

overview of how the Federal Reserve Board has used reserve requirements to conduct monetary policy; the impact of the maintenance of reserves on depository institutions, including the operations requirements and associated costs; the impact on consumers in managing their accounts, including the costs and benefits of the reserving system; and, alternatives to required reserves the Federal Reserve Board may have to effect monetary policy. The bill also directs the GAO to consult with credit unions and community banks.

According to former Federal Reserve Board Chairman Ben Bernanke, “. . . reserve balances far exceed the level of reserve requirements and the level of reserve requirements thus plays only a minor role in the daily implementation of monetary policy.” A GAO study will allow an objective assessment of whether the rarely changed monetary reserves imposed on depository institutions and consumers are necessary in order for the Federal Reserve Board to implement monetary policy in the 21st century. CUNA strongly supports this bill.

On behalf of America's credit unions and their 100 million members, thank you for scheduling H.R. 3240 for consideration. We look forward to working with you and members of the House of Representatives to swiftly enact this legislation.

Sincerely,

JIM NUSSLE,  
President & CEO.

Mr. PITTENGER. As technology advances, we need to make sure Federal regulations keep pace. Former Federal Reserve Chairman Bernanke has said that account “reserve balances far exceed the level of reserve requirements, and the level of reserve requirements thus plays only a minor role in the daily implementation of monetary policy.”

We can continue to protect the financial system while allowing families more flexibility to use online banking tools.

This legislation has strong bipartisan support, and I would like to thank my colleague from New York, Congresswoman MALONEY, who serves on the Financial Services Committee, for joining me in introducing H.R. 3240.

A GAO study will allow an objective assessment of whether the rarely changed monetary reserves imposed on depository institutions and consumers are necessary in order for the Federal Reserve to implement monetary policy in the 21st century.

Ms. MOORE. Mr. Speaker, I am absolutely delighted to yield such time as she might consume to the gentlelady from New York (Mrs. CAROLYN B. MALONEY), the Democratic cosponsor of this bill, who is the ranking member of the Capital Markets Subcommittee.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentlelady for her leadership and for yielding.

Mr. Speaker, I rise today in support of H.R. 3240. I am pleased to have worked on this bill with my colleague from North Carolina (Mr. PITTENGER). I would also like to take this opportunity to compliment his work on attempting to end terrorism, cracking down on terrorism financing in our country.

The purpose of this particular bill is to study the current monthly limits, under Regulation D, on the number of

automatic withdrawals from a consumer's savings account.

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Currently Regulation D limits the number of automatic withdrawals from a consumer's account to six per month. This means that if a consumer has already hit his limit on automatic withdrawals for the month and then overdrafts his or her checking account, the bank won't transfer money from his savings account to cover the overdraft, and this results in an unnecessary overdraft fee.

As two recent studies by the Consumer Financial Protection Bureau have noted, overdraft fees disproportionately harm those of us who can least afford it. Unsophisticated consumers are most hit by them. So if there is a regulation that is causing unnecessary overdraft fees, we should study whether that regulation is necessary. That is what our commonsense bill does. It asks the GAO to study the limitation in Regulation D to determine if it is, in fact, useful or harmful.

This bill is supported by many stakeholders in financial services: the Credit Union National Association, the National Association of Federal Credit Unions, and the American Bankers Association.

Mr. Speaker, I urge my colleagues to support this commonsense bill, and I appreciate the help of my colleague.

Ms. MOORE. Mr. Speaker, I have no further requests for speakers, so I yield back the balance of my time.

Mr. LUETKEMEYER. 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 Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 3240.

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. LUETKEMEYER. 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.

#### NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION ACT OF 2014

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4329) 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. 4329

*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 2014”.

(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”;

(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 2014 through 2018”.

#### 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 2015 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 joint-

ly 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 2014 through 2018.”; and

(2) in subparagraph (C)—

(A) by striking “2008 through 2012” and inserting “2014 through 2018”; 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 2014”.

**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 resubmit 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 have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 4329, as amended, currently under consideration.

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.

Mr. Speaker, the Native American Housing Assistance and Self-Determination Act was first signed into law in 1996. This 5-year authorization bill was conceptualized not to simply be another Federal subsidy for Native Americans but rather a bridge to assist millions in creating a better living condition, create housing opportunities, and find prosperity for tribal members.

My family’s story is exactly this one: when I was born, Dad and Mom had to move the chickens out of the shack that we moved into. That building still has a dirt floor in it today and wires in the windows. I have seen housing conditions similar to this still in New Mexico. I understand that my family made its way up the prosperity ladder starting, first, with owning our own home and, second, with then finding other ways to achieve asset acquisitions, and the same thing can happen for Native Americans.

In the last 10 years, NAHASDA, as it is known, has become a driving force

for positive change and improvement on tribal lands. Through increased access to safe and affordable housing and lease-to-own programs aimed at providing rural tribes with a means for self-growth, the program has provided flexibility and independence to tribal members nationwide.

This year we are not only reauthorizing this critical bill that provides much-needed housing; we are also attempting to continue NAHASDA's tradition of transforming housing programs. We are doing so by capturing and enhancing market efficiencies and the effectiveness of streamlined processes to continue building prosperity, something that has been elusive on tribal lands for too long.

I would like to thank all of those who have assisted in the development and promotion of this legislation, Congressman DON YOUNG, Congressman TOM COLE, Congresswoman GWEN MOORE, Congressman DENNY HECK, and Congresswoman MAXINE WATERS, who made great suggestions during the markup of this bill. Along with their staffs, