

**AMENDMENT TO RULES COMMITTEE PRINT 117-**

**54**

**OFFERED BY MS. WATERS OF CALIFORNIA**

Page 1262, after line 23, insert the following:

1 **SECTION 5403. NATIVE AMERICAN HOUSING ASSISTANCE.**

2 (a) CONSOLIDATION OF ENVIRONMENTAL REVIEW  
3 REQUIREMENTS.—Section 105 of the Native American  
4 Housing Assistance and Self-Determination Act of 1996  
5 (25 U.S.C. 4115) is amended by adding at the end the  
6 following:

7 “(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW  
8 REQUIREMENTS.—

9 “(1) IN GENERAL.—In the case of a recipient  
10 of grant amounts under this Act that is carrying out  
11 a project that qualifies as an affordable housing ac-  
12 tivity under section 202, if the recipient is using 1  
13 or more additional sources of Federal funds to carry  
14 out the project, and the grant amounts received  
15 under this Act constitute the largest single source of  
16 Federal funds that the recipient reasonably expects  
17 to commit to the project at the time of environ-  
18 mental review, the Indian tribe of the recipient may  
19 assume, in addition to all of the responsibilities for

1 environmental review, decision making, and action  
2 under subsection (a), all of the additional respon-  
3 sibilities for environmental review, decision making,  
4 and action under provisions of law that would apply  
5 to each Federal agency providing additional funding  
6 were the Federal agency to carry out the project as  
7 a Federal project.

8 “(2) DISCHARGE.—The assumption by the In-  
9 dian tribe of the additional responsibilities for envi-  
10 ronmental review, decision making, and action under  
11 paragraph (1) with respect to a project shall be  
12 deemed to discharge the responsibility of the applica-  
13 ble Federal agency for environmental review, deci-  
14 sion making, and action with respect to the project.

15 “(3) CERTIFICATION.—An Indian tribe that as-  
16 sumes the additional responsibilities under para-  
17 graph (1), shall certify, in addition to the require-  
18 ments under subsection (c)—

19 “(A) the additional responsibilities that the  
20 Indian tribe has fully carried out under this  
21 subsection; and

22 “(B) that the certifying officer consents to  
23 assume the status of a responsible Federal offi-  
24 cial under the provisions of law that would

1 apply to each Federal agency providing addi-  
2 tional funding under paragraph (1).

3 “(4) LIABILITY.—

4 “(A) IN GENERAL.—An Indian tribe that  
5 completes an environmental review under this  
6 subsection shall assume sole liability for the  
7 content and quality of the review.

8 “(B) REMEDIES AND SANCTIONS.—Except  
9 as provided in subparagraph (C), if the Sec-  
10 retary approves a certification and release of  
11 funds to an Indian tribe for a project in accord-  
12 ance with subsection (b), but the Secretary or  
13 the head of another Federal agency providing  
14 funding for the project subsequently learns that  
15 the Indian tribe failed to carry out the respon-  
16 sibilities of the Indian tribe as described in sub-  
17 section (a) or paragraph (1), as applicable, the  
18 Secretary or other head, as applicable, may im-  
19 pose appropriate remedies and sanctions in ac-  
20 cordance with—

21 “(i) the regulations issued pursuant to  
22 section 106; or

23 “(ii) such regulations as are issued by  
24 the other head.

1           “(C) STATUTORY VIOLATION WAIVERS.—If  
2           the Secretary waives the requirements under  
3           this section in accordance with subsection (d)  
4           with respect to a project for which an Indian  
5           tribe assumes additional responsibilities under  
6           paragraph (1), the waiver shall prohibit any  
7           other Federal agency providing additional fund-  
8           ing for the project from imposing remedies or  
9           sanctions for failure to comply with require-  
10          ments for environmental review, decision mak-  
11          ing, and action under provisions of law that  
12          would apply to the Federal agency.”.

13          (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
14          108 of the Native American Housing Assistance and Self-  
15          Determination Act of 1996 (25 U.S.C. 4117) is amended,  
16          in the first sentence, by striking “2009 through 2013”  
17          and inserting “2022 through 2032”.

18          (c) STUDENT HOUSING ASSISTANCE.—Section  
19          202(3) of the Native American Housing Assistance and  
20          Self-Determination Act of 1996 (25 U.S.C. 4132(3)) is  
21          amended by inserting “including education-related sti-  
22          pends, college housing assistance, and other education-re-  
23          lated assistance for low-income college students,” after  
24          “self-sufficiency and other services,”.

1 (d) DE MINIMIS EXEMPTION FOR PROCUREMENT OF  
2 GOODS AND SERVICES.—Section 203(g) of the Native  
3 American Housing Assistance and Self-Determination Act  
4 of 1996 (25 U.S.C. 4133(g)) is amended by striking  
5 “\$5,000” and inserting “\$10,000”.

6 (e) HOMEOWNERSHIP OR LEASE-TO-OWN LOW-IN-  
7 COME REQUIREMENT AND INCOME TARGETING.—Section  
8 205 of the Native American Housing Assistance and Self-  
9 Determination Act of 1996 (25 U.S.C. 4135) is amend-  
10 ed—

11 (1) in subsection (a)(1)—

12 (A) in subparagraph (C), by striking  
13 “and” at the end; and

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

15 “(E) notwithstanding any other provision  
16 of this paragraph, in the case of rental housing  
17 that is made available to a current rental family  
18 for conversion to a homebuyer or a lease-pur-  
19 chase unit, that the current rental family can  
20 purchase through a contract of sale, lease-pur-  
21 chase agreement, or any other sales agreement,  
22 is made available for purchase only by the cur-  
23 rent rental family, if the rental family was a  
24 low-income family at the time of their initial oc-  
25 cupancy of such unit; and”;

1 (2) in subsection (c)—

2 (A) by striking “The provisions” and in-  
3 serting the following:

4 “(1) IN GENERAL.—The provisions”; and

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

6 “(2) APPLICABILITY TO IMPROVEMENTS.—The  
7 provisions of subsection (a)(2) regarding binding  
8 commitments for the remaining useful life of prop-  
9 erty shall not apply to improvements of privately  
10 owned homes if the cost of the improvements do not  
11 exceed 10 percent of the maximum total develop-  
12 ment cost for the home.”.

13 (f) LEASE REQUIREMENTS AND TENANT SELEC-  
14 TION.—Section 207 of the Native American Housing As-  
15 sistance and Self-Determination Act of 1996 (25 U.S.C.  
16 4137) is amended by adding at the end the following:

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

21 (g) INDIAN HEALTH SERVICE.—

22 (1) IN GENERAL.—Subtitle A of title II of the  
23 Native American Housing Assistance and Self-De-  
24 termination Act of 1996 (25 U.S.C. 4131 et seq.) is  
25 amended by adding at the end the following:

1 **“SEC. 211. IHS SANITATION FACILITIES CONSTRUCTION.**

2 “Notwithstanding any other provision of law, the Di-  
3 rector of the Indian Health Service, or a recipient receiv-  
4 ing funding for a housing construction or renovation  
5 project under this title, may use funding from the Indian  
6 Health Service for the construction of sanitation facilities  
7 under that project.”.

8 (2) CLERICAL AMENDMENT.—The table of con-  
9 tents in section 1(b) of the Native American Hous-  
10 ing Assistance and Self-Determination Act of 1996  
11 (Public Law 104–330; 110 Stat. 4016) is amended  
12 by inserting after the item relating to section 210  
13 the following:

“Sec. 211. IHS sanitation facilities construction.”.

14 (h) STATUTORY AUTHORITY TO SUSPEND GRANT  
15 FUNDS IN EMERGENCIES.—Section 401(a)(4) of the Na-  
16 tive American Housing Assistance and Self-Determination  
17 Act of 1996 (25 U.S.C. 4161(a)(4)) is amended—

18 (1) in subparagraph (A), by striking “may take  
19 an action described in paragraph (1)(C)” and insert-  
20 ing “may immediately take an action described in  
21 paragraph (1)(C)”; and

22 (2) by striking subparagraph (B) and inserting  
23 the following:

24 “(B) PROCEDURAL REQUIREMENTS.—

1           “(i) IN GENERAL.—If the Secretary  
2           takes an action described in subparagraph  
3           (A), the Secretary shall provide notice to  
4           the recipient at the time that the Secretary  
5           takes that action.

6           “(ii) NOTICE REQUIREMENTS.—The  
7           notice under clause (i) shall inform the re-  
8           cipient that the recipient may request a  
9           hearing by not later than 30 days after the  
10          date on which the Secretary provides the  
11          notice.

12          “(iii) HEARING REQUIREMENTS.—A  
13          hearing requested under clause (ii) shall be  
14          conducted—

15                 “(I) in accordance with subpart  
16                 A of part 26 of title 24, Code of Fed-  
17                 eral Regulations (or successor regula-  
18                 tions); and

19                 “(II) to the maximum extent  
20                 practicable, on an expedited basis.

21          “(iv) FAILURE TO CONDUCT A HEAR-  
22          ING.—If a hearing requested under clause  
23          (ii) is not completed by the date that is  
24          180 days after the date on which the re-  
25          cipient requests the hearing, the action of



1           the Secretary to limit the availability of  
2           payments shall no longer be effective.”.

3           (i) **REPORTS TO CONGRESS.**—Section 407 of the Na-  
4     tive American Housing Assistance and Self-Determination  
5     Act of 1996 (25 U.S.C. 4167) is amended—

6           (1) in subsection (a), by striking “Congress”  
7           and inserting “Committee on Indian Affairs and the  
8           Committee on Banking, Housing and Urban Affairs  
9           of the Senate and the Committee on Financial Serv-  
10          ices of the House of Representatives”; and

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

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

15          (j) **99-YEAR LEASEHOLD INTEREST IN TRUST OR**  
16       **RESTRICTED LANDS FOR HOUSING PURPOSES.**—Section  
17       702 of the Native American Housing Assistance and Self-  
18       Determination Act of 1996 (25 U.S.C. 4211) is amend-  
19       ed—

20          (1) in the section heading, by striking “**50-**  
21       **YEAR**” and inserting “**99-YEAR**”;

22          (2) in subsection (b), by striking “50 years”  
23       and inserting “99 years”; and

24          (3) in subsection (c)(2), by striking “50 years”  
25       and inserting “99 years”.

1 (k) AMENDMENTS FOR BLOCK GRANTS FOR AF-  
2 FORDABLE HOUSING ACTIVITIES.—Section 802(e) of the  
3 Native American Housing Assistance and Self-Determina-  
4 tion Act of 1996 (25 U.S.C. 4222(e)) is amended by—

5 (1) by striking “The Director” and inserting  
6 the following:

7 “(1) IN GENERAL.—The Director”; and

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

9 “(2) SUBAWARDS.—Notwithstanding any other  
10 provision of law, including provisions of State law  
11 requiring competitive procurement, the Director may  
12 make subawards to subrecipients, except for for-  
13 profit entities, using amounts provided under this  
14 title to carry out affordable housing activities upon  
15 a determination by the Director that such subrecipi-  
16 ents have adequate capacity to carry out activities in  
17 accordance with this Act.”.

18 (l) REAUTHORIZATION OF NATIVE HAWAIIAN HOME-  
19 OWNERSHIP PROVISIONS.—Section 824 of the Native  
20 American Housing Assistance and Self-Determination Act  
21 of 1996 (25 U.S.C. 4243) is amended by striking “such  
22 sums as may be necessary” and all that follows through  
23 the period at the end and inserting “such sums as may  
24 be necessary for each of fiscal years 2022 through 2032.”.

1 (m) TOTAL DEVELOPMENT COST MAXIMUM  
2 PROJECT COST.—Affordable housing (as defined in sec-  
3 tion 4 of the Native American Housing Assistance and  
4 Self-Determination Act of 1996 (25 U.S.C. 4103)) that  
5 is developed, acquired, or assisted under the block grant  
6 program established under section 101 of the Native  
7 American Housing Assistance and Self-Determination Act  
8 of 1996 (25 U.S.C. 4111) shall not exceed by more than  
9 20 percent, without prior approval of the Secretary of  
10 Housing and Urban Development, the total development  
11 cost maximum cost for all housing assisted under an af-  
12 fordable housing activity, including development and  
13 model activities.

14 (n) COMMUNITY-BASED DEVELOPMENT ORGANIZA-  
15 TIONS.—Section 105 of the Housing and Community De-  
16 velopment Act of 1974 (42 U.S.C. 5305) is amended by  
17 adding at the end the following:

18 “(i) INDIAN TRIBES AND TRIBALLY DESIGNATED  
19 HOUSING ENTITIES AS COMMUNITY-BASED DEVELOP-  
20 MENT ORGANIZATIONS.—

21 “(1) DEFINITION.—In this subsection, the term  
22 ‘tribally designated housing entity’ has the meaning  
23 given the term in section 4 of the Native American  
24 Housing Assistance and Self-Determination Act of  
25 1996 (25 U.S.C. 4103).

1           “(2) QUALIFICATION.—An Indian tribe, a trib-  
2           ally designated housing entity, or a tribal organiza-  
3           tion shall qualify as a community-based development  
4           organization for purposes of carrying out new hous-  
5           ing construction under this subsection under a grant  
6           made under section 106(a)(1).”.

7           (o) INDIAN TRIBE ELIGIBILITY FOR HUD HOUSING  
8           COUNSELING GRANTS.—Section 106(a)(4) of the Housing  
9           and Urban Development Act of 1968 (12 U.S.C.  
10          1701x(a)(4)) is amended—

11           (1) in subparagraph (A)—

12                   (A) by striking “and” and inserting a  
13                   comma; and

14                   (B) by inserting before the period at the  
15                   end the following: “, Indian tribes, and tribally  
16                   designated housing entities”;

17           (2) in subparagraph (B), by inserting “, Indian  
18           tribes, and tribally designated housing entities” after  
19           “organizations”;

20           (3) by redesignating subparagraph (F) as sub-  
21           paragraph (G); and

22           (4) by inserting after subparagraph (E) the fol-  
23           lowing:

24                   “(F) DEFINITIONS.—In this paragraph,  
25           the terms ‘Indian tribe’ and ‘tribally designated

1 housing entity’ have the meanings given those  
2 terms in section 4 of the Native American  
3 Housing Assistance and Self-Determination Act  
4 of 1996 (25 U.S.C. 4103).”.

5 (p) SECTION 184 INDIAN HOME LOAN GUARANTEE  
6 PROGRAM.—

7 (1) IN GENERAL.—Section 184(b)(4) of the  
8 Housing and Community Development Act of 1992  
9 (12 U.S.C. 1715z–13a(b)(4)) is amended by—

10 (A) redesignating subparagraphs (A)  
11 through (D) as clauses (i) through (iv), respec-  
12 tively, and adjusting the margins accordingly;

13 (B) by striking “The loan” and inserting  
14 the following:

15 “(A) IN GENERAL.—The loan”;

16 (C) in subparagraph (A), as so designated,  
17 by adding at the end the following:

18 “(v) Any entity certified as a commu-  
19 nity development financial institution by  
20 the Community Development Financial In-  
21 stitutions Fund established under section  
22 104(a) of the Riegle Community Develop-  
23 ment and Regulatory Improvement Act of  
24 1994 (12 U.S.C. 4703(a)).”; and

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

1 “(B) DIRECT GUARANTEE PROCESS.—

2 “(i) AUTHORIZATION.—The Secretary  
3 may authorize qualifying lenders to partici-  
4 pate in a direct guarantee process for ap-  
5 proving loans under this section.

