

Public Housing Operative Fund and Housing Choice Voucher administrative fees have been deeply underfunded in recent years.

The changes in H.R. 233 have been proposed in a series of bills that received strong bipartisan support. For example, provisions similar to H.R. 233 were included in both the Affordable Housing and Self-Sufficiency Improvement Act (AHSSIA), which a subcommittee of the House Financial Services Committee approved by a voice vote in January 2012, and the Section 8 Voucher Reform Act (SEVRA), which the House passed 333-83 in July 2007.

Congress should enact this important, timely, well-vetted proposal without further delay.

Sincerely,

BARBARA SARD,  
Vice President for Housing Policy.

NATIONAL ASSOCIATION OF HOUSING  
AND REDEVELOPMENT OFFICIALS,  
Washington, DC, March 19, 2015.

Hon. ED PERLMUTTER,  
Longworth Building, Washington, DC.

Hon. STEVE STIVERS,  
Longworth Building, Washington, DC.

DEAR REP. PERLMUTTER AND REP. STIVERS: On behalf of the over 22,000 members of the National Association of Housing and Redevelopment Officials (NAHRO), I am writing today to underscore our strong support for the expeditious approval of the Tenant Income Verification Act of 2015 (HR 233) that you are both sponsoring.

This common-sense legislation would amend the U.S. Housing Act of 1937 to allow PHAs to reduce the frequency of re-examinations for families that receive at least 90 percent of their income from fixed sources. PHAs would not be required to review a public housing or Section 8 family's income for any year for which the family certifies that it has a fixed income and the source of the income has not changed since the previous year. PHAs would be required to conduct a review of the family's income not less than once every three years; in any year in which a PHA does not conduct a review of income, a family's prior year income determination would be adjusted by applying an inflationary factor.

NAHRO strongly supports the bill's focus on reducing unnecessary administrative burdens. We also believe this legislation properly balances the need to maintain responsible government protections; the legislation does not adversely impact residents and provides long-overdue administrative relief that will increase local PHA's ability to address other pressing needs. Responsible reform legislation such as this ultimately enables PHAs to work more efficiently and effectively at less cost to the federal government.

NAHRO has been working with both HUD and members of Congress to bring about responsible programmatic and regulatory reforms. This legislation is a strong and necessary step forward. In this regard, we were pleased to see that the Administration included language similar to HR 233 in the FY 2016 budget proposal. We urge the House to approve this legislation under suspension of the rules so that it can be promptly sent to the Senate for adoption.

We stand ready to continue to work with members of Congress on both sides of the aisle to approve properly balanced programmatic reforms that sustain the ability of PHAs to provide decent, safe and affordable housing for vulnerable families.

Respectfully,

SAUL N. RAMIREZ JR.,  
Chief Executive Officer, NAHRO.

NATIONAL LOW INCOME  
HOUSING COALITION,  
Washington, DC, March 18, 2015.

Hon. JEB HENSARLING,  
Chair, House Committee on Financial Services,  
House of Representatives, Washington, DC.

Hon. MAXINE WATERS,  
Ranking Member, House Committee on Financial Services, House of Representatives,  
Washington, DC.

DEAR CHAIRMAN HENSARLING AND RANKING MEMBER WATERS: On behalf of the National Low Income Housing Coalition, I am pleased to support H.R. 233, legislation that would allow public housing agencies to reduce the frequency of income recertifications for HUD rent assisted households whose income is at least 90% from fixed-income sources. Income recertifications for fixed-income households would be only every three years, instead of annually.

NLIHC members include non-profit housing providers, homeless service providers, fair housing organizations, state and local housing coalitions, public housing agencies, private developers and property owners, housing researchers, local and state government agencies, faith-based organizations, residents of public and assisted housing and their organizations, and concerned citizens. We do not represent any sector of the housing industry. Rather, NLIHC works only on behalf of and with low income people who need safe, decent, and affordable homes, especially those with the most serious housing problems, including people who are homeless. NLIHC is funded entirely with private contributions.

Because a tenant's share of rent is based on income, recertifications are done to make sure tenants are paying the correct amount of rent. The Department of Housing and Urban Development estimates that fixed-income families are about 50% of all public housing, housing choice voucher, and project-based rental assistance tenants. If implemented, this policy change could substantially reduce administrative duties for public housing agencies and owners, as well as recertification time for tenants.

This is an idea whose time has come. One of the suggestions resulting from the 2005 National Housing Voucher Summit, which NLIHC convened, was to implement rent simplification policies, including reducing the income recertification period for people whose income is largely from fixed sources, such as Social Security and SSI, to three years. In the years when recertifications are not required, Summit participants recommended, tenant incomes could be adjusted based on the cost-of-living adjustment in any income maintenance program in which the household participates.

We applaud Representatives Ed Perlmutter and Steve Stivers for introducing this important legislation and hope that Congress acts swiftly toward its enactment.

Sincerely,

SHEILA CROWLEY,  
President and CEO.

Mr. PERLMUTTER. Mr. Speaker, it is my hope that we pass this today here on the floor of the House and that the Senate passes it quickly and sends it to the President's desk.

I thank my friend, Mr. STIVERS, for joining me on this bill.

I yield back the balance of my time.

Mr. STIVERS. Mr. Speaker, in conclusion, I just want to ask all of my colleagues to support this legislation. It is common sense, and it simplifies an administrative burden. It saves money for taxpayers, and it allows people on fixed incomes, whether they be senior

citizens or disabled, to have less onerous burdens. This is a commonsense bill.

I thank the gentleman from Colorado for his leadership, and I urge everyone to support this legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. STIVERS) that the House suspend the rules and pass the bill, H.R. 233.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION ACT OF 2015

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 360) to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 360

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Native American Housing Assistance and Self-Determination Reauthorization Act of 2015".

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

Sec. 1. Short title; table of contents.  
Sec. 2. References.

#### TITLE I—BLOCK GRANTS AND GRANT REQUIREMENTS

Sec. 101. Block grants.  
Sec. 102. Recommendations regarding exceptions to annual Indian housing plan requirement.  
Sec. 103. Environmental review.  
Sec. 104. Deadline for action on request for approval regarding exceeding TDC maximum cost for project.

#### TITLE II—AFFORDABLE HOUSING ACTIVITIES

Sec. 201. National objectives and eligible families.  
Sec. 202. Program requirements.  
Sec. 203. Homeownership or lease-to-own low-income requirement and income targeting.  
Sec. 204. Lease requirements and tenant selection.  
Sec. 205. Tribal coordination of agency funding.

#### TITLE III—ALLOCATION OF GRANT AMOUNTS

Sec. 301. Authorization of appropriations.  
Sec. 302. Effect of undisbursed block grant amounts on annual allocations.

#### TITLE IV—AUDITS AND REPORTS

Sec. 401. Review and audit by Secretary.  
Sec. 402. Reports to Congress.

#### TITLE V—OTHER HOUSING ASSISTANCE FOR NATIVE AMERICANS

Sec. 501. HUD-Veterans Affairs supportive housing program for Native American veterans.

Sec. 502. Loan guarantees for Indian housing.

**TITLE VI—MISCELLANEOUS**

Sec. 601. Lands Title Report Commission.  
 Sec. 602. Limitation on use of funds for Cherokee Nation.  
 Sec. 603. Leasehold interest in trust or restricted lands for housing purposes.  
 Sec. 604. Clerical amendment.

**TITLE VII—DEMONSTRATION PROGRAM FOR ALTERNATIVE PRIVATIZATION AUTHORITY FOR NATIVE AMERICAN HOUSING**

Sec. 701. Demonstration program.  
 Sec. 702. Clerical amendments.

**TITLE VIII—HOUSING FOR NATIVE HAWAIIANS**

Sec. 801. Reauthorization of Native Hawaiian Homeownership Act.  
 Sec. 802. Reauthorization of loan guarantees for Native Hawaiian housing.

**SEC. 2. REFERENCES.**

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.).

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

**SEC. 101. BLOCK GRANTS.**

Section 101 (25 U.S.C. 4111) is amended—  
 (1) in subsection (c), by adding after the period at the end the following: “The Secretary shall act upon a waiver request submitted under this subsection by a recipient within 60 days after receipt of such request.”; and  
 (2) in subsection (k), by striking “1” and inserting “an”.

