Urban De-
 15 velopment, the total development cost maximum cost for
 16 all housing assisted under an affordable housing activity,
 17 including development and model activities.

18 **TITLE III—COMPLIANCE,**
 19 **AUDITS, AND REPORTS**

20 **SEC. 301. REPORTS TO CONGRESS.**

21 Section 407 (25 U.S.C. 4167) is amended—

22 (1) in subsection (a), by striking “Congress”
 23 and inserting “Committee on Indian Affairs and the
 24 Committee on Banking, Housing and Urban Affairs
 25 of the Senate and the Committee on Financial Serv-
 26 ices of the House of Representatives”; and

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

2 “(e) PUBLIC AVAILABILITY.—The report described in
3 subsection (a) shall be made publicly available, including
4 to recipients.”.

5 **TITLE IV—OTHER HOUSING AS-**
6 **SISTANCE FOR NATIVE AMER-**
7 **ICANS**

8 **SEC. 401. DEMONSTRATION OF RENTAL ASSISTANCE FOR**
9 **HOMELESS OR AT-RISK INDIAN VETERANS.**

10 Section 8(o)(19) of the United States Housing Act
11 of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding
12 at the end the following:

13 “(D) INDIAN VETERANS HOUSING RENTAL
14 ASSISTANCE DEMONSTRATION PROGRAM.—

15 “(i) DEFINITIONS.—In this subpara-
16 graph:

17 “(I) INDIAN.—The term ‘Indian’
18 has the meaning given the term in
19 section 4 of the Indian Self-Deter-
20 mination and Education Assistance
21 Act (25 U.S.C. 450b).

22 “(H) INDIAN LANDS.—The term
23 ‘Indian lands’ has the meaning given
24 the term in section 3 of the Native
25 American Business Development,

1 Trade Promotion, and Tourism Act of
2 2000 (25 U.S.C. 4302).

3 “(III) TRIBAL ORGANIZATION.—

4 The term ‘tribal organization’ has the
5 meaning given the term in section 4
6 of the Indian Self-Determination and
7 Education Assistance Act (25 U.S.C.
8 450b).

9 “(ii) AUTHORIZATION OF PROGRAM.—

10 The Secretary may use not more than 5
11 percent of the amounts made available for
12 rental assistance under this subsection to
13 carry out a rental assistance and sup-
14 portive housing program, in conjunction
15 with the Secretary of Veterans Affairs, for
16 the benefit of Indian veterans who are
17 homeless or at-risk of homelessness and
18 who are residing on or near Indian lands.

19 “(iii) MODEL.—The program de-
20 scribed in clause (ii) shall be modeled on
21 the rental assistance and supportive hous-
22 ing program authorized under this section
23 and applicable appropriations Acts, includ-
24 ing administration in conjunction with the
25 Secretary of Veterans Affairs, except that

1 the Secretary may make necessary and ap-
2 propriate modifications to facilitate the use
3 of the program by Indian grant recipients
4 to serve eligible Indian veterans.

5 “(iv) ELIGIBLE RECIPIENTS.—Rental
6 assistance under clause (ii) shall be made
7 available to recipients eligible to receive
8 grants under section 101 of the Native
9 American Housing Assistance and Self-De-
10 termination Act of 1996 (25 U.S.C. 4111).

11 “(v) FUNDING CRITERIA.—Rental as-
12 sistance under clause (ii) shall be awarded
13 based on—

14 “(I) need;

15 “(II) administrative capacity; and

16 “(III) any other funding criteria

17 established by the Secretary in a no-
18 tice published in the Federal Register
19 after consulting with the Secretary of
20 Veterans Affairs.

21 “(vi) ADMINISTRATION.—Rental as-
22 sistance made available under clause (ii)
23 shall be administered in accordance with
24 the Native American Housing Assistance
25 and Self-Determination Act of 1996 (25

1 U.S.C. 4101 et seq.); except that grantees
2 shall—

3 “(I) submit to the Secretary, in a
4 manner prescribed by the Secretary,
5 reports on the use of rental assistance
6 provided under the demonstration pro-
7 gram; and

8 “(II) provide to the Secretary in-
9 formation specified by the Secretary
10 to assess the effectiveness of the dem-
11 onstration program in serving eligible
12 veterans.