6 “(ii) INDEMNIFICATION.—

7 “(I) IN GENERAL.—If the Sec-  
8 retary determines that a mortgage  
9 guaranteed through a direct guar-  
10 antee process under this subpara-  
11 graph was not originated in accord-  
12 ance with the requirements estab-  
13 lished by the Secretary, the Secretary  
14 may require the lender approved  
15 under this subparagraph to indemnify  
16 the Secretary for the loss, irrespective  
17 of whether the violation caused the  
18 mortgage default.

19 “(II) FRAUD OR MISREPRESENTA-  
20 TION.—If fraud or misrepresenta-  
21 tion is involved in a direct guarantee  
22 process under this subparagraph, the  
23 Secretary shall require the original  
24 lender approved under this subpara-  
25 graph to indemnify the Secretary for

1 the loss regardless of when an insur-  
2 ance claim is paid.

3 “(C) REVIEW OF MORTGAGEES.—

4 “(i) IN GENERAL.—The Secretary  
5 may periodically review the mortgagees  
6 originating, underwriting, or servicing sin-  
7 gle family mortgage loans under this sec-  
8 tion.

9 “(ii) REQUIREMENTS.—In conducting  
10 a review under clause (i), the Secretary—

11 “(I) shall compare the mortgagee  
12 with other mortgagees originating or  
13 underwriting loan guarantees for In-  
14 dian housing based on the rates of de-  
15 faults and claims for guaranteed  
16 mortgage loans originated, under-  
17 written, or serviced by that mort-  
18 gagee;

19 “(II) may compare the mort-  
20 gagee with such other mortgagees  
21 based on underwriting quality, geo-  
22 graphic area served, or any commonly  
23 used factors the Secretary determines  
24 necessary for comparing mortgage de-  
25 fault risk, provided that the compari-

1 son is of factors that the Secretary  
2 would expect to affect the default risk  
3 of mortgage loans guaranteed by the  
4 Secretary;

5 “(iii) shall implement such compari-  
6 sons by regulation, notice, or mortgagee  
7 letter; and

8 “(I) may terminate the approval  
9 of a mortgagee to originate, under-  
10 write, or service loan guarantees for  
11 housing under this section if the Sec-  
12 retary determines that the mortgage  
13 loans originated, underwritten, or  
14 serviced by the mortgagee present an  
15 unacceptable risk to the Indian Hous-  
16 ing Loan Guarantee Fund established  
17 under subsection (i)—

18 “(aa) based on a comparison  
19 of any of the factors set forth in  
20 this subparagraph; or

21 “(bb) by a determination  
22 that the mortgagee engaged in  
23 fraud or misrepresentation.”.

24 (2) LOAN GUARANTEES FOR INDIAN HOUS-  
25 ING.—Section 184(i)(5) of the Housing and Commu-



1 nity Development Act of 1992 (12 U.S.C. 1715z–  
2 13a(i)(5)) is amended—

3 (A) in subparagraph (B), by inserting after  
4 the first sentence the following: “There are au-  
5 thorized to be appropriated for those costs such  
6 sums as may be necessary for each of fiscal  
7 years 2022 through 2032.”; and

8 (B) in subparagraph (C), by striking  
9 “2008 through 2012” and inserting “2022  
10 through 2032”.

11 (q) LOAN GUARANTEES FOR NATIVE HAWAIIAN  
12 HOUSING.—Section 184A of the Housing and Community  
13 Development Act of 1992 (12 U.S.C. 1715z–13b) is  
14 amended—

15 (1) in subsection (c)(4)(B)—

16 (A) by redesignating clause (iv) as clause  
17 (v); and

18 (B) by adding after clause (iii) the fol-  
19 lowing:

20 “(iv) Any entity certified as a commu-  
21 nity development financial institution by  
22 the Community Development Financial In-  
23 stitutions Fund established under section  
24 104(a) of the Riegle Community Develop-

1                   ment and Regulatory Improvement Act of  
2                   1994 (12 U.S.C. 4703(a)).”; and

3                   (2) in subsection (j)(5)(B), by inserting after  
4                   the first sentence the following: “There are author-  
5                   ized to be appropriated for those costs such sums as  
6                   may be necessary for each of fiscal years 2022  
7                   through 2032.”.