**SEC. 102. RECOMMENDATIONS REGARDING EXCEPTIONS TO ANNUAL INDIAN HOUSING PLAN REQUIREMENT.**

Not later than the expiration of the 120-day period beginning on the date of the enactment of this Act and after consultation with Indian tribes, tribally designated housing entities, and other interested parties, the Secretary of Housing and Urban Development shall submit to the Congress recommendations for standards and procedures for waiver of, or alternative requirements (which may include multi-year housing plans) for, the requirement under section 102(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4112(a)) for annual submission of one-year housing plans for an Indian tribe. Such recommendations shall include a description of any legislative and regulatory changes necessary to implement such recommendations.

**SEC. 103. ENVIRONMENTAL REVIEW.**

Section 105 (25 U.S.C. 4115) is amended—  
 (1) in subsection (d)—  
 (A) in the matter preceding paragraph (1), by striking “may” and inserting “shall”; and  
 (B) by adding after and below paragraph (4) the following:  
 “The Secretary shall act upon a waiver request submitted under this subsection by a recipient within 60 days after receipt of such request.”; and  
 (2) by adding at the end the following new subsection:

“(e) **CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.**—If a recipient is using one or more sources of Federal funds in addition to grant amounts under this Act in carrying out a project that qualifies as an affordable housing activity under section 202, such other sources of Federal funds do not

exceed 49 percent of the total cost of the project, and the recipient’s tribe has assumed all of the responsibilities for environmental review, decisionmaking, and action pursuant to this section, the tribe’s compliance with the review requirements under this section and the National Environmental Policy Act of 1969 with regard to such project shall be deemed to fully comply with and discharge any applicable environmental review requirements that might apply to Federal agencies with respect to the use of such additional Federal funding sources for that project.”.

**SEC. 104. DEADLINE FOR ACTION ON REQUEST FOR APPROVAL REGARDING EXCEEDING TDC MAXIMUM COST FOR PROJECT.**

(a) **APPROVAL.**—Section 103 (25 U.S.C. 4113) is amended by adding at the end the following new subsection:  
 “(f) **DEADLINE FOR ACTION ON REQUEST TO EXCEED TDC MAXIMUM.**—A request for approval by the Secretary of Housing and Urban Development to exceed by more than 10 percent the total development cost maximum cost for a project shall be approved or denied during the 60-day period that begins on the date that the Secretary receives the request.”.

(b) **DEFINITION.**—Section 4 (25 U.S.C. 4103) is amended—

(1) by redesignating paragraph (22) as paragraph (23); and  
 (2) by inserting after paragraph (21) the following new paragraph:

“(22) **TOTAL DEVELOPMENT COST.**—The term ‘total development cost’ means, with respect to a housing project, the sum of all costs for the project, including all undertakings necessary for administration, planning, site acquisition, demolition, construction or equipment and financing (including payment of carrying charges), and for otherwise carrying out the development of the project, excluding off-site water and sewer. The total development cost amounts shall be based on a moderately designed house and determined by averaging the current construction costs as listed in not less than two nationally recognized residential construction cost indices.”.

**TITLE II—AFFORDABLE HOUSING ACTIVITIES**

**SEC. 201. NATIONAL OBJECTIVES AND ELIGIBLE FAMILIES.**

The second paragraph (6) of section 201(b) (25 U.S.C. 4131(b)(6)); relating to exemption) is amended—  
 (1) by striking “1964 and” and inserting “1964.”; and  
 (2) by inserting after “1968” the following:  
 “, and section 3 of the Housing and Urban Development Act of 1968”.

**SEC. 202. PROGRAM REQUIREMENTS.**

Section 203(a) (25 U.S.C. 4133(a)) is amended—  
 (1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”;

and  
 (2) by adding at the end the following new paragraph:  
 “(3) **APPLICATION OF TRIBAL POLICIES.**—Paragraph (2) shall not apply if the recipient has a written policy governing rents and homebuyer payments charged for dwelling units and such policy includes a provision governing maximum rents or homebuyer payments.”.

**SEC. 203. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME REQUIREMENT AND INCOME TARGETING.**

Section 205 (25 U.S.C. 4135) is amended—  
 (1) in subsection (a)(1)—  
 (A) in subparagraph (C), by striking “and” at the end; and  
 (B) by adding at the end the following new subparagraph:

“(E) notwithstanding any other provision of this paragraph, in the case of rental housing that is made available to a current rental family for conversion to a homebuyer or a lease-purchase unit, that the current rental family can purchase through a contract of sale, lease-purchase agreement, or any other sales agreement, is made available for purchase only by the current rental family, if the rental family was a low-income family at the time of their initial occupancy of such unit; and”;

and  
 (2) in subsection (c), by adding after the period at the end the following: “The provisions of such paragraph regarding binding commitments for the remaining useful life of the property shall not apply to improvements of privately owned homes if the cost of such improvements do not exceed 10 percent of the maximum total development cost for such home.”.

**SEC. 204. LEASE REQUIREMENTS AND TENANT SELECTION.**

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

“(c) **NOTICE OF TERMINATION.**—Notwithstanding any other provision of law, the owner or manager of rental housing that is assisted in part with amounts provided under this Act and in part with one or more other sources of Federal funds shall only utilize leases that require a notice period for the termination of the lease pursuant to subsection (a)(3).”.

**SEC. 205. TRIBAL COORDINATION OF AGENCY FUNDING.**

(a) **IN GENERAL.**—Subtitle A of title II (25 U.S.C. 4131 et seq.) is amended by adding at the end the following new section:

**“SEC. 211. TRIBAL COORDINATION OF AGENCY FUNDING.**

“Notwithstanding any other provision of law, a recipient authorized to receive funding under this Act may, in its discretion, use funding from the Indian Health Service of the Department of Health and Human Services for construction of sanitation facilities for housing construction and renovation projects that are funded in part by funds provided under this Act.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) is amended by inserting after the item relating to section 210 the following new item:

“Sec. 211. Tribal coordination of agency funding.”.

**TITLE III—ALLOCATION OF GRANT AMOUNTS**

**SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

The first sentence of section 108 (25 U.S.C. 4117) is amended by striking “such sums as may be necessary for each of fiscal years 2009 through 2013” and inserting “\$650,000,000 for each of fiscal years 2015 through 2019”.

**SEC. 302. EFFECT OF UNDISBURSED BLOCK GRANT AMOUNTS ON ANNUAL ALLOCATIONS.**

(a) **IN GENERAL.**—Title III (25 U.S.C. 4151 et seq.) is amended by adding at the end the following new section:

**“SEC. 303. EFFECT OF UNDISBURSED GRANT AMOUNTS ON ANNUAL ALLOCATIONS.**

“(a) **NOTIFICATION OF OBLIGATED, UNDISBURSED GRANT AMOUNTS.**—Subject to subsection (d) of this section, if as of January 1 of 2016 or any year thereafter a recipient’s total amount of undisbursed block grants in the Department’s line of credit control system is greater than three times the formula allocation such recipient would otherwise receive under this Act for the fiscal year during which such January 1 occurs, the Secretary shall—

“(1) before January 31 of such year, notify the Indian tribe allocated the grant amounts

and any tribally designated housing entity for the tribe of the undisbursed funds; and

“(2) require the recipient for the tribe to, not later than 30 days after the Secretary provides notification pursuant to paragraph (1)—

“(A) notify the Secretary in writing of the reasons why the recipient has not requested the disbursement of such amounts; and

“(B) demonstrate to the satisfaction of the Secretary that the recipient has the capacity to spend Federal funds in an effective manner, which demonstration may include evidence of the timely expenditure of amounts previously distributed under this Act to the recipient.

“(b) ALLOCATION AMOUNT.—Notwithstanding sections 301 and 302, the allocation for such fiscal year for a recipient described in subsection (a) shall be the amount initially calculated according to the formula minus the difference between the recipient's total amount of undisbursed block grants in the Department's line of credit control system on such January 1 and three times the initial formula amount for such fiscal year.

“(c) REALLOCATION.—Notwithstanding any other provision of law, any grant amounts not allocated to a recipient pursuant to subsection (b) shall be allocated under the need component of the formula proportionately amount all other Indian tribes not subject to such an adjustment.