13 “(vii) CONSULTATION.—The Sec-
14 retary, in coordination with the Secretary
15 of Veterans Affairs, shall consult with re-
16 cipients of grants under section 101 of the
17 Native American Housing Assistance and
18 Self-Determination Act of 1996 (25 U.S.C.
19 4111) and any other appropriate tribal or-
20 ganization on the design of the demonstra-
21 tion program to ensure the effective deliv-
22 ery of rental assistance and supportive
23 services to persons eligible to receive as-
24 sistance under this subparagraph.

25 “(viii) WAIVER.—

1 “(I) IN GENERAL.—Except as
 2 provided in subclause (H), the Sec-
 3 retary may waive or specify alter-
 4 native requirements for any provision
 5 of law (including regulations) that the
 6 Secretary administers in connection
 7 with the use of rental assistance made
 8 available under this subparagraph if
 9 the Secretary finds that the waiver or
 10 alternative requirement is necessary
 11 for the effective delivery and adminis-
 12 tration of rental assistance made
 13 available under this subparagraph to
 14 Indian veterans.

15 “(H) EXCEPTION.—The Sec-
 16 retary shall not waive or specify alter-
 17 native requirements under subclause
 18 (I) for any provision of law (including
 19 regulations) relating to labor stand-
 20 ards or the environment.”.

21 **SEC. 402. 50-YEAR LEASEHOLD INTEREST IN TRUST OR RE-**
 22 **STRICTED LANDS FOR HOUSING PURPOSES.**

23 Section 702(e)(1) (25 U.S.C. 4211(e)(1)) is amended
 24 by inserting “(in effect before, on, or after the date of
 25 enactment of this section)” after “law”.

1 **SEC. 403. TRAINING AND TECHNICAL ASSISTANCE.**

2 Section 703 (25 U.S.C. 4212) is amended by striking
3 “of fiscal years 2009 through 2013” and inserting “fiscal
4 year for which funds are appropriated under section
5 108.”.

6 **SEC. 404. PREFERENCES FOR PROJECTS IN INDIAN AREAS.**

7 (a) IN GENERAL.—Section 42(m)(1) of the Internal
8 Revenue Code of 1986 is amended—

9 (1) in subparagraph (B)(ii)—

10 (A) in subclause (H), by striking “and”;

11 and

12 (B) by adding at the end the following:

13 “(IV) projects which are located
14 in an Indian area (as defined in sec-
15 tion 4(11) of the Native American
16 Housing Assistance and Self-Deter-
17 mination Act of 1996 (25 U.S.C.
18 4103(11))) and for which the entity
19 applying to receive credit is—

20 “(aa) an Indian tribe or a
21 tribally designated housing entity
22 (as defined in section 4 of the
23 Native American Housing Assist-
24 ance and Self-Determination Act
25 of 1996 (25 U.S.C. 4103),

1 “(bb) wholly owned or con-
 2 trolled by an Indian tribe or trib-
 3 ally designated housing entity (as
 4 defined in section 4 of the Native
 5 American Housing Assistance
 6 and Self-Determination Act of
 7 1996 (25 U.S.C. 4103)), or

8 “(cc) a subrecipient of fund-
 9 ing under the Native American
 10 Housing Assistance and Self-De-
 11 termination Act of 1996 (25
 12 U.S.C. 4101 et seq.) with regard
 13 to the project for which credits
 14 would be awarded, and”;

15 (2) in subparagraph (C)—

16 (A) in clause (vi), by inserting “and In-
 17 dian” after “public”;

18 (B) by redesignating clauses (ix) and (x)
 19 as clauses (x) and (xi), respectively; and

20 (C) by inserting after clause (viii) the fol-
 21 lowing:

22 “(ix) projects described in subpara-
 23 graph (B)(ii)(IV),”; and

24 (3) by adding at the end the following:

1 “(E) PREFERENCE FOR PROJECTS IN IN-
2 DIAN AREAS.—In addition to the preference
3 provided to projects described in subparagraph
4 (B)(ii)(IV), for purposes of evaluating such
5 projects pursuant to a competitive application
6 process for allocation of housing credit dollar
7 amounts, a housing credit agency—

8 “(i) for purposes of any numerical
9 evaluation process employed by the agency,
10 shall increase the cumulative points or
11 score for such project by not less than 10
12 percent of the total points or credits avail-
13 able to any project, and

14 “(ii) shall not consider the lack of
15 proximity of such project to population
16 centers, public transportation systems, or
17 publicly available amenities.”.

18 (b) EFFECTIVE DATE.—The amendments made by
19 this section shall apply to housing credit dollar amounts
20 allocated by a housing credit agency after December 31,
21 2013.