8                   (r) ASSISTANT SECRETARY FOR INDIAN HOUSING.—

9                   The Department of Housing and Urban Development Act  
10                  (42 U.S.C. 3531 et seq.) is amended—

11                  (1) in section 4 (42 U.S.C. 3533)—

12                         (A) in subsection (a)(1), by striking “7”  
13                         and inserting “8”; and

14                         (B) in subsection (e)—

15                                 (i) by redesignating paragraph (2) as  
16                                 paragraph (4); and

17                                 (ii) by striking “(e)(1)(A) There” and  
18                                 all that follows through the end of para-  
19                                 graph (1) and inserting the following:

20                   “(e)(1) There is established within the Department  
21                   the Office of Native American Programs (in this sub-  
22                   section referred to as the ‘Office’) to be headed by an As-  
23                   sistant Secretary for Native American Programs (in this  
24                   subsection referred to as the ‘Assistant Secretary’), who  
25                   shall be 1 of the Assistant Secretaries in subsection (a)(1).

1       “(2) The Assistant Secretary shall be responsible  
2 for—

3           “(A) administering, in coordination with the  
4 relevant office in the Department, the provision of  
5 housing assistance to Indian tribes or Indian hous-  
6 ing authorities under each program of the Depart-  
7 ment that provides for such assistance;

8           “(B) administering the community development  
9 block grant program for Indian tribes under title I  
10 of the Housing and Community Development Act of  
11 1974 (42 U.S.C. 5301 et seq.) and the provision of  
12 assistance to Indian tribes under such Act;

13           “(C) directing, coordinating, and assisting in  
14 managing any regional offices of the Department  
15 that administer Indian programs to the extent of  
16 such programs; and

17           “(D) coordinating all programs of the Depart-  
18 ment relating to Indian and Alaska Native housing  
19 and community development.

20       “(3) The Secretary shall include in the annual report  
21 under section 8 a description of the extent of the housing  
22 needs for Indian families and community development  
23 needs of Indian tribes in the United States and the activi-  
24 ties of the Department, and extent of such activities, in  
25 meeting such needs.”; and

1           (2) in section 8 (42 U.S.C. 3536), by striking  
2           “section 4(e)(2)” and inserting “section 4(e)(4)”.

3           (s) DRUG ELIMINATION PROGRAM.—

4           (1) DEFINITIONS.—In this subsection:

5                   (A) CONTROLLED SUBSTANCE.—The term  
6                   “controlled substance” has the meaning given  
7                   the term in section 102 of the Controlled Sub-  
8                   stances Act (21 U.S.C. 802).

9                   (B) DRUG-RELATED CRIME.—The term  
10                   “drug-related crime” means the illegal manu-  
11                   facture, sale, distribution, use, or possession  
12                   with intent to manufacture, sell, distribute, or  
13                   use a controlled substance.

14                   (C) RECIPIENT.—The term “recipient”—  
15                   (i) has the meaning given the term in  
16                   section 4 of the Native American Housing  
17                   Assistance and Self-Determination Act of  
18                   1996 (25 U.S.C. 4103); and

19                   (ii) includes a recipient of funds under  
20                   title VIII of that Act (25 U.S.C. 4221 et  
21                   seq.).

22                   (D) SECRETARY.—The term “Secretary”  
23                   means the Secretary of Housing and Urban De-  
24                   velopment.

1           (2) ESTABLISHMENT.—The Secretary may  
2           make grants under this subsection to recipients of  
3           assistance under the Native American Housing As-  
4           sistance and Self-Determination Act of 1996 (25  
5           U.S.C. 4101 et seq.) for use in eliminating drug-re-  
6           lated and violent crime.

7           (3) ELIGIBLE ACTIVITIES.—Grants under this  
8           subsection may be used for—

9                   (A) the employment of security personnel;

10                   (B) reimbursement of State, local, Tribal,  
11                   or Bureau of Indian Affairs law enforcement  
12                   agencies for additional security and protective  
13                   services;

14                   (C) physical improvements which are spe-  
15                   cifically designed to enhance security;

16                   (D) the employment of 1 or more individ-  
17                   uals—

18                           (i) to investigate drug-related or vio-  
19                           lent crime in and around the real property  
20                           comprising housing assisted under the Na-  
21                           tive American Housing Assistance and  
22                           Self-Determination Act of 1996 (25 U.S.C.  
23                           4101 et seq.); and

1 (ii) to provide evidence relating to  
2 such crime in any administrative or judi-  
3 cial proceeding;

4 (E) the provision of training, communica-  
5 tions equipment, and other related equipment  
6 for use by voluntary tenant patrols acting in co-  
7 operation with law enforcement officials;

8 (F) programs designed to reduce use of  
9 drugs in and around housing communities fund-  
10 ed under the Native American Housing Assist-  
11 ance and Self-Determination Act of 1996 (25  
12 U.S.C. 4101 et seq.), including drug-abuse pre-  
13 vention, intervention, referral, and treatment  
14 programs;

15 (G) providing funding to nonprofit resident  
16 management corporations and resident councils  
17 to develop security and drug abuse prevention  
18 programs involving site residents;

19 (H) sports programs and sports activities  
20 that serve primarily youths from housing com-  
21 munities funded through and are operated in  
22 conjunction with, or in furtherance of, an orga-  
23 nized program or plan designed to reduce or  
24 eliminate drugs and drug-related problems in  
25 and around those communities; and

1 (I) other programs for youth in school set-  
2 tings that address drug prevention and positive  
3 alternatives for youth, including education and  
4 activities related to science, technology, engi-  
5 neering, and math.