“(d) INAPPLICABILITY.—Subsections (a) and (b) shall not apply to an Indian tribe with respect to any fiscal year for which the amount allocated for the tribe for block grants under this Act is less than \$5,000,000.

“(e) EFFECTIVENESS.—This section shall not require the issuance of any regulation to take effect and shall not be construed to confer hearing rights under this or any other section of this Act.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) is amended by inserting after the item relating to section 302 the following new item:

“Sec. 303. Effect of undisbursed grant amounts on annual allocations.”

#### TITLE IV—AUDITS AND REPORTS

##### SEC. 401. REVIEW AND AUDIT BY SECRETARY.

Section 405(c) (25 U.S.C. 4165(c)) is amended, by adding at the end the following new paragraph:

“(3) ISSUANCE OF FINAL REPORT.—The Secretary shall issue a final report within 60 days after receiving comments under paragraph (1) from a recipient.”

##### SEC. 402. REPORTS TO CONGRESS.

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

(1) in subsection (a), by striking “Congress” and inserting “Committee on Financial Services and the Committee on Natural Resources of the House of Representatives, to the Committee on Indian Affairs and the Committee on Banking, Housing, and Urban Affairs of the Senate, and to any subcommittees of such committees having jurisdiction with respect to Native American and Alaska Native affairs.”; and

(2) by adding at the end the following new subsection:

“(c) PUBLIC AVAILABILITY TO RECIPIENTS.—Each report submitted pursuant to subsection (a) shall be made publicly available to recipients.”

#### TITLE V—OTHER HOUSING ASSISTANCE FOR NATIVE AMERICANS

##### SEC. 501. HUD-VETERANS AFFAIRS SUPPORTIVE HOUSING PROGRAM FOR NATIVE AMERICAN VETERANS.

Paragraph (19) of section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following new subparagraph:

“(D) NATIVE AMERICAN VETERANS.—

“(i) AUTHORITY.—Of the funds made available for rental assistance under this subsection for fiscal year 2015 and each fiscal year thereafter, the Secretary shall set aside 5 percent for a supported housing and rental assistance program modeled on the HUD-Veterans Affairs Supportive Housing (HUD-VASH) program, to be administered in conjunction with the Department of Veterans Affairs, for the benefit of homeless Native American veterans and veterans at risk of homelessness.

“(ii) RECIPIENTS.—Such rental assistance shall be made available to recipients eligible to receive block grants under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.).

“(iii) FUNDING CRITERIA.—Funds shall be awarded based on need, administrative capacity, and any other funding criteria established by the Secretary in a notice published in the Federal Register, after consultation with the Secretary of Veterans Affairs, by a date sufficient to provide for implementation of the program under this subparagraph in accordance with clause (i).

“(iv) PROGRAM REQUIREMENTS.—Such funds shall be administered by block grant recipients in accordance with program requirements under Native American Housing Assistance and Self-Determination Act of 1996 in lieu of program requirements under this Act.

“(v) WAIVER.—The Secretary may waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this subparagraph, but only upon a finding by the Secretary that such waiver or alternative requirement is necessary to promote administrative efficiency, eliminate delay, consolidate or eliminate duplicative or ineffective requirements or criteria, or otherwise provide for the effective delivery and administration of such supportive housing assistance to Native American veterans.

“(vi) CONSULTATION.—The Secretary and the Secretary of Veterans Affairs shall jointly consult with block grant recipients and any other appropriate tribal organizations to—

“(I) ensure that block grant recipients administering funds made available under the program under this subparagraph are able to effectively coordinate with providers of supportive services provided in connection with such program; and

“(II) ensure the effective delivery of supportive services to Native American veterans that are homeless or at risk of homelessness eligible to receive assistance under this subparagraph.

Consultation pursuant to this clause shall be completed by a date sufficient to provide for implementation of the program under this subparagraph in accordance with clause (i).

“(vii) NOTICE.—The Secretary shall establish the requirements and criteria for the supported housing and rental assistance program under this subparagraph by notice published in the Federal Register, but shall provide Indian tribes and tribally designated housing agencies an opportunity for comment and consultation before publication of a final notice pursuant to this clause.”

##### SEC. 502. LOAN GUARANTEES FOR INDIAN HOUSING.

Section 184(i)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a(i)(5)) is amended—

(1) in subparagraph (B), by inserting after the period at the end of the first sentence the following: “There are authorized to be appropriated for such costs \$12,200,000 for each of fiscal years 2015 through 2019.”; and

(2) in subparagraph (C)—

(A) by striking “2008 through 2012” and inserting “2015 through 2019”; and

(B) by striking “such amount as may be provided in appropriation Acts for” and inserting “\$976,000,000 for each”.

#### TITLE VI—MISCELLANEOUS

##### SEC. 601. LANDS TITLE REPORT COMMISSION.

Section 501 of the American Homeownership and Economic Opportunity Act of 2000 (25 U.S.C. 4043 note) is amended—

(1) in subsection (a), by striking “Subject to sums being provided in advance in appropriations Acts, there” and inserting “There”; and

(2) in subsection (b)(1) by striking “this Act” and inserting “the Native American Housing Assistance and Self-Determination Reauthorization Act of 2015”.

##### SEC. 602. LIMITATION ON USE OF FUNDS FOR CHEROKEE NATION.

Section 801 of the Native American Housing Assistance and Self-Determination Reauthorization Act of 2008 (Public Law 110-411) is amended by striking “Temporary Order and Temporary Injunction issued on May 14, 2007, by the District Court of the Cherokee Nation” and inserting “Order issued September 21, 2011, by the Federal District Court for the District of Columbia”.

##### SEC. 603. LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 702 (25 U.S.C. 4211) is amended—

(1) in subsection (c)(1), by inserting “, whether enacted before, on, or after the date of the enactment of this section” after “law”; and

(2) by striking “50 years” each place such term appears and inserting “99 years”.

##### SEC. 604. CLERICAL AMENDMENT.

The table of contents in section 1(b) is amended by striking the item relating to section 206 (treatment of funds).

#### TITLE VII—DEMONSTRATION PROGRAM FOR ALTERNATIVE PRIVATIZATION AUTHORITY FOR NATIVE AMERICAN HOUSING

##### SEC. 701. DEMONSTRATION PROGRAM.

Add at the end of the Act the following new title:

#### “TITLE IX—DEMONSTRATION PROGRAM FOR ALTERNATIVE PRIVATIZATION AUTHORITY FOR NATIVE AMERICAN HOUSING

##### “SEC. 901. AUTHORITY.

“(a) IN GENERAL.—In addition to any other authority provided in this Act for the construction, development, maintenance, and operation of housing for Indian families, the Secretary shall provide the participating tribes having final plans approved pursuant to section 905 with the authority to exercise the activities provided under this title and such plan for the acquisition and development of housing to meet the needs of tribal members.

“(b) INAPPLICABILITY OF NAHASDA PROVISIONS.—Except as specifically provided otherwise in this title, titles I through IV, VI, and VII shall not apply to a participating tribe's use of funds during any period that the tribe is participating in the demonstration program under this title.

“(c) CONTINUED APPLICABILITY OF CERTAIN NAHASDA PROVISIONS.—The following provisions of titles I through VIII shall apply to the demonstration program under this title and amounts made available under the demonstration program under this title:

“(1) Subsections (d) and (e) of section 101 (relating to tax exemption).

“(2) Section 101(j) (relating to Federal supply sources).

“(3) Section 101(k) (relating to tribal preference in employment and contracting).

“(4) Section 104 (relating to treatment of program income and labor standards).

“(5) Section 105 (relating to environmental review).

“(6) Section 201(b) (relating to eligible families), except as otherwise provided in this title.

“(7) Section 203(g) (relating to a de minimis exemption for procurement of goods and services).

“(8) Section 702 (relating to 99-year leasehold interests in trust or restricted lands for housing purposes).

**“SEC. 902. PARTICIPATING TRIBES.**

“(a) REQUEST TO PARTICIPATE.—To be eligible to participate in the demonstration program under this title, an Indian tribe shall submit to the Secretary a notice of intention to participate during the 60-day period beginning on the date of the enactment of this title, in such form and such manner as the Secretary shall provide.

“(b) COOPERATIVE AGREEMENT.—Upon approval under section 905 of the final plan of an Indian tribe for participation in the demonstration program under this title, the Secretary shall enter into a cooperative agreement with the participating tribe that provides such tribe with the authority to carry out activities under the demonstration program.