1 **TITLE V—MISCELLANEOUS**

2 **SEC. 501. COMMUNITY-BASED ORGANIZATIONS AND TRIB-**
 3 **ALLY DESIGNATED HOUSING ENTITIES.**

4 Title VII (Public Law 104–330; 110 Stat. 4048) is
 5 amended by adding at the end the following:

6 **“SEC. 706. COMMUNITY-BASED DEVELOPMENT ORGANIZA-**
 7 **TION.**

8 “A tribally designated housing entity shall qualify as
 9 a community-based development organization for purposes
 10 of the Indian Community Development Block Grant pro-
 11 gram authorized under section 106(a) of the Housing and
 12 Community Development Act of 1974 (42 U.S.C.
 13 5306(a)).”.

14 **SEC. 502. ELIMINATION OF LIMITATION ON USE FOR CHER-**
 15 **OKEE NATION.**

16 Section 801 of the Native American Housing Assist-
 17 ance and Self-Determination Reauthorization Act of 2008
 18 (Public Law 110–411; 122 Stat. 4334) is repealed.

19 **SEC. 503. REAUTHORIZATION OF NATIVE HAWAIIAN HOME-**
 20 **OWNERSHIP ACT.**

21 Section 824 (25 U.S.C. 4243) is amended by striking
 22 “2001, 2002, 2003, 2004, and 2005,” and inserting
 23 “2014, 2015, 2016, 2017, and 2018”.

1 **SEC. 504. MATCHING OR COST-PARTICIPATION REQUIRE-**
 2 **MENT.**

3 All funds provided under a grant made pursuant to
 4 this Act or the amendments made by this Act may be used
 5 for purposes of meeting matching or cost participation re-
 6 quirements under any other Federal or non-Federal pro-
 7 gram.

8 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REF-**
 9 **ERENCES.**

10 (a) *SHORT TITLE.*—*This Act may be cited as the “Na-*
 11 *tive American Housing Assistance and Self-Determination*
 12 *Reauthorization Act of 2013”.*

13 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 14 *this Act is as follows:*

Sec. 1. Short title; table of contents; references.

TITLE I—BLOCK GRANTS AND GRANT REQUIREMENTS

Sec. 101. Treatment of program income and labor standards.

Sec. 102. Environmental review.

Sec. 103. Authorization of appropriations.

TITLE II—AFFORDABLE HOUSING ACTIVITIES

Sec. 201. Low-income requirement and income targeting.

Sec. 202. Lease requirements and tenant selection.

Sec. 203. Self-determined housing activities for tribal communities.

Sec. 204. Total development cost maximum project cost.

TITLE III—COMPLIANCE, AUDITS, AND REPORTS

Sec. 301. Reports to Congress.

TITLE IV—OTHER HOUSING ASSISTANCE FOR NATIVE AMERICANS

Sec. 401. Demonstration of rental assistance for homeless or at-risk Indian vet-
erans.

Sec. 402. 50-year leasehold interest in trust or restricted lands for housing pur-
poses.

Sec. 403. Training and technical assistance.

TITLE V—MISCELLANEOUS

Sec. 501. Community-based organizations and tribally designated housing entities.

Sec. 502. Elimination of limitation on use for Cherokee Nation.

Sec. 503. Reauthorization of Native Hawaiian Homeownership Act.

Sec. 504. Matching or cost-participation requirement.

1 (c) *REFERENCES.*—*Except as otherwise expressly pro-*
 2 *vided, wherever in this Act an amendment or repeal is ex-*
 3 *pressed in terms of an amendment to, or repeal of, a section*
 4 *or other provision, the reference shall be considered to be*
 5 *made to a section or other provision of the Native American*
 6 *Housing Assistance and Self-Determination Act of 1996 (25*
 7 *U.S.C. 4101 et seq.).*

8 **TITLE I—BLOCK GRANTS AND**
 9 **GRANT REQUIREMENTS**

10 **SEC. 101. TREATMENT OF PROGRAM INCOME AND LABOR**
 11 **STANDARDS.**

12 *Section 104 (25 U.S.C. 4114) is amended—*

13 (1) *in subsection (a), by striking paragraph (1)*
 14 *and inserting the following:*

15 “(1) *AUTHORITY TO RETAIN.*—

16 “(A) *IN GENERAL.*—*Notwithstanding any*
 17 *other provision of this Act, a recipient may re-*
 18 *tain any program income that is realized from*
 19 *any grant amounts under this Act if—*

20 “(i) *the income was realized after the*
 21 *initial disbursement of the grant amounts*
 22 *received by the recipient; and*

1 “(ii) the recipient has agreed that the
2 recipient will utilize the income for housing
3 related activities in accordance with this
4 Act.