6 (4) APPLICATIONS.—

7 (A) IN GENERAL.—To receive a grant  
8 under this subsection, an eligible applicant shall  
9 submit an application to the Secretary, at such  
10 time, in such manner, and accompanied by—

11 (i) a plan for addressing the problem  
12 of drug-related or violent crime in and  
13 around of the housing administered or  
14 owned by the applicant for which the appli-  
15 cation is being submitted; and

16 (ii) such additional information as the  
17 Secretary may reasonably require.

18 (B) CRITERIA.—The Secretary shall ap-  
19 prove applications submitted under subpara-  
20 graph (A) on the basis of thresholds or criteria  
21 such as—

22 (i) the extent of the drug-related or  
23 violent crime problem in and around the  
24 housing or projects proposed for assist-  
25 ance;

1 (ii) the quality of the plan to address  
2 the crime problem in the housing or  
3 projects proposed for assistance, including  
4 the extent to which the plan includes ini-  
5 tiatives that can be sustained over a period  
6 of several years;

7 (iii) the capability of the applicant to  
8 carry out the plan; and

9 (iv) the extent to which tenants, the  
10 Tribal government, and the Tribal commu-  
11 nity support and participate in the design  
12 and implementation of the activities pro-  
13 posed to be funded under the application.

14 (5) HIGH INTENSITY DRUG TRAFFICKING  
15 AREAS.—In evaluating the extent of the drug-related  
16 crime problem pursuant to paragraph (4)(B), the  
17 Secretary may consider whether housing or projects  
18 proposed for assistance are located in a high inten-  
19 sity drug trafficking area designated pursuant to  
20 section 707(b) of the Office of National Drug Con-  
21 trol Policy Reauthorization Act of 1998 (21 U.S.C.  
22 1706(b)).

23 (6) REPORTS.—

24 (A) GRANTEE REPORTS.—The Secretary  
25 shall require grantees under this subsection to



1 provide periodic reports that include the obliga-  
2 tion and expenditure of grant funds, the  
3 progress made by the grantee in implementing  
4 the plan described in paragraph (4)(A)(i), and  
5 any change in the incidence of drug-related  
6 crime in projects assisted under this subsection.

7 (B) HUD REPORTS.—Not later than 1  
8 year after the date of enactment of this Act, the  
9 Secretary shall submit to Congress a report de-  
10 scribing the system used to distribute funding  
11 to grantees under this subsection, which shall  
12 include descriptions of—

13 (i) the methodology used to distribute  
14 amounts made available under this sub-  
15 section; and

16 (ii) actions taken by the Secretary to  
17 ensure that amounts made available under  
18 subsection are not used to fund baseline  
19 local government services, as described in  
20 paragraph (8)(B).

21 (7) NOTICE OF FUNDING AWARDS.—The Sec-  
22 retary shall publish on the website of the Depart-  
23 ment a notice of all grant awards made pursuant to  
24 this subsection, which shall identify the grantees and  
25 the amount of the grants.

1 (8) MONITORING.—

2 (A) IN GENERAL.—The Secretary shall  
3 audit and monitor the program funded under  
4 this subsection to ensure that assistance pro-  
5 vided under this subsection is administered in  
6 accordance with the provisions of this sub-  
7 section.

8 (B) PROHIBITION OF FUNDING BASELINE  
9 SERVICES.—

10 (i) IN GENERAL.—Amounts provided  
11 under this subsection may not be used to  
12 reimburse or support any local law enforce-  
13 ment agency or unit of general local gov-  
14 ernment for the provision of services that  
15 are included in the baseline of services re-  
16 quired to be provided by any such entity  
17 pursuant to a local cooperative agreement  
18 pursuant under the Indian Self-Determina-  
19 tion and Education Assistance Act (25  
20 U.S.C. 5301 et seq.) or any provision of an  
21 annual contributions contract for payments  
22 in lieu of taxation with the Bureau of In-  
23 dian Affairs.

24 (ii) DESCRIPTION.—Each grantee  
25 under this subsection shall describe, in the

1 report under subsection (f)(1), such base-  
2 line of services for the unit of Tribal gov-  
3 ernment in which the jurisdiction of the  
4 grantee is located.

5 (C) ENFORCEMENT.—The Secretary shall  
6 provide for the effective enforcement of this  
7 subsection, as specified in the program require-  
8 ments published in a notice by the Secretary,  
9 which may include—

10 (i) the use of on-site monitoring, inde-  
11 pendent public audit requirements, certifi-  
12 cation by Tribal or Federal law enforce-  
13 ment or Tribal government officials re-  
14 garding the performance of baseline serv-  
15 ices referred to in subparagraph (B);

16 (ii) entering into agreements with the  
17 Attorney General to achieve compliance,  
18 and verification of compliance, with the  
19 provisions of this subsection; and

20 (iii) adopting enforcement authority  
21 that is substantially similar to the author-  
22 ity provided to the Secretary under the  
23 Native American Housing Assistance and  
24 Self-Determination Act of 1996 (25 U.S.C.  
25 4101 et seq.)