“(c) LIMITATION.—The Secretary may not approve more than 20 Indian tribes for participation in the demonstration program under this title.

**“SEC. 903. REQUEST FOR QUOTES AND SELECTION OF INVESTOR PARTNER.**

“(a) REQUEST FOR QUOTES.—Not later than the expiration of the 180-day period beginning upon notification to the Secretary by an Indian tribe of intention to participate in the demonstration program under this title, the Indian tribe shall—

“(1) obtain assistance from a qualified entity in assessing the housing needs, including the affordable housing needs, of the tribe; and

“(2) release a request for quotations from entities interested in partnering with the tribe in designing and carrying out housing activities sufficient to meet the tribe’s housing needs as identified pursuant to paragraph (1).

“(b) SELECTION OF INVESTOR PARTNER.—

“(1) IN GENERAL.—Except as provided in paragraph (2), not later than the expiration of the 18-month period beginning on the date of the enactment of this title, an Indian tribe requesting to participate in the demonstration program under this title shall—

“(A) select an investor partner from among the entities that have responded to the tribe’s request for quotations; and

“(B) together with such investor partner, establish and submit to the Secretary a final plan that meets the requirements under section 904.

“(2) EXCEPTIONS.—The Secretary may extend the period under paragraph (1) for any tribe that—

“(A) has not received any satisfactory quotation in response to its request released pursuant to subsection (a)(2); or

“(B) has any other satisfactory reason, as determined by the Secretary, for failure to select an investor partner.

**“SEC. 904. FINAL PLAN.**

“A final plan under this section shall—

“(1) be developed by the participating tribe and the investor partner for the tribe selected pursuant to section 903(b)(1)(A);

“(2) identify the qualified entity that assisted the tribe in assessing the housing needs of the tribe;

“(3) set forth a detailed description of such projected housing needs, including affordable housing needs, of the tribe, which shall include—

“(A) a description of such need over the ensuing 24 months and thereafter until the expiration of the ensuing 5-year period or until the affordable housing need is met, whichever occurs sooner; and

“(B) the same information that would be required under section 102 to be included in an Indian housing plan for the tribe, as such requirements may be modified by the Secretary to take consideration of the requirements of the demonstration program under this title;

“(4) provide for specific housing activities sufficient to meet the tribe’s housing needs, including affordable housing needs, as identified pursuant to paragraph (3) within the periods referred to such paragraph, which shall include—

“(A) development of affordable housing (as such term is defined in section 4 of this Act (25 U.S.C. 4103));

“(B) development of conventional homes for rental, lease-to-own, or sale, which may be combined with affordable housing developed pursuant to subparagraph (A);

“(C) development of housing infrastructure, including housing infrastructure sufficient to serve affordable housing developed under the plan; and

“(D) investments by the investor partner for the tribe, the participating tribe, members of the participating tribe, and financial institutions and other outside investors necessary to provide financing for the development of housing under the plan and for mortgages for tribal members purchasing such housing;

“(5) provide that the participating tribe will agree to provide long-term leases to tribal members sufficient for lease-to-own arrangements for, and sale of, the housing developed pursuant to paragraph (4);

“(6) provide that the participating tribe—

“(A) will be liable for delinquencies under mortgage agreements for housing developed under the plan that are financed under the plan and entered into by tribal members; and

“(B) shall, upon foreclosure under such mortgages, take possession of such housing and have the responsibility for making such housing available to other tribal members;

“(7) provide for sufficient protections, in the determination of the Secretary, to ensure that the tribe and the Federal Government are not liable for the acts of the investor partner or of any contractors;

“(8) provide that the participating tribe shall have sole final approval of design and location of housing developed under the plan;

“(9) set forth specific deadlines and schedules for activities to be undertaken under the plan and set forth the responsibilities of the participating tribe and the investor partner;

“(10) set forth specific terms and conditions of return on investment by the investor partner and other investors under the plan, and provide that the participating tribe shall pledge grant amounts allocated for the tribe pursuant to title III for such return on investment;

“(11) set forth the terms of a cooperative agreement on the operation and management of the current assistance housing stock and current housing stock for the tribe assisted under the preceding titles of this Act;

“(12) set forth any plans for sale of affordable housing of the participating tribe under section 907 and, if included, plans sufficient to meet the requirements of section 907 regarding meeting future affordable housing needs of the tribe;

“(13) set forth terms for enforcement of the plan, including an agreement regarding jurisdiction of any actions under or to enforce the plan, including a waiver of immunity; and

“(14) include such other information as the participating tribe and investor partner consider appropriate.

**“SEC. 905. HUD REVIEW AND APPROVAL OF PLAN.**

“(a) IN GENERAL.—Not later than the expiration of the 90-day period beginning upon a submission by an Indian tribe of a final plan under section 904 to the Secretary, the Secretary shall—

“(1) review the plan and the process by which the tribe solicited requests for quotations from investors and selected the investor partner; and

“(2)(A) approve the plan, unless the Secretary determines that—

“(i) the assessment of the tribe’s housing needs by the qualified entity, or as set forth in the plan pursuant to section 904(3), is inaccurate or insufficient;

“(ii) the process established by the tribe to solicit requests for quotations and select an investor partner was insufficient or negligent; or

“(iii) the plan is insufficient to meet the housing needs of the tribe, as identified in the plan pursuant to section 904(3);

“(B) approve the plan, on the condition that the participating tribe and the investor make such revisions to the plan as the Secretary may specify as appropriate to meet the needs of the tribe for affordable housing; or

“(C) disapprove the plan, only if the Secretary determines that the plan fails to meet the minimal housing standards and requirements set forth in this Act and the Secretary notifies the tribe of the elements requiring the disapproval.

“(b) ACTION UPON DISAPPROVAL.—

“(1) RE-SUBMISSION OF PLAN.—Subject to paragraph (2), in the case of any disapproval of a final plan of an Indian tribe pursuant to subsection (a)(3), the Secretary shall allow the tribe a period of 180 days from notification to the tribe of such disapproval to re-submit a revised plan for approval.

“(2) LIMITATION.—If the final plan for an Indian tribe is disapproved twice and resubmitted twice pursuant to the authority under paragraph (1) and, upon such second re-submission of the plan the Secretary disapproves the plan, the tribe may not re-submit the plan again and shall be ineligible to participate in the demonstration program under this title.

“(c) TRIBE AUTHORITY OF HOUSING DESIGN AND LOCATION.—The Secretary may not disapprove a final plan under section 904, or condition approval of such a plan, based on the design or location of any housing to be developed or assisted under the plan.

“(d) FAILURE TO NOTIFY.—If the Secretary does not notify a participating tribe submitting a final plan of approval, conditional approval, or disapproval of the plan before the expiration of the period referred to in paragraph (1), the plan shall be considered as approved for all purposes of this title.

**“SEC. 906. TREATMENT OF NAHASDA ALLOCATION.**

“Amounts otherwise allocated for a participating tribe under title III of this Act (25 U.S.C. 4151 et seq.) shall not be made available to the tribe under titles I through VIII, but shall only be available for the tribe, upon request by the tribe and approval by the Secretary, for the following purposes:

“(1) RETURN ON INVESTMENT.—Such amounts as are pledged by a participating tribe pursuant to section 904(10) for return on the investment made by the investor partner or other investors may be used by the Secretary to ensure such full return on investment.

“(2) ADMINISTRATIVE EXPENSES.—The Secretary may provide to a participating tribe, upon the request of a tribe, not more than 10

percent of any annual allocation made under title III for the tribe during such period for administrative costs of the tribe in completing the processes to carry out sections 903 and 904.

“(3) HOUSING INFRASTRUCTURE COSTS.—A participating tribe may use such amounts for housing infrastructure costs associated with providing affordable housing for the tribe under the final plan.

“(4) MAINTENANCE; TENANT SERVICES.—A participating tribe may use such amounts for maintenance of affordable housing for the tribe and for housing services, housing management services, and crime prevention and safety activities described in paragraphs (3), (4), and (5), respectively, of section 202.