5 “(B) REQUIREMENTS.—Any income that is
6 realized by a recipient from program income
7 shall—

8 “(i) be considered nonprogram income;
9 and

10 “(ii) have no restrictions on use.”; and
11 (2) in subsection (b), by striking paragraph (3)
12 and inserting the following:

13 “(3) APPLICATION OF TRIBAL LAWS.—

14 “(A) IN GENERAL.—Paragraph (1) shall
15 not apply to any contract or agreement for as-
16 sistance, sale, or lease pursuant to this Act, if
17 that contract or agreement is otherwise covered
18 by 1 or more laws or regulations adopted by an
19 Indian tribe that requires the payment of not
20 less than prevailing wages, as determined by the
21 Indian tribe.

22 “(B) WAGES.—The prevailing wages de-
23 scribed in subparagraph (A) shall apply to the
24 administration of all Federal funding for

1 *projects funded in part by funds authorized*
 2 *under this Act.”.*

3 **SEC. 102. ENVIRONMENTAL REVIEW.**

4 *Section 105 (25 U.S.C. 4115) is amended by adding*
 5 *at the end the following:*

6 “(e) *ENVIRONMENTAL REVIEW.*—*Notwithstanding any*
 7 *other provision of law or use of any other source of funding*
 8 *for the project, compliance with the environmental review*
 9 *requirements of this section shall satisfy any other applica-*
 10 *ble environmental review requirement under any other Fed-*
 11 *eral law (including regulations) required to be carried out*
 12 *by any agency involved in the project.”.*

13 **SEC. 103. AUTHORIZATION OF APPROPRIATIONS.**

14 *Section 108 (25 U.S.C. 4117) is amended by striking*
 15 *“2009 through 2013” and inserting “2013 through 2018”.*

16 **TITLE II—AFFORDABLE**
 17 **HOUSING ACTIVITIES**

18 **SEC. 201. LOW-INCOME REQUIREMENT AND INCOME TAR-**
 19 **GETING.**

20 *Section 205 (25 U.S.C. 4135) is amended by striking*
 21 *subsection (c) and inserting the following:*

22 “(c) *APPLICABILITY.*—

23 “(1) *IN GENERAL.*—*The provisions of subsection*
 24 *(a)(2) regarding binding commitments for the re-*
 25 *maining useful life of property shall not apply to—*

1 “(A) a family or household member who
2 subsequently takes ownership of a homeowner-
3 ship unit; or

4 “(B) any improvement to a privately owned
5 homeownership unit if the aggregate value of the
6 improvement for the 5-year period following
7 completion of the improvement is less than
8 \$10,000.

9 “(d) *PURCHASE.*—*In the case of rental housing that*
10 *is made available to a current rental tenant for conversion*
11 *to a homebuyer or lease-purchase unit, the current rental*
12 *tenant may purchase through a contract to purchase, lease-*
13 *purchase agreement, or any other sales agreement, subject*
14 *to the condition that the current rental tenant was a low-*
15 *income family at the time of initial occupancy.”.*

16 **SEC. 202. LEASE REQUIREMENTS AND TENANT SELECTION.**

17 *Section 207 (25 U.S.C. 4137) is amended by adding*
18 *at the end the following:*

19 “(c) *NOTICE OF TERMINATION.*—*The notice period de-*
20 *scribed in subsection (a)(3) shall apply to projects and pro-*
21 *grams funded in part by amounts authorized under this*
22 *Act.”.*

1 **SEC. 203. SELF-DETERMINED HOUSING ACTIVITIES FOR**
2 **TRIBAL COMMUNITIES.**

3 *Subtitle B of title II (25 U.S.C. 4145 et seq.) is re-*
4 *pealed.*

5 **SEC. 204. TOTAL DEVELOPMENT COST MAXIMUM PROJECT**
6 **COST.**

7 *Affordable housing (as defined in section 4 of the Na-*
8 *tive American Housing Assistance and Self-Determination*
9 *Act of 1996 (25 U.S.C. 4103)) that is developed, acquired,*
10 *or assisted under the block grant program established under*
11 *section 101 of the Native American Housing Assistance and*
12 *Self-Determination Act of 1996 (25 U.S.C. 4111) shall not*
13 *exceed by more than 20 percent, without prior approval of*
14 *the Secretary of Housing and Urban Development, the total*
15 *development cost maximum cost for all housing assisted*
16 *under an affordable housing activity, including develop-*
17 *ment and model activities.*