1           (9) AUTHORIZATION OF APPROPRIATIONS.—

2           There are authorized to be appropriated such sums  
3           as may be necessary for each fiscal years 2022  
4           through 2032 to carry out this subsection.

5           (t) RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK  
6 INDIAN VETERANS.—Section 8(o)(19) of the United  
7 States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is  
8 amended by adding at the end the following:

9                   “(E) INDIAN VETERANS HOUSING RENTAL  
10                   ASSISTANCE PROGRAM.—

11                           “(i) DEFINITIONS.—In this subpara-  
12                           graph:

13                                   “(I) ELIGIBLE INDIAN VET-  
14                                   ERAN.—The term ‘eligible Indian vet-  
15                                   eran’ means an Indian veteran who  
16                                   is—

17   “(aa) homeless or at risk of  
18   homelessness; and

19   “(bb) living—

20   “(AA) on or near a res-  
21   ervation; or

22   “(BB) in or near any  
23   other Indian area.

24                                   “(II) ELIGIBLE RECIPIENT.—

25                                   The term ‘eligible recipient’ means a

1 recipient eligible to receive a grant  
2 under section 101 of the Native  
3 American Housing Assistance and  
4 Self-Determination Act of 1996 (25  
5 U.S.C. 4111).

6 “(III) INDIAN; INDIAN AREA.—  
7 The terms ‘Indian’ and ‘Indian area’  
8 have the meanings given those terms  
9 in section 4 of the Native American  
10 Housing Assistance and Self-Deter-  
11 mination Act of 1996 (25 U.S.C.  
12 4103).

13 “(IV) INDIAN VETERAN.—The  
14 term ‘Indian veteran’ means an In-  
15 dian who is a veteran.

16 “(V) PROGRAM.—The term ‘Pro-  
17 gram’ means the Tribal HUD–VASH  
18 program carried out under clause (ii).

19 “(VI) TRIBAL ORGANIZATION.—  
20 The term ‘tribal organization’ has the  
21 meaning given the term in section 4  
22 of the Indian Self-Determination and  
23 Education Assistance Act (25 U.S.C.  
24 5304).

1                   “(ii) PROGRAM SPECIFICATIONS.—

2                   The Secretary shall use not less than 5  
3                   percent of the amounts made available for  
4                   rental assistance under this paragraph to  
5                   carry out a rental assistance and sup-  
6                   ported housing program, to be known as  
7                   the ‘Tribal HUD–VASH program’, in con-  
8                   junction with the Secretary of Veterans Af-  
9                   fairs, by awarding grants for the benefit of  
10                  eligible Indian veterans.

11                  “(iii) MODEL.—

12                  “(I) IN GENERAL.—Except as  
13                  provided in subclause (II), the Sec-  
14                  retary shall model the Program on the  
15                  rental assistance and supported hous-  
16                  ing program authorized under sub-  
17                  paragraph (A) and applicable appro-  
18                  priations Acts, including administra-  
19                  tion in conjunction with the Secretary  
20                  of Veterans Affairs.

21                  “(II) EXCEPTIONS.—

22                  “(aa) SECRETARY OF HOUS-  
23                  ING AND URBAN DEVELOP-  
24                  MENT.—After consultation with  
25                  Indian tribes, eligible recipients,

1 and any other appropriate tribal  
2 organizations, the Secretary may  
3 make necessary and appropriate  
4 modifications to facilitate the use  
5 of the Program by eligible recipi-  
6 ents to serve eligible Indian vet-  
7 erans.

8 “(bb) SECRETARY OF VET-  
9 ERANS AFFAIRS.—After consulta-  
10 tion with Indian tribes, eligible  
11 recipients, and any other appro-  
12 priate tribal organizations, the  
13 Secretary of Veterans Affairs  
14 may make necessary and appro-  
15 priate modifications to facilitate  
16 the use of the Program by eligi-  
17 ble recipients to serve eligible In-  
18 dian veterans.

19 “(iv) ELIGIBLE RECIPIENTS.—The  
20 Secretary shall make amounts for rental  
21 assistance and associated administrative  
22 costs under the Program available in the  
23 form of grants to eligible recipients.

1                   “(v) FUNDING CRITERIA.—The Sec-  
2                   retary shall award grants under the Pro-  
3                   gram based on—

4                               “(I) need;

5                               “(II) administrative capacity; and

6                               “(III) any other funding criteria  
7                   established by the Secretary in a no-  
8                   tice published in the Federal Register  
9                   after consulting with the Secretary of  
10                   Veterans Affairs.

11                   “(vi) ADMINISTRATION.—Grants  
12                   awarded under the Program shall be ad-  
13                   ministered in accordance with the Native  
14                   American Housing Assistance and Self-De-  
15                   termination Act of 1996 (25 U.S.C. 4101  
16                   et seq.), except that recipients shall—

17                               “(I) submit to the Secretary, in a  
18                   manner prescribed by the Secretary,  
19                   reports on the utilization of rental as-  
20                   sistance provided under the Program;  
21                   and

22                               “(II) provide to the Secretary in-  
23                   formation specified by the Secretary  
24                   to assess the effectiveness of the Pro-



1                   gram in serving eligible Indian vet-  
2                   erans.