**“SEC. 907. RESALE OF AFFORDABLE HOUSING.**

“Notwithstanding any other provision of this Act, a participating tribe may, in accordance with the provisions of the final plan of the tribe approved pursuant to section 905, resell any affordable housing developed with assistance made available under this Act for use other than as affordable housing, but only if the tribe provides such assurances as the Secretary determines are appropriate to ensure that—

“(1) the tribe is meeting its need for affordable housing;

“(2) will provide affordable housing in the future sufficient to meet future affordable housing needs; and

“(3) will use any proceeds only to meet such future affordable housing needs or as provided in section 906.

**“SEC. 908. REPORTS, AUDITS, AND COMPLIANCE.**

“(a) ANNUAL REPORTS BY TRIBE.—Each participating tribe shall submit a report to the Secretary annually regarding the progress of the tribe in complying with, and meeting the deadlines and schedules set forth under the approved final plan for the tribe. Such reports shall contain such information as the Secretary shall require.

“(b) REPORTS TO CONGRESS.—The Secretary shall submit a report to the Congress annually describing the activities and progress of the demonstration program under this title, which shall—

“(1) summarize the information in the reports submitted by participating tribes pursuant to subsection (a);

“(2) identify the number of tribes that have selected an investor partner pursuant to a request for quotations;

“(3) include, for each tribe applying for participating in the demonstration program whose final plan was disapproved under section 905(a)(2)(C), a detailed description and explanation of the reasons for disapproval and all actions taken by the tribe to eliminate the reasons for disapproval, and identify whether the tribe has re-submitted a final plan;

“(4) identify, by participating tribe, any amounts requested and approved for use under section 906; and

“(5) identify any participating tribes that have terminated participation in the demonstration program and the circumstances of such terminations.

“(c) AUDITS.—The Secretary shall provide for audits among participating tribes to ensure that the final plans for such tribes are being implemented and complied with. Such audits shall include on-site visits with participating tribes and requests for documentation appropriate to ensure such compliance.

**“SEC. 909. TERMINATION OF TRIBAL PARTICIPATION.**

“(a) TERMINATION OF PARTICIPATION.—A participating tribe may terminate participation in the demonstration program under this title at any time, subject to this section.

“(b) EFFECT ON EXISTING OBLIGATIONS.—

“(1) NO AUTOMATIC TERMINATION.—Termination by a participating tribe in the demonstration program under this section shall not terminate any obligations of the tribe under agreements entered into under the demonstration program with the investor partner for the tribe or any other investors or contractors.

“(2) AUTHORITY TO MUTUALLY TERMINATE AGREEMENTS.—Nothing in this title may be construed to prevent a tribe that terminates participation in the demonstration program under this section and any party with which the tribe has entered into an agreement from mutually agreeing to terminate such agreement.

“(c) RECEIPT OF REMAINING GRANT AMOUNTS.—The Secretary shall provide for grants to be made in accordance with, and subject to the requirements of, this Act for any amounts remaining after use pursuant to section 906 from the allocation under title III for a participating tribe that terminates participation in the demonstration program.

“(d) COSTS AND OBLIGATIONS.—The Secretary shall not be liable for any obligations or costs incurred by an Indian tribe during its participation in the demonstration program under this title.

**“SEC. 910. FINAL REPORT.**

“Not later than the expiration of the 5-year period beginning on the date of the enactment of this title, the Secretary shall submit a final report to the Congress regarding the effectiveness of the demonstration program, which shall include—

“(1) an assessment of the success, under the demonstration program, of participating tribes in meeting their housing needs, including affordable housing needs, on tribal land;

“(2) recommendations for any improvements in the demonstration program; and

“(3) a determination of whether the demonstration should be expanded into a permanent program available for Indian tribes to opt into at any time and, if so, recommendations for such expansion, including any legislative actions necessary to expand the program.

**“SEC. 911. DEFINITIONS.**

“For purposes of this title, the following definitions shall apply:

“(1) AFFORDABLE HOUSING.—The term ‘affordable housing’ has the meaning given such term in section 4 (25 U.S.C. 4103).

“(2) HOUSING INFRASTRUCTURE.—The term ‘housing infrastructure’ means basic facilities, services, systems, and installations necessary or appropriate for the functioning of a housing community, including facilities, services, systems, and installations for water, sewage, power, communications, and transportation.

“(3) LONG-TERM LEASE.—The term ‘long-term lease’ means an agreement between a participating tribe and a tribal member that authorizes the tribal member to occupy a specific plot of tribal lands for 50 or more years and to request renewal of the agreement at least once.

“(4) PARTICIPATING TRIBES.—The term ‘participating tribe’ means an Indian tribe for which a final plan under section 904 for participation in the demonstration program under this title has been approved by the Secretary under section 905.

**“SEC. 912. NOTICE.**

“The Secretary shall establish any requirements and criteria as may be necessary to carry out the demonstration program under this title by notice published in the Federal Register.”

**SEC. 702. CLERICAL AMENDMENTS.**

The table of contents in section 1(b) is amended by inserting after the item relating to section 705 the following:

**“TITLE VIII—HOUSING ASSISTANCE FOR NATIVE HAWAIIANS**

“Sec. 801. Definitions.

“Sec. 802. Block grants for affordable housing activities.

“Sec. 803. Housing plan.

“Sec. 804. Review of plans.

“Sec. 805. Treatment of program income and labor standards.

“Sec. 806. Environmental review.

“Sec. 807. Regulations.

“Sec. 808. Effective date.

“Sec. 809. Affordable housing activities.

“Sec. 810. Eligible affordable housing activities.

“Sec. 811. Program requirements.

“Sec. 812. Types of investments.

“Sec. 813. Low-income requirement and income targeting.

“Sec. 814. Lease requirements and tenant selection.

“Sec. 815. Repayment.

“Sec. 816. Annual allocation.

“Sec. 817. Allocation formula.

“Sec. 818. Remedies for noncompliance.

“Sec. 819. Monitoring of compliance.

“Sec. 820. Performance reports.

“Sec. 821. Review and audit by Secretary.

“Sec. 822. General Accounting Office audits.

“Sec. 823. Reports to Congress.

“Sec. 824. Authorization of appropriations.

**“TITLE IX—DEMONSTRATION PROGRAM FOR ALTERNATIVE PRIVATIZATION AUTHORITY FOR NATIVE AMERICAN HOUSING**

“Sec. 901. Authority.

“Sec. 902. Participating tribes.

“Sec. 903. Request for quotes and selection of investor partner.

“Sec. 904. Final plan.

“Sec. 905. HUD review and approval of plan.

“Sec. 906. Treatment of NAHASDA allocation.

“Sec. 907. Resale of affordable housing.

“Sec. 908. Reports, audits, and compliance.

“Sec. 909. Termination of tribal participation.

“Sec. 910. Final report.

“Sec. 911. Definitions.

“Sec. 912. Notice.”

**TITLE VIII—HOUSING FOR NATIVE HAWAIIANS**

**SEC. 801. REAUTHORIZATION OF NATIVE HAWAIIAN HOMEOWNERSHIP ACT.**

Section 824 (25 U.S.C. 4243) is amended by striking “such sums as may be necessary” and all that follows through the period at the end and inserting “\$13,000,000 for each of fiscal years 2015 through 2019.”

**SEC. 802. REAUTHORIZATION OF LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.**

Section 184A(j)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b(j)(5)) is amended—

(1) in subparagraph (B), by inserting after the period at the end of the first sentence the following: “There are authorized to be appropriated for such costs \$386,000 for each of fiscal years 2015 through 2019.”; and

(2) in subparagraph (C), by striking “for each of fiscal years” and all that follows through the period at the end and inserting “for each of fiscal years 2015 through 2019 with an aggregate outstanding principal amount not exceeding \$41,504,000 for each such fiscal year.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

GENERAL LEAVE

Mr. PEARCE. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks and to add extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. PEARCE. Mr. Speaker, I yield myself such time as I may consume.

We are here today to support H.R. 360, the Native American Housing Assistance and Self-Determination Reauthorization Act.

This is truly a bipartisan bill. It has been over 2 years in the making. Beginning in early 2013, DON YOUNG and TOM COLE, who are both Republicans, joined with me and Democrats GWEN MOORE, DENNY HECK, DAN KILDEE, TULSI GABBARD, and a host of others from the Democrat side to make a bill that truly works across both aisles and that is widely supported by tribes.