18 **TITLE III—COMPLIANCE,**
19 **AUDITS, AND REPORTS**

20 **SEC. 301. REPORTS TO CONGRESS.**

21 *Section 407 (25 U.S.C. 4167) is amended—*

22 *(1) in subsection (a), by striking “Congress” and*
23 *inserting “Committee on Indian Affairs and the Com-*
24 *mittee on Banking, Housing and Urban Affairs of the*
25 *Senate and the Committee on Financial Services of*
26 *the House of Representatives”; and*

1 (2) *by adding at the end the following:*

2 “(c) *PUBLIC AVAILABILITY.*—*The report described in*
3 *subsection (a) shall be made publicly available, including*
4 *to recipients.*”.

5 ***TITLE IV—OTHER HOUSING AS-***
6 ***SISTANCE FOR NATIVE AMER-***
7 ***ICANS***

8 ***SEC. 401. DEMONSTRATION OF RENTAL ASSISTANCE FOR***
9 ***HOMELESS OR AT-RISK INDIAN VETERANS.***

10 *Section 8(o)(19) of the United States Housing Act of*
11 *1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the*
12 *end the following:*

13 “(D) *INDIAN VETERANS HOUSING RENTAL*
14 *ASSISTANCE DEMONSTRATION PROGRAM.*—

15 “(i) *DEFINITIONS.*—*In this subpara-*
16 *graph:*

17 “(I) *INDIAN.*—*The term ‘Indian’*
18 *has the meaning given the term in sec-*
19 *tion 4 of the Indian Self-Determina-*
20 *tion and Education Assistance Act (25*
21 *U.S.C. 450b).*

22 “(II) *INDIAN AREA.*—*The term*
23 *‘Indian area’ has the meaning given*
24 *the term in section 4 of the Native*
25 *American Housing Assistance and*

1 *Self-Determination Act of 1996 (25*
2 *U.S.C. 4103).*

3 “(III) *TRIBAL ORGANIZATION.—*
4 *The term ‘tribal organization’ has the*
5 *meaning given the term in section 4 of*
6 *the Indian Self-Determination and*
7 *Education Assistance Act (25 U.S.C.*
8 *450b).*

9 “(ii) *AUTHORIZATION OF PROGRAM.—*
10 *The Secretary may use not more than 5*
11 *percent of the amounts made available for*
12 *rental assistance under this subsection to*
13 *carry out a rental assistance and supportive*
14 *housing program, in conjunction with the*
15 *Secretary of Veterans Affairs, for the benefit*
16 *of Indian veterans who are homeless or at-*
17 *risk of homelessness and who are residing*
18 *on or near an Indian area.*

19 “(iii) *MODEL.—The program described*
20 *in clause (ii) shall be modeled on the rental*
21 *assistance and supportive housing program*
22 *authorized under this section and applicable*
23 *appropriations Acts, including administra-*
24 *tion in conjunction with the Secretary of*
25 *Veterans Affairs, except that the Secretary*

1 *may make necessary and appropriate modi-*
2 *fications to facilitate the use of the program*
3 *by Indian grant recipients to serve eligible*
4 *Indian veterans.*

5 “(iv) *ELIGIBLE RECIPIENTS.*—*Rental*
6 *assistance, which shall include associated*
7 *administrative costs, under clause (ii) shall*
8 *be made available to recipients eligible to*
9 *receive grants under section 101 of the Na-*
10 *tive American Housing Assistance and Self-*
11 *Determination Act of 1996 (25 U.S.C.*
12 *4111).*

13 “(v) *FUNDING CRITERIA.*—*Rental as-*
14 *sistance under clause (ii) shall be awarded*
15 *based on—*

16 “(I) *need;*

17 “(II) *administrative capacity;*

18 *and*

19 “(III) *any other funding criteria*
20 *established by the Secretary in a notice*
21 *published in the Federal Register after*
22 *consulting with the Secretary of Vet-*
23 *erans Affairs.*

24 “(vi) *ADMINISTRATION.*—*Rental assist-*
25 *ance made available under clause (ii) shall*