3                   “(vii) CONSULTATION.—

4                                 “(I) GRANT RECIPIENTS; TRIBAL  
5                   ORGANIZATIONS.—The Secretary, in  
6                   coordination with the Secretary of  
7                   Veterans Affairs, shall consult with el-  
8                   igible recipients and any other appro-  
9                   priate tribal organization on the de-  
10                   sign of the Program to ensure the ef-  
11                   fective delivery of rental assistance  
12                   and supportive services to eligible In-  
13                   dian veterans under the Program.

14                                 “(II) INDIAN HEALTH SERV-  
15                   ICE.—The Director of the Indian  
16                   Health Service shall provide any as-  
17                   sistance requested by the Secretary or  
18                   the Secretary of Veterans Affairs in  
19                   carrying out the Program.

20                   “(viii) WAIVER.—

21                                 “(I) IN GENERAL.—Except as  
22                   provided in subclause (II), the Sec-  
23                   retary may waive or specify alter-  
24                   native requirements for any provision  
25                   of law (including regulations) that the

1 Secretary administers in connection  
2 with the use of rental assistance made  
3 available under the Program if the  
4 Secretary finds that the waiver or al-  
5 ternative requirement is necessary for  
6 the effective delivery and administra-  
7 tion of rental assistance under the  
8 Program to eligible Indian veterans.

9 “(II) EXCEPTION.—The Sec-  
10 retary may not waive or specify alter-  
11 native requirements under subclause  
12 (I) for any provision of law (including  
13 regulations) relating to labor stand-  
14 ards or the environment.

15 “(ix) RENEWAL GRANTS.—The Sec-  
16 retary may—

17 “(I) set aside, from amounts  
18 made available for tenant-based rental  
19 assistance under this subsection and  
20 without regard to the amounts used  
21 for new grants under clause (ii), such  
22 amounts as may be necessary to  
23 award renewal grants to eligible re-  
24 cipients that received a grant under  
25 the Program in a previous year; and

1           “(II) specify criteria that an eli-  
2           gible recipient must satisfy to receive  
3           a renewal grant under subclause (I),  
4           including providing data on how the  
5           eligible recipient used the amounts of  
6           any grant previously received under  
7           the Program.

8           “(x) REPORTING.—

9           “(I) IN GENERAL.—Not later  
10          than 1 year after the date of enact-  
11          ment of this subparagraph, and every  
12          5 years thereafter, the Secretary, in  
13          coordination with the Secretary of  
14          Veterans Affairs and the Director of  
15          the Indian Health Service, shall—

16               “(aa) conduct a review of  
17               the implementation of the Pro-  
18               gram, including any factors that  
19               may have limited its success; and

20               “(bb) submit a report de-  
21               scribing the results of the review  
22               under item (aa) to—

23               “(AA) the Committee  
24               on Indian Affairs, the Com-  
25               mittee on Banking, Housing,

1 and Urban Affairs, the  
2 Committee on Veterans' Af-  
3 fairs, and the Committee on  
4 Appropriations of the Sen-  
5 ate; and

6 “(BB) the Sub-  
7 committee on Indian, Insu-  
8 lar and Alaska Native Af-  
9 fairs of the Committee on  
10 Natural Resources, the  
11 Committee on Financial  
12 Services, the Committee on  
13 Veterans' Affairs, and the  
14 Committee on Appropria-  
15 tions of the House of Rep-  
16 resentatives.

17 “(II) ANALYSIS OF HOUSING  
18 STOCK LIMITATION.—The Secretary  
19 shall include in the initial report sub-  
20 mitted under subclause (I) a descrip-  
21 tion of—

22 “(aa) any regulations gov-  
23 erning the use of formula current  
24 assisted stock (as defined in sec-  
25 tion 1000.314 of title 24, Code of

1 Federal Regulations (or any suc-  
2 cessor regulation)) within the  
3 Program;

4 “(bb) the number of recipi-  
5 ents of grants under the Pro-  
6 gram that have reported the reg-  
7 ulations described in item (aa) as  
8 a barrier to implementation of  
9 the Program; and

10 “(cc) proposed alternative  
11 legislation or regulations devel-  
12 oped by the Secretary in con-  
13 sultation with recipients of  
14 grants under the Program to  
15 allow the use of formula current  
16 assisted stock within the Pro-  
17 gram.”.

18 (u) LEVERAGING.—All funds provided under a grant  
19 made pursuant to this section or the amendments made  
20 by this section may be used for purposes of meeting  
21 matching or cost participation requirements under any  
22 other Federal or non-Federal program, provided that such  
23 grants made pursuant to the Native American Housing

- 1 Assistance and Self-Determination Act of 1996 (25 U.S.C.
- 2 4101 et seq.) are spent in accordance with that Act.

