

## HR 4329

Native American Housing Assistance and Self-Determination Reauthorization Act of 2014

**Congress:** 113 (2013–2015, Ended)

**Chamber:** House

**Policy Area:** Native Americans

**Introduced:** Mar 27, 2014

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Indian Affairs.

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Indian Affairs. (Dec 3, 2014)

**Official Text:** <https://www.congress.gov/bill/113th-congress/house-bill/4329>

### Sponsor

**Name:** Rep. Pearce, Stevan [R-NM-2]

**Party:** Republican • **State:** NM • **Chamber:** House

### Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cole, Tom [R-OK-4]	R · OK		Mar 27, 2014
Rep. Amodei, Mark E. [R-NV-2]	R · NV		May 1, 2014

### Committee Activity

Committee	Chamber	Activity	Date
Financial Services Committee	House	Reported By	Nov 20, 2014
Indian Affairs Committee	Senate	Referred To	Dec 3, 2014

### Subjects & Policy Tags

**Policy Area:**

Native Americans

### Related Bills

*No related bills are listed.*

Native American Housing Assistance and Self-Determination Reauthorization Act of 2014 - **Title I: Block Grants and Grant Requirements** - (Sec. 101) Amends the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) to require the Secretary of Housing and Urban Development (HUD) to act within 60 days upon a request by an Indian tribe for a waiver of certain local cooperation requirements and an exemption from taxation requirements under the program providing tribes with block grants for affordable and self-determined housing activities.

(Sec. 102) Requires the Secretary to recommend to Congress standards and procedures for: (1) the waiver of the requirement for an Indian tribe to submit Indian housing plans (IHPs); or (2) alternative IHP requirements, which may include multi-year housing plans. Requires recommendations to describe any legislative and regulatory changes necessary to implement them.

(Sec. 103) Requires the Secretary (who currently is merely authorized) to waive environmental review requirements if inadvertent error prevents satisfaction of such requirements and certain other conditions are met. Requires the Secretary to act within 60 days upon a request of an Indian tribe to waive such requirements.

Deems an Indian tribe that is receiving a block grant for an affordable housing project, and is using additional funding from other federal sources that does not exceed 49% of the total project cost, to have satisfied any environmental review requirements attached to those sources if the tribe has assumed environmental review, decisionmaking, and action responsibilities under NAHASDA and complied with its environmental review requirements.

(Sec. 104) Gives the Secretary 60 days to approve or deny a request to exceed the maximum total development cost for an affordable housing project.

**Title II: Affordable Housing Activities** - (Sec. 201) Makes low-income training and employment requirements under the Housing and Urban Development Act of 1968 inapplicable to tribal housing activities under the Act.

(Sec. 202) Makes maximum rent and homebuyer payment requirements for housing assisted under NAHASDA inapplicable if the grant recipient has a written policy that includes maximum rent and homebuyer payment requirements.

(Sec. 203) Treats rental housing as affordable housing if it is made available only to a current rental family for purchase as a homebuyer or lease-purchase unit and that family was a low-income family at the time of their initial occupancy of the unit.

Makes the requirement that housing assisted under NAHASDA remain affordable throughout the remaining life of the property inapplicable to improvements of a privately owned home if the cost of those improvements do not exceed 10% of the maximum total development cost for such home.

(Sec. 204) Requires the owner or manager of rental housing assisted under NAHASDA and one or more other federal funding sources to only use leases that require a pre-lease termination notice period.

(Sec. 205) Allows recipients of funding under NAHASDA to use funding from the Indian Health Service (IHS) of the Department of Health and Human Services (HHS) for the construction of sanitation facilities for housing construction and renovation projects funded under the Act.

**Title III: Allocation of Grant Amounts** - (Sec. 301) Reauthorizes appropriations for the block grant program through FY2018.

(Sec. 302) Sets forth notice requirements when an Indian tribe has undisbursed block grants under the Act. Directs the Secretary to require a justification from any block grant recipient whose total amount of undisbursed block grants in the HUD line of credit control system is more than three times the formula allocation the recipient would otherwise receive, if that formula amount is \$5 million or more. Requires HUD to allocate to the recipient, in this case, the initially calculated amount minus the difference between the total undisbursed amount and three times the initial formula amount.

