

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1210

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## AN ACT

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

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Native American  
5        Housing Assistance and Self-Determination Reauthoriza-  
6        tion Act of 2002”.

1 **SEC. 2. REAUTHORIZATION OF THE NATIVE AMERICAN**  
2 **HOUSING ASSISTANCE AND SELF-DETER-**  
3 **MINATION ACT OF 1996.**

4 (a) **BLOCK GRANTS.**—Section 108 of the Native  
5 American Housing Assistance and Self-Determination Act  
6 of 1996 (25 U.S.C. 4117) is amended by striking “1998,  
7 1999, 2000, and 2001” and inserting “1998 through  
8 2007”.

9 (b) **FEDERAL GUARANTEES.**—Section 605 of the Na-  
10 tive American Housing Assistance and Self-Determination  
11 Act of 1996 (25 U.S.C. 4195) is amended—

12 (1) in subsection (a), by striking “1997, 1998,  
13 1999, 2000, and 2001” and inserting “1997  
14 through 2007”; and

15 (2) in subsection (b), by striking “1997, 1998,  
16 1999, 2000, and 2001” and inserting “1997  
17 through 2007”.

18 (c) **TRAINING AND TECHNICAL ASSISTANCE.**—Sec-  
19 tion 703 of the Native American Housing Assistance and  
20 Self-Determination Act of 1996 (25 U.S.C. 4212) is  
21 amended by striking “1997, 1998, 1999, 2000, and 2001”  
22 and inserting “1997 through 2007”.

23 (d) **INDIAN HOUSING LOAN GUARANTEE FUND.**—  
24 Section 184(i) of the Housing and Community Develop-  
25 ment Act of 1992 (12 U.S.C. 1715z–13a(i)) is amended—

1           (1) in paragraph (5)(C), by striking “each fis-  
2           cal year” and inserting “each of fiscal years 1997  
3           through 2007”; and

4           (2) in paragraph (7), by striking “each fiscal  
5           year” and inserting “each of fiscal years 1997  
6           through 2007”.

7 **SEC. 3. DEFINITIONS.**

8           Section 4 of the Native American Housing Assistance  
9           and Self-Determination Act of 1996 (25 U.S.C 4103) is  
10          amended by adding at the end the following:

11           “(22) HOUSING RELATED COMMUNITY DEVEL-  
12          OPMENT.—

13           “(A) IN GENERAL.—The term ‘housing re-  
14          lated community development’ means any trib-  
15          ally-owned and operated facility, business, activ-  
16          ity, or infrastructure that—

17           “(i) is necessary to the direct con-  
18          struction of reservation housing; and

19           “(ii) would help an Indian tribe or its  
20          tribally-designated housing authority re-  
21          duce the cost of construction of Indian  
22          housing or otherwise promote the findings  
23          of this Act.

24           “(B) EXCLUSION.—The term ‘housing and  
25          community development’ does not include any

1 activity conducted by any Indian tribe under  
 2 the Indian Gaming Regulatory Act (25 U.S.C.  
 3 2710 et seq.).”.

4 **SEC. 4. BLOCK GRANTS AND GRANT REQUIREMENTS.**

5 Section 101(h) of the Native American Housing As-  
 6 sistance and Self-Determination Act of 1996 (25 U.S.C.  
 7 4111(h)) is amended—

8 (1) in the heading, by inserting “AND PLAN-  
 9 NING” after “ADMINISTRATIVE”; and

10 (2) by inserting after the word “Act” the first  
 11 place that term appears, the following: “for com-  
 12 prehensive housing and community development  
 13 planning activities and”.

14 **SEC. 5. TREATMENT OF PROGRAM INCOME AND LABOR**  
 15 **STANDARDS.**

16 Section 104 of the Native American Housing Assist-  
 17 ance and Self-Determination Act of 1996 (25 U.S.C.  
 18 4114) is amended—

19 (1) in subsection (a)(1)—

20 (A) by striking “A recipient” and inserting  
 21 the following: “Notwithstanding any other pro-  
 22 vision of this Act, a recipient”; and

23 (B) by striking subparagraph (B) and in-  
 24 serting the following:

1           “(B) the recipient has agreed that it will  
2           utilize such income for housing related activities  
3           in accordance with this Act.”; and

4           (2) in subsection (a)(2)—

5           (A) in the heading, by inserting “RE-  
6           STRICTED ACCESS OR” before the word “RE-  
7           DUCTION”;

8           (B) in subparagraph (B), by striking “or”  
9           at the end;

10          (C) in subparagraph (C), by striking the  
11          period at the end and inserting “; or”; and

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

13                 “(D) whether the recipient has expended  
14                 retained program income for housing-related ac-  
15                 tivities.”.