Transformational in its opportunities for Native Americans, it has been widely recognized by those tribes. Most importantly, it is a bill for which we can come together and all be proud of cosponsoring. The legislation before us is just that; it shows that colleagues, regardless of political affiliation, can come together and get the job done.

Mr. Speaker, I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield myself such time as I may consume.

I have said so many times that this has taken a tremendous amount of work and team effort and good will to get us to the place at which we are today. I want to thank all of our cosponsors. It really has been a heavy lift, and I can tell you how appreciative I am.

It has been so wonderful working with Mr. PEARCE. He has just been levelheaded and calm all the way. Of course, with regard to Mr. COLE, Mr. HECK, Mr. KILDEE, Mr. PEARCE, and Mr. YOUNG, we have all worked so closely together for 2 years to craft this bipartisan legislation.

I need to also recognize the leadership role of our ranking member, Ms. WATERS. She has had a few concerns, but she has been engaging and constructive.

The National Congress of American Indians, the National American Indian Housing Council, and many individual tribes from all across the country have provided comments, education, and energy every step of the way.

I think that this legislation, Mr. Speaker, honors the trust relationship of the United States Government, and it respects tribal sovereignty of the nations of the First People, but I don't want to make short shrift of the concerns that have been raised.

For example, I wish we could have provided more funding, given the dire need. However, this legislation is the product of a truly bipartisan process. It is not that all of us agree 100 percent on every provision, but we keep talking, and we keep working, and we have done that until we have come up with

a bill that may not be perfect but that serves the people for whom it is intended, and it is very good for tribal communities.

The need for affordable housing in Indian Country just cannot be understated. Some of the poorest and most remote communities in this country are Native American communities.

In fact, the three poorest communities in the United States of America are Native American. NAHASDA provides tribal governments the ability to provide safe and affordable housing to tribal communities that is consistent with their status as sovereigns.

A few improvements that I would like to highlight are that it expedites certain Federal approvals. It makes all native people eligible for NAHASDA funds. It preserves provisions protecting Cherokee Freedmen.

Expediting approval ends administrative duplication and delays, approval which is essential due to unique timing and building challenges on reservations.

Mr. Speaker, I reserve the balance of my time.

□ 1615

Mr. PEARCE. Mr. Speaker, I would like to join with Ms. MOORE in recognizing the actions of Ms. WATERS, the ranking member, truly, truly asking the questions that needed to be asked, but then finally reconciling on some of those issues. Also, the chairman, Chairman HENSARLING, has been in the same position, and Leader MCCARTHY bringing this bill to the floor as he has, I would like to express that.

I yield such time as he may consume to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. Mr. Speaker, I thank the gentleman for yielding.

It is very important when we look at this extremely significant piece of legislation to recognize, as my good friend from Wisconsin said, this is a trust obligation of the United States Government. This isn't a housing handout. This isn't some special deal. This is something, an obligation that we assumed in negotiation with tribes over many decades, many different situations. If people are living in Indian Country, particularly on reservations, and don't have adequate housing, the Federal Government has a responsibility to do something about it, something we have recognized since the 1960s, something, as my friend Mr. PEARCE said, we institutionalized in 1996.

This has been a good program for a long time. It has been a block grant program, which has empowered tribes. One of the things I love about this legislation is, in a bipartisan sense, we continue to do that. We provide a lot more flexibility for tribes to actually control their own affairs, meet their own needs.

As Ms. MOORE suggests, we all wish the sum could be more. \$650 million is a lot of money, but spread across a pop-

ulation of almost three million individuals and over 57 million acres, an area of land about the size of Wyoming, it is maybe not as much as we would like, particularly given the severe needs, but it is a good faith effort, and it is appropriate given the difficult financial times we are in.

Again, we have had tremendous support across Indian Country. As both speakers previously mentioned, National Congress of American Indians, particularly the National American Indian Housing Council, has worked hand-in-glove with Members on both sides of the aisle to build this program.

My friends were very fulsome in their praise for various Members, and I wouldn't disagree with anybody they mentioned, but I have got to hold, particularly, Mr. PEARCE up not only for his tremendous work on this, Ms. MOORE as well, but for their persistence in this. They brought this legislation to the floor in the last Congress, having worked out the difficulties, formed a bipartisan compromise and coalition and, frankly, brought their leaders along with them, I think, educating their respective leaders in the process. We got that through the House last time on a bipartisan basis. The Senate wasn't able to act, and I am very pleased to see that they have come back again this quickly in the session. Hopefully we will have a little bit better response on the other side. I don't think there was any opposition; they just didn't get it done in the press of business toward the end of the year. They are going to have plenty of time to do that.

This is an excellent piece of legislation. As my friends have both suggested, it is an example of how well we can work together when we focus on the problems instead of sometimes the partisan and philosophical divisions that separate us. I reflect, as I am looking here on the floor, that I usually like to think of myself as a right-wing conservative Republican, but I can't get to the right of my friend Mr. PEARCE, as hard as I try; and my friend Ms. MOORE—we have worked together on TRIO programs, on violence against women, now on this—is certainly well to the left of me on a lot of issues. So anything that can bring the three of us together is pretty inclusive in this body, and you won't have much excuse.

I am particularly pleased to see my friend Mr. KILDEE on the floor, who continues a family tradition of working in the forefront of Native American issues.

It is a good piece of legislation. It has been worked on hard by people that really know what they are doing. They brought the body along. So I certainly urge its passage and again want to congratulate, particularly, Mr. PEARCE and Ms. MOORE for their absolutely stellar work in this case. It would not have happened without their efforts.

Ms. MOORE. Mr. Speaker, it is so wonderful always to work with Mr. COLE.

I yield such time as he may consume to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I want to thank my friend Ms. MOORE for yielding and for her leadership on this very important issue. I also thank Mr. PEARCE, Mr. YOUNG, Mr. COLE on the other side, as well as Ms. GABBARD, whom I have worked with on this legislation, along with Mr. HECK and, now, Mr. TAKAI.

I think what this legislation proves is that when we set out to solve a problem and focus on the things that we can agree upon, we can get a lot done. This is a good bill. It is not the bill that any one of us individually would have written had we been left alone to produce this legislation with only our own perspectives and our own interests. It is a bill that is a result of compromise.

There are elements of this legislation, Mr. Speaker, that I would prefer not have been included; and I am sure Mr. PEARCE and others are aware that I would have preferred that the pilot program that allows for a form of privatization, a direct grant to private developers, not be included. I would prefer that the entirety of the funds be used specifically to empower tribes, and tribes alone, to determine the use of the dollars. After all, they have had the ability to make those decisions and enter into agreements with private individuals as well.

I only say that to make sure that the RECORD is clear and that I state my objection to that particular portion, but to help point out a larger, I think, more important point. I am sure Mr. PEARCE, Mr. COLE, and Mr. YOUNG could find sections, provisions, of this legislation that they would prefer to excise or maybe something that they would have preferred to have included that they were not able to get in the bill; but because the focus here, from the very beginning, in the last Congress and again in this one, as Mr. COLE said, is that we have an obligation to live up to our trust responsibilities to this Nation's first people, that trust responsibility comes ahead of whatever differences we might have on specific policy approaches.

Since we took that approach—and Mr. PEARCE and Ms. MOORE both deserve great credit for being able to put aside the differences that they had—we were able to get this legislation to the floor with what I think is enormous support within the House of Representatives. It is a testament to our recognition of that trust obligation, and it is something that I am very pleased to carry on. As was stated, my uncle worked on these issues, and I know that he would be proud to see us working together to continue to live up to that important trust obligation.

Mr. Speaker, I will be supporting this legislation. I thank all my colleagues for their work on this.

Ms. MOORE. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman from Wisconsin has 15 minutes remaining.

Ms. MOORE. Mr. Speaker, I just want to let Mr. PEARCE know I have two more speakers, and then I will be prepared to close.

Mr. PEARCE. Mr. Speaker, I yield such time as he may consume to the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I would like to thank Ms. WATERS and especially the chairman, Mr. PEARCE, for this legislation. It is something that we have worked on together with TOM COLE, many in this room. I would like to thank the Hawaiian delegation. It has always been an honor and a pleasure to work with the Hawaiian delegation with Alaska. They are two noncontiguous States, and we work well together and we will continue to do that.