Requires the reallocation of those unused grants proportionately to all other Indian tribes not subject to such an adjustment.

**Title IV: Audits and Reports** - (Sec. 401) Requires the Secretary to issue a final report on an audit or review within 60 days of receiving comments from a grant recipient.

(Sec. 402) Requires the Secretary to make its annual report to Congress publicly available to recipients.

**Title V: Other Housing Assistance For Native Americans** - (Sec. 501) Amends the United States Housing Act of 1937 to require the Secretary to set aside certain funds to implement a supportive housing and rental assistance voucher program, in conjunction with the Department of Veterans Affairs (VA), for the benefit of Native American veterans who are homeless or at risk of homelessness.

Allows the Secretary to waive or specify alternative requirements for any requirement of any statute or regulation under such program as needed.

(Sec. 502) Amends the Housing and Community Development Act of 1992 to authorize the Secretary to guarantee Indian housing loans through FY2018. Authorizes appropriations for such guarantees. Sets the maximum aggregate outstanding principal amount for such loans.

**Title VI: Miscellaneous** - (Sec. 601) Amends the American Homeownership and Economic Opportunity Act of 2000 to repeal the requirement that sums be appropriated in advance before the Lands Title Report Commission is appointed.

(Sec. 602) Amends the Native American Housing Assistance and Self-Determination Reauthorization Act of 2008 to prohibit the use of funds under that Act for the benefit of the Cherokee Nation unless the Order issued on September 21, 2011, by the Federal District Court for the District of Columbia remains in effect or there is a settlement agreement which ends litigation among the adverse parties.

(Sec. 603) Amends NAHASDA to extend from 50 years to 99 years the limit on the lease of trust or Indian restricted lands for housing purposes.

**Title VII: Demonstration Program For Alternative Privatization Authority For Native American Housing** - (Sec. 701) Amends NAHASDA to establish a demonstration program that requires a participating Indian tribe to select an investor partner and, with that partner, to develop and implement a HUD-approved plan to address the tribe's housing needs. Requires each participating tribe to obtain assistance from a qualified entity in assessing its housing needs.

Bars the Secretary from approving more than 20 tribes for participation in the demonstration program.

Makes the block grant amounts that would otherwise have been allocated to a participating tribe under NAHASDA available under the demonstration program to: (1) provide investor partners or other investors with a full return on their investment in the tribe's housing needs, (2) cover a tribe's administrative costs, and (3) cover housing infrastructure costs associated with providing affordable housing for the tribe.

Permits a participating tribe, in accordance with the tribe's final plan, to resell any affordable housing developed with assistance under NAHASDA for use other than as affordable housing, but only if the tribe makes certain assurances with respect to those needs.

**Title VIII: Housing for Native Hawaiians-** (Sec 801) Amends the Act to reauthorize the block grant program for affordable housing for Native Hawaiians through FY2019.

(Sec. 802) Amends the Housing and Community Development Act of 1992 to authorize the Secretary to guarantee Native Hawaiian housing loans through FY2019. Authorizes appropriations to the Hawaiian Housing Loan Guarantee Fund for the costs of such guarantees. Sets the maximum aggregate outstanding principal amount of such loans for each fiscal year at \$41.504 million.

### **Actions Timeline**

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- **Dec 3, 2014:** Received in the Senate and Read twice and referred to the Committee on Indian Affairs.
- **Dec 2, 2014:** Mr. Pearce moved to suspend the rules and pass the bill, as amended.
- **Dec 2, 2014:** Considered under suspension of the rules. (consideration: CR H8246-8254)
- **Dec 2, 2014:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4329.
- **Dec 2, 2014:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H8246-8250)
- **Dec 2, 2014:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H8246-8250)
- **Dec 2, 2014:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 20, 2014:** Reported (Amended) by the Committee on Financial Services. H. Rept. 113-628.
- **Nov 20, 2014:** Placed on the Union Calendar, Calendar No. 468.
- **Jul 30, 2014:** Committee Consideration and Mark-up Session Held.
- **Jul 30, 2014:** Ordered to be Reported (Amended) by the Yeas and Nays: 47 - 11.
- **Mar 27, 2014:** Introduced in House
- **Mar 27, 2014:** Referred to the House Committee on Financial Services.