

SEC. 595. NATIVE AMERICAN HOUSING ASSISTANCE.

(a) **SUBSIDY LAYERING CERTIFICATION.**—Section 206 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4136) is amended—

(1) by striking “certification by the Secretary” and inserting “certification by a recipient to the Secretary”; and

(2) by striking “any housing project” and inserting “the housing project involved”.

(b) **INCLUSION OF HOMEBUYER SELECTION POLICIES AND CRITERIA.**—Section 207(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4137(b)) is amended—

(1) by striking “TENANT SELECTION.—” and inserting “TENANT AND HOMEBUYER SELECTION.—”;

(2) in the matter preceding paragraph (1), by inserting “and homebuyer” after “tenant”; and

(3) in paragraph (3)(A), by inserting “and homebuyers” after “tenants”.

(c) **REPAYMENT OF GRANT AMOUNTS FOR VIOLATION OF AFFORDABLE HOUSING REQUIREMENT.**—Section 209 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4139) is amended by striking “section 205(2)” and inserting “section 205(a)(2)”.

(d) **AMENDMENT TO UNITED STATES HOUSING ACT OF 1937.**—Section 7 of the United States Housing Act of 1937 (42 U.S.C. 1437e) is amended by striking subsection (h).

(e) **MISCELLANEOUS.**—

(1) **DEFINITION OF INDIAN AREAS.**—Section 4(10) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(10)) is amended to read as follows:

“(10) **INDIAN AREA.**—The term ‘Indian area’ means the area within which an Indian tribe or a tribally designated housing entity, as authorized by 1 or more Indian tribes, provides assistance under this Act for affordable housing.”.

“(2) **CROSS-REFERENCE.**—Section 4(12)(C)(i)(II) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(12)(C)(i)(II)) is amended by striking “section 107” and inserting “section 705”.

(3) **LOCAL COOPERATION AGREEMENTS.**—Section 101(c) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111(c)) is amended to read as follows:

“(c) **LOCAL COOPERATION AGREEMENT.**—Notwithstanding any other provision of this Act, grant amounts provided under this Act on behalf of an Indian tribe may not be used for rental or lease-purchase homeownership units that are owned by the recipient for the tribe unless the governing body of the locality within which the property subject to the development activities to be assisted with the grant amounts is or will be situated has entered into an agreement with the recipient for the tribe providing for local cooperation required by the Secretary pursuant to this Act.”.

(4) **EXEMPTION FROM TAXATION.**—Section 101(d) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111(d)) is amended—

“(A) by striking the subsection designation and sub-section heading and all that follows through the end of paragraph (1) and inserting the following:

“(d) **EXEMPTION FROM TAXATION.**—Notwithstanding any other provision of this Act, grant amounts provided under this Act on behalf of an Indian tribe may not be used for affordable housing activities under this Act for rental or lease-purchase dwelling units developed under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) or with amounts provided under this Act that are owned by the recipient for the tribe unless—

“(1) such dwelling units (which, in the case of units in a multi-unit project, shall be exclusive of any portions of the project not developed under the United States Housing Act of 1937 or with amounts provided under this Act) are exempt from all real and personal property taxes levied or imposed by any State, tribe, city, county, or other political subdivision; and”;

(B) in paragraph (2), in the matter preceding subparagraph (A), by inserting “for the tribe” after “the recipient”.

(5) **SUBMISSION OF INDIAN HOUSING PLAN.**—Section 102(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4112(a)) is amended—

(A) in paragraph (1), by inserting “(A)” after “(1)”;

(B) in paragraph (1)(A), as so designated by subparagraph

(A) of this paragraph, by adding “or” at the end;

(C) by striking “(2)” and inserting “(B)”;

(D) by striking “(3)” and inserting “(2)”.

(6) CLARIFICATION.—Section 103(c)(3) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4113(c)(3)) is amended by inserting “not” before “prohibited”.

(7) APPLICABILITY OF PROVISIONS OF CIVIL RIGHTS.—Section 201(b)(5) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4131(b)(5)) is amended—

(A) by striking “Indian tribes” and inserting “federally recognized tribes and the tribally designated housing entities of those tribes”; and

(B) by striking “under this subsection” and inserting “under this Act”.

(8) ELIGIBILITY.—Section 205(a)(1) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4135(a)(1)) is amended—

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

and

(B) by striking subparagraph (B) and inserting the following:

“(B) in the case of a contract to purchase existing housing, is made available for purchase only by a family that is a low-income family at the time of purchase;

“(C) in the case of a lease-purchase agreement for existing housing or for housing to be constructed, is made available for lease-purchase only by a family that is a low-income family at the time the agreement is entered into; and

“(D) in the case of a contract to purchase housing to be constructed, is made available for purchase only by a family that is a low-income family at the time the contract is entered into; and”.

(9) TENANT SELECTION.—Section 207(b)(3)(B) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4137(b)(3)(B)) is amended by striking “of any rejected applicant of the grounds for any rejection” and inserting “to any rejected applicant of that rejection and the grounds for that rejection”.

(10) AVAILABILITY OF RECORDS.—Section 208 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4138) is amended—

(A) in subsection (a), by striking “paragraph (2)” and inserting “subsection (b)”;

(B) in subsection (b), by striking “paragraph (1)” and inserting “subsection (a)”.

(11) IHP REQUIREMENT.—Section 184(b)(2) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a(b)(2)) is amended by striking “that is under the jurisdiction of an Indian tribe” and all that follows before the period at the end.

(12) AUTHORIZATION OF APPROPRIATIONS.—Section 184(i)(5)(C) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a(i)(5)(C)) is amended by striking “note” and inserting “not”.

(13) ENVIRONMENTAL REVIEW UNDER THE INDIAN HOUSING LOAN GUARANTEE PROGRAM.—Section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a) is amended—

(A) by redesignating subsection (k) as subsection (l); and

(B) by inserting after subsection (j) the following:

“(k) ENVIRONMENTAL REVIEW.—For purposes of environmental, review, decisionmaking, and action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other law that furthers the purposes of that Act, a loan guarantee under this section shall—

“(1) be treated as a grant under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

“(2) be subject to the regulations promulgated by the Secretary to carry out section 105 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4115).”.

(14) PUBLIC AVAILABILITY OF INFORMATION.—

(A) IN GENERAL.—Title IV of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161 et seq.) is amended by adding at the end the following:

“SEC. 408. PUBLIC AVAILABILITY OF INFORMATION.

“Each recipient shall make any housing plan, policy, or annual report prepared by the recipient available to the general public.”.

(B) TABLE OF CONTENTS.—Section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 note) is amended in the table of contents by inserting after the item relating to section 407 the following:

“Sec. 408. Public availability of information.”.

(15) INELIGIBILITY OF INDIAN TRIBES.—Section 460 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12899h-1) is amended by striking “fiscal year 1997” and inserting “fiscal year 1998”.

(16) TREATMENT OF PREVIOUS AMENDMENTS.—Section 402 of The Balanced Budget Downpayment Act, I (42 U.S.C. 1437a note) is amended by striking subsection (e).

(f) EFFECTIVE DATE.—The amendments made by this section are made and shall apply beginning upon the date of the enactment of this Act.