16 **SEC. 6. REGULATIONS.**

17          Section 106(b)(2)(A) of the Native American Hous-  
18          ing Assistance and Self-Determination Act of 1996 (25  
19          U.S.C. 4116(b)(2)(A)) is amended by inserting after “re-  
20          quired under this Act” the following: “, including any reg-  
21          ulations that may be required pursuant to amendments  
22          made to this Act after the date of enactment of this Act,”.

1 **SEC. 7. FEDERAL GUARANTEES FOR FINANCING FOR TRIB-**  
 2 **AL HOUSING ACTIVITIES.**

3 Section 601 of the Native American Housing Assist-  
 4 ance and Self-Determination Act of 1996 (25 U.S.C.  
 5 4191) is amended—

6 (1) in subsection (a), by inserting after “section  
 7 202” the following: “and housing related community  
 8 development activity as consistent with the purposes  
 9 of this Act”;

10 (2) by striking subsection (b); and

11 (3) by redesignating subsections (c) and (d) as  
 12 subsections (b) and (c), respectively.

13 **SEC. 8. FEASIBILITY STUDIES TO IMPROVE THE DELIVERY**  
 14 **OF HOUSING ASSISTANCE IN NATIVE COMMU-**  
 15 **NITIES.**

16 Section 202 of the Native American Housing Assist-  
 17 ance and Self-Determination Act of 1996 (25 U.S.C.  
 18 4132) is amended by adding at the end the following:

19 “(7) COMMUNITY DEVELOPMENT DEMONSTRA-  
 20 TION PROJECT.—

21 “(A) IN GENERAL.—Consistent with prin-  
 22 ciples of Indian self-determination and the find-  
 23 ings of this Act, the Secretary shall conduct  
 24 and submit to Congress a study of the feasi-  
 25 bility of establishing a demonstration project in  
 26 which Indian tribes, tribal organizations, or

1 tribal consortia are authorized to expend  
2 amounts received pursuant to the Native Amer-  
3 ican Housing Assistance and Self-Determina-  
4 tion Reauthorization Act of 2002 in order to  
5 design, implement, and operate community de-  
6 velopment demonstration projects.

7 “(B) STUDY.—Not later than 1 year after  
8 the date of enactment of the Native American  
9 Housing Assistance and Self-Determination Re-  
10 authorization Act of 2002, the Secretary shall  
11 submit the study conducted under subpara-  
12 graph (A) to the Committee on Banking, Hous-  
13 ing, and Urban Affairs and the Committee on  
14 Indian Affairs of the Senate, and the Com-  
15 mittee on Financial Services and the Committee  
16 on Resources of the House of Representatives.

17 “(8) SELF-DETERMINATION ACT DEMONSTRA-  
18 TION PROJECT.—

19 “(A) IN GENERAL.—Consistent with the  
20 provisions of the Indian Self-Determination and  
21 Education Assistance Act (25 U.S.C. 450 et  
22 seq.), the Secretary shall conduct and submit to  
23 Congress a study of the feasibility of estab-  
24 lishing a demonstration project in which Indian  
25 tribes and tribal organizations are authorized to

1 receive assistance in a manner that maximizes  
2 tribal authority and decision-making in the de-  
3 sign and implementation of Federal housing  
4 and related activity funding.

5 “(B) STUDY.—Not later than 1 year after  
6 the date of enactment of the Native American  
7 Housing Assistance and Self-Determination Re-  
8 authorization Act of 2002, the Secretary shall  
9 submit the study conducted under subpara-  
10 graph (A) to the Committee on Banking, Hous-  
11 ing, and Urban Affairs and the Committee on  
12 Indian Affairs of the Senate, and the Com-  
13 mittee on Financial Services and the Committee  
14 on Resources of the House of Representatives.”.

15 **SEC. 9. BLACK MOLD INFESTATION STUDY.**

16 Not later than 180 days after the date of enactment  
17 of this Act, the Secretary of Housing and Urban Develop-  
18 ment shall—

19 (1) complete a study on the extent of black  
20 mold infestation of Native American housing in the  
21 United States; and

1           (2) submit to Congress a report that describes  
2           recommendations of the Secretary for means by  
3           which to address the infestation.

Passed the Senate October 4, 2002.

Attest:

*Secretary.*

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