Mr. KILDEE, I thank you for your uncle; he and I were dear friends and worked together on a lot of issues. I always respected that. I would like to thank the staff. Let's all not kid ourselves; the staffs of all our offices really put this together with our little bit of advice. Alex has worked very hard on my side, and I know your side has worked really well. That is a classic example, when staffs are willing to work together with the Members, Members are willing to work together, we can accomplish these goals.

This is just not a bipartisan piece of legislation. This is legislation that is needed by American Indians, Alaska Natives. It has worked well, and I am hoping—I have talked to the Senators on the other side—that in reality we will get this legislation passed very quickly. This is a win-win situation for all of us, so I think we should take great honor and recognize what has been, will be done here today, and accomplish a goal that many times is not achieved.

So again, I, with great feelings, thank each Member that has been involved in this, especially for the first people of America.

Ms. MOORE. Mr. Speaker, I can tell you that Mr. YOUNG from Alaska has really made a very important point to have thanked our staffs. I was remiss in not doing that. So I would like to add my voice to those Members who really, really appreciate the hard work that our staffs provide.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Hawaii (Ms. GABBARD).

Ms. GABBARD. Mr. Speaker, I am rising in strong support of H.R. 360 today.

Since 1996, this legislation has been authorized twice, both times with broad bipartisan support in both Chambers of Congress. Since its enactment, this legislation has strengthened indigenous self-determination by empowering Native nations, by assisting with affordable housing needs.

In my home State of Hawaii, it has increased home ownership among Native Hawaiians by more than 2 percent, bringing hope to many people who are living paycheck to paycheck. At the same time, we are seeing poverty and public assistance have decreased. Today more Native Hawaiians are likely to be employed in professional or managerial occupations than in the past, and life expectancy has increased by almost 3 years. This legislation makes a difference to real families.

One of these families is Francis Paaluhi and her sisters who live in Nanakuli. They inherited a home from their parents, who passed away, which was built in the 1940s and was in dire need of repairs. There were large holes in the roof and floors; bedroom walls were buckling; broken windows covered with tarps. The Paaluhi sisters did not have the means to pay for the needed repairs, and they couldn't afford a new home. They also didn't qualify for an FHA loan or any other loan. The Department of Hawaiian Homelands made a grant available because of this legislation for \$15,000. Just \$15,000 gave this family the ability to make a down payment with assistance from a low-interest USDA construction loan. They were able to build a structurally safe and comfortable home for them and their children to live.

This is just one example of the many families whose lives have been directly impacted and changed because of this legislation. It is an important step toward removing roadblocks to economic success, not only in Hawaii but in Native communities across the country, and it reaffirms the House's longstanding commitment to tribal sovereignty and self-determination.

Like all those who spoke before me, I would like to thank my colleague Representative PEARCE for introducing this bill, for his persistence and leadership continuously in bringing this about; Representative MOORE for leading the charge courageously on our side of the aisle; Ranking Member WATERS for continuing to move this bill forward; also, my long-time colleague and friend from Alaska, Representative YOUNG; and my colleague DAN KILDEE, all of whom worked very hard on this legislation. I urge my colleagues to join this bipartisan coalition in supporting the passage of H.R. 360.

Mr. PEARCE. Mr. Speaker, I yield myself such time as I may consume.

As I go through my district, there are many who wonder why do we have a bill like this. Frankly, it is a treaty responsibility. The responsibility has been signed between the Native Americans and the Federal Government saying that we have a trust responsibility to them.

As I travelled around the reservations in my district, I began to be aware of a circumstance that I had not previously been aware of: houses that were maybe several hundred years old, people still living in those. There is one area with no sewer at all. There are

cardboard shacks, people living in situations that they should not be living in today.

□ 1630

Those things exist. The legislation in front of us today doesn't change the responsibility of the government. It doesn't increase the amount of the dollars flowing to it. It simply tries to make the process a little more streamlined.

I would like to acknowledge that HUD, at one point, was rigorously opposing the transparency, rigorously opposing those reforms that we were putting into their systems. They had duplications of processes that would literally take years in order to get approval to build houses, and we simply said it does not have to be that way.

A second thing struck me. I watched my family grow out of abject poverty into a home ownership culture. Our first home that we purchased was \$800, and then we moved up to a \$1,500 home. Finally, we thought we really had arrived when we got to the \$2,500 home, and then a \$15,000, 5-acre property.

And so the pilot project that Mr. KILDEE—and he has had great discussions with me—but the pilot project is inserted into the bill in order to facilitate allowing Native Americans to own their own homes on the reservations. It has been very difficult up to now. We addressed those problems which have created a culture of poverty through the years.

So, even though we might have a different view on how to get there, we do not, as Democrats and Republicans, disagree on the fact that prosperity will begin with home ownership. And this pilot project in here—completely voluntary—allows people to move directly into home ownership. It allows the Native American tribes to start to encourage home ownership on the reservations in order to preserve the cultures there.

The reforms that we have put in for the Native Americans themselves were extremely important. Some of the processes have worked very badly. I have had extraordinarily frank conversations with Native Americans across the country, talking about the need to move to more transparent processes—to processes that make sure the money gets into the homes where they are building them.

And so that is the purpose of this legislation. I, again, commend Congresswoman MOORE because she and I really started the process. And then DENNY HECK, DAN KILDEE, DON YOUNG, and TOM COLE were all sitting there, and we chipped away at it from each side. We got the reforms in. We got the wording in that would allow Indian tribes across the country to feel like they are participating in this.

It is a very difficult process—again, a 3-year process—and I am proud of the legislation we are bringing to the floor today and proud of the efforts on behalf of each one of the people who have been involved here.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, at this time I am pleased to yield such time as he may consume to my good friend from Hawaii (Mr. TAKAI).

Mr. TAKAI. Mr. Speaker, today, I stand in support of H.R. 360, the Native American Housing Assistance and Self-Determination Reauthorization Act of 2015.

This legislation reaffirms the United States trust responsibility to American Indian and Alaska Native nations and provides necessary tools to the native people of our country for sustainable solutions to poverty that often plague their communities.

I would also like to thank Chairman PEARCE; Ranking Member WATERS; Mr. YOUNG; Ms. MOORE; Mr. KILDEE; the senior Member from Hawaii, Ms. GABBARD; and the numerous other congressional Members who have fought for years to reauthorize NAHASDA, and thank them for also including support to Native Hawaiian housing organizations, which provide adequate housing to descendants of Hawaii's indigenous people.

NAHASDA's reauthorization does not merely provide funding for adequate housing programs, it also provides vital resources to foster the indigenous cultures of our great Nation, which faced near extinction during the atrocities committed to expand our Nation and the Federal assimilation policies of the 20th century.

For some indigenous people, living on their aboriginal lands is a vital part of preserving and living their culture. Unfortunately, Hawaii has one of the highest costs of living in the Nation, so support through NAHASDA is essential to Native Hawaiian families who wish to remain on their ancestral lands but face the ever growing price of homes, land, utilities, and food. So many families who have lived in Hawaii for generations upon generations are now moving out of our State because of the cost of living.

I hope my colleagues understand not only the vital importance of adequate housing for the less fortunate among Native communities, but also its vital importance for fostering the indigenous cultures of our democracy. This diversity of culture is what makes our Nation great.

So, please join me in supporting this measure.

Ms. MOORE. Mr. Speaker, I yield myself such time as I may consume.

I am so happy that the Hawaiian and Alaskan contingencies have commented on this. I think it is important that this bill include all native people.

I am so happy that the Senate is now working on a version of NAHASDA that is similar, and I hope that we will all be able to quickly reconcile our differences and get a reauthorization to the President's desk. I look forward to him signing H.R. 360 into law.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. PEARCE. Mr. Speaker, I yield myself such time as I may consume.

At one point, Chairman HENSARLING earlier in the process said he was not wildly ecstatic about the bill coming before his committee if 100 years from now Native Americans were going to be in the same circumstance they were in today. So, again, that was one of the elements of trying to find and facilitate home ownership among Native Americans so they could begin their growth towards prosperity.

When Indian tribes see this bill, they say: If you can actually get that through, if you can actually get both sides to agree on it, it will be transformational. Well, that is what I came here to do. I came here to be a part of things that transform the way that we approach different programs, not to just drift along and reauthorize. And so it is with that backdrop that we began to construct the bill.

Again, I would like to thank Ranking Member WATERS for her support. I would like to thank Chairman HENSARLING and Leader MCCARTHY for their support. I especially would like to thank my friends on the other side of the aisle for working through the very difficult discussions so that we are able to find a bill that does reach market efficiencies, does make the government more effective and efficient, that does do things that both political parties want to achieve.

We all want to achieve the same things. We approach it from a different point of view. So I can't say enough to my friends on the other side of the aisle: Thank you very much for your hard work and dedication.

With that, Mr. Speaker, I recommend and request that everyone support this bill, and I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, this bill will provide an important and long overdue reauthorization of the Native American Housing Assistance and Self-Determination Act or NAHASDA.

Through NAHASDA, the federal government provides housing assistance to Native Americans and Native Hawaiians in a way that is tailored to address their unique housing needs, while respecting their right to self-determination. These groups experience some of the poorest housing conditions in our country so it is very important that we reauthorize the programs within NAHASDA.

As a supporter of the reauthorization of NAHASDA, I did not object to the bill before us today moving forward under suspension.

However, as I have pointed out in the past, this bill fails to ensure certain basic protections for the communities that rely on NAHASDA—and as a result—I will oppose this measure.

Despite my repeated objections, Republicans have refused to include a provision in this bill that offers protections for the Cherokee Freedmen. As many people know, the Cherokee Freedmen are the descendants of former African American slaves of the Cherokee, who are facing possible expulsion by the Cherokee nation.

For the past several years, under the leadership of former Members including Carolyn Kilpatrick and Mel Watt, the Congressional Black Caucus has stood up for the rights of

the Cherokee Freedmen. But Republicans have consistently refused to acknowledge this tragic history and do something to bring justice to this situation. And this bill is no exception. During the Committee markup, they rejected my amendment, which would have made NAHASDA funding to the Cherokee contingent on full recognition of the Freedmen as citizens of the Cherokee Nation.

My position on this issue remains steadfast, and I cannot support continued silence in the face of such injustice. That is why I will not support this bill unless it grants the Freedmen the justice they deserve.

I am also withholding my support from this bill because it contains a provision that would seriously undercut the central goal of providing affordable housing for low-income Native Americans. This bill would waive a long-standing tenet of affordable housing known as the "Brooke Rule," which states that the maximum rent paid by assisted households must be no more than 30 percent of their income.

The Brooke Rule is a basic safeguard that exists in the public housing and Section 8 programs. It ensures that federally subsidized housing is affordable for the lowest-income households. By stripping away this basic safeguard, this bill would make low-income Native Americans vulnerable to unlimited increases in rent without any kind of hardship exemptions in place.

This is simply unacceptable. It is a basic purpose of NAHASDA to provide housing for low-income Native Americans, and this provision would seriously undermine that purpose. Republicans may not be concerned about the plight of the lowest-income Native Americans who rely on NAHASDA programs, but they are at the top of my concerns when it comes to this bill.

Mr. Speaker, I would like to sincerely thank Ms. MOORE, Mr. HECK and Mr. KILDEE for their efforts to reach a bipartisan agreement on this bill. However, I cannot support this reauthorization bill in its current form for all of the reasons I have stated.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 360, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PALMER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### DEPARTMENT OF VETERANS AFFAIRS BUDGET PLANNING REFORM ACT OF 2015

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 216) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit to Congress a Future-Years Veterans Program and a quadrennial veterans review, to establish in the Department of Veterans Affairs a Chief Strategy Offi-

cer, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 216

*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 "Department of Veterans Affairs Budget Planning Reform Act of 2015".

#### SEC. 2. ESTABLISHMENT OF STRATEGIC PLANS TO IMPROVE PROGRAMS AND BENEFITS FOR VETERANS.

(a) FUTURE-YEARS VETERANS PROGRAM.—

(1) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by adding at the end the following new section:

##### "§ 119. Future-Years Veterans Program

"(a) SUBMISSION TO CONGRESS.—The Secretary shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress pursuant to section 1105(a) of title 31, a Future-Years Veterans Program reflecting the estimated expenditures and proposed appropriations included in that budget. Any such Future-Years Veterans Program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

"(b) CONSISTENCY.—(1) The Secretary shall ensure that amounts described in subparagraph (A) of paragraph (2) for any fiscal year are consistent with amounts described in subparagraph (B) of such paragraph for that fiscal year.

"(2) Amounts referred to in paragraph (1) are the following:

"(A) The amounts specified in program and budget information submitted to Congress by the Secretary in support of expenditure estimates and proposed appropriations in the budget submitted to Congress by the President under section 1105(a) of title 31 for any fiscal year, as shown in the Future-Years Veterans Program submitted pursuant to subsection (a).

"(B) The total amounts of estimated expenditures and proposed appropriations necessary to support the programs, projects, and activities of the Department of Veterans Affairs included pursuant to paragraph (5) of section 1105(a) of title 31 in the budget submitted to Congress under that section for any fiscal year.

"(c) CONTENTS.—The Future-Years Veterans Program under subsection (a) shall set forth the five-year plan of the Department to address the commitment of the United States to veterans and the resources necessary to meet that commitment and shall be developed and updated, as appropriate, annually by the Secretary. Each Future-Years Veterans Program shall include an explanation of—

"(1) the information that was used to develop program planning guidance for the Future-Years Veterans Program; and

"(2) how the resource allocations included in the Future-Years Veterans Program correlate to such five-year strategy.

"(d) PUBLICATION.—The Secretary shall publish on a publically accessible Internet website of the Department each Future-Years Veterans Program submitted pursuant to subsection (a)."

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 118 the following new item:

"119. Future-Years Veterans Program."

(3) EFFECTIVE DATE.—Section 119 of title 38, United States Code, as added by paragraph

(1), shall apply with respect to the preparation and submission of the budget request for the Department of Veterans Affairs for fiscal year 2020 and fiscal years thereafter.

(b) QUADRENNIAL VETERANS REVIEW.—

(1) IN GENERAL.—Such chapter is further amended by adding after section 119, as added by subsection (a)(1), the following new section:

##### "§ 120. Quadrennial veterans review

"(a) REQUIREMENT.—(1) Not later than fiscal year 2019, and every fourth year thereafter, the Secretary shall conduct a review of the strategy for meeting the commitment of the United States to veterans and the resources necessary to meet that commitment (in this section referred to as a 'quadrennial veterans review').

"(2) Each quadrennial veterans review shall include a comprehensive examination of the policies and strategies of the United States with respect to veterans, including recommendations regarding the long-term strategy and priorities for programs, services, benefits, and outcomes regarding veterans and guidance on the programs, assets, capabilities, budget, policies, and authorities of the Department.

"(3) The Secretary shall conduct each quadrennial veterans review in consultation with key officials of the Department, the heads of other Federal agencies, and other relevant governmental and nongovernmental entities, including State, local, and tribal government officials, members of Congress, veterans service organizations, private sector representatives, academics, and other policy experts.

"(4) The Secretary shall ensure that each quadrennial veterans review is coordinated with the Future-Years Veterans Program required under section 119 of this title.

"(b) CONTENTS OF REVIEW.—In each quadrennial veterans review, the Secretary shall—

"(1) delineate a veterans strategy consistent with the commitment of the United States to veterans and refine a strategy for the types of, and provision of, programs, services, benefits, and outcomes consistent with current authorities and requirements;

"(2) outline and prioritize the full range of programs and capabilities regarding veterans provided by the Federal Government;

"(3) identify the budget plan required to provide sufficient resources to successfully execute the full range of such programs and capabilities;

"(4) include an assessment of the organizational alignment of the Department with respect to the strategy referred to in paragraph (1) and the programs and capabilities referred to in paragraph (2);

"(5) review and assess the effectiveness of the mechanisms of the Department for executing the process of turning the requirements identified in the quadrennial veterans review into a plan to meet such requirements, including an expenditure plan for the Department; and

"(6) identify emerging trends, problems, opportunities, and issues that could affect veterans or the Department during the ten-year period following the period covered by the review.

"(c) SUBMISSION TO CONGRESS.—(1) The Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report regarding each quadrennial veterans review. The Secretary shall submit the report in the year following the year in which the review is conducted, but not later than the date on which the President submits to Congress the budget for the next fiscal year under section 1105 of title 31.

"(2) Each report submitted under paragraph (1) shall include—