1 *be administered in accordance with the Na-*
2 *tive American Housing Assistance and Self-*
3 *Determination Act of 1996 (25 U.S.C. 4101*
4 *et seq.), except that grantees shall—*

5 *“(I) submit to the Secretary, in a*
6 *manner prescribed by the Secretary,*
7 *reports on the utilization of rental as-*
8 *sistance provided under the demonstra-*
9 *tion program; and*

10 *“(II) provide to the Secretary in-*
11 *formation specified by the Secretary to*
12 *assess the effectiveness of the dem-*
13 *onstration program in serving eligible*
14 *veterans.*

15 *“(vii) CONSULTATION.—The Secretary,*
16 *in coordination with the Secretary of Vet-*
17 *erans Affairs, shall consult with recipients*
18 *of grants under section 101 of the Native*
19 *American Housing Assistance and Self-De-*
20 *termination Act of 1996 (25 U.S.C. 4111)*
21 *and any other appropriate tribal organiza-*
22 *tion on the design of the demonstration pro-*
23 *gram to ensure the effective delivery of rent-*
24 *al assistance and supportive services to per-*

1 sons eligible to receive assistance under this
2 subparagraph.

3 “(viii) *WAIVER.*—

4 “(I) *IN GENERAL.*—Except as pro-
5 vided in subclause (II), the Secretary
6 may waive or specify alternative re-
7 quirements for any provision of law
8 (including regulations) that the Sec-
9 retary administers in connection with
10 the use of rental assistance made avail-
11 able under this subparagraph if the
12 Secretary finds that the waiver or al-
13 ternative requirement is necessary for
14 the effective delivery and administra-
15 tion of rental assistance made avail-
16 able under this subparagraph to In-
17 dian veterans.

18 “(II) *EXCEPTION.*—The Secretary
19 shall not waive or specify alternative
20 requirements under subclause (I) for
21 any provision of law (including regu-
22 lations) relating to labor standards or
23 the environment.”.

1 **SEC. 402. 50-YEAR LEASEHOLD INTEREST IN TRUST OR RE-**
 2 **STRICED LANDS FOR HOUSING PURPOSES.**

3 *Section 702(c)(1) (25 U.S.C. 4211(c)(1)) is amended*
 4 *by inserting “(in effect before, on, or after the date of enact-*
 5 *ment of this section)” after “law”.*

6 **SEC. 403. TRAINING AND TECHNICAL ASSISTANCE.**

7 *Section 703 (25 U.S.C. 4212) is amended by striking*
 8 *“of fiscal years 2009 through 2013” and inserting “fiscal*
 9 *year for which funds are appropriated under section 108.”.*

10 **TITLE V—MISCELLANEOUS**

11 **SEC. 501. COMMUNITY-BASED ORGANIZATIONS AND TRIB-**
 12 **ALLY DESIGNATED HOUSING ENTITIES.**

13 *Title VII (Public Law 104–330; 110 Stat. 4048) is*
 14 *amended by adding at the end the following:*

15 **“SEC. 706. COMMUNITY-BASED DEVELOPMENT ORGANIZA-**
 16 **TION.**

17 *“A tribally designated housing entity shall qualify as*
 18 *a community-based development organization for purposes*
 19 *of the Indian Community Development Block Grant pro-*
 20 *gram authorized under section 106(a) of the Housing and*
 21 *Community Development Act of 1974 (42 U.S.C.*
 22 *5306(a)).”.*

1 **SEC. 502. ELIMINATION OF LIMITATION ON USE FOR CHER-**
2 **OKEE NATION.**

3 *Section 801 of the Native American Housing Assist-*
4 *ance and Self-Determination Reauthorization Act of 2008*
5 *(Public Law 110–411; 122 Stat. 4334) is repealed.*

6 **SEC. 503. REAUTHORIZATION OF NATIVE HAWAIIAN HOME-**
7 **OWNERSHIP ACT.**

8 *Section 824 (25 U.S.C. 4243) is amended by striking*
9 *“2001, 2002, 2003, 2004, and 2005,” and inserting “2014,*
10 *2015, 2016, 2017, and 2018”.*

11 **SEC. 504. MATCHING OR COST-PARTICIPATION REQUIRE-**
12 **MENT.**

13 *All funds provided under a grant made pursuant to*
14 *this Act or the amendments made by this Act may be used*
15 *for purposes of meeting matching or cost participation re-*
16 *quirements under any other Federal or non-Federal pro-*
17 *gram.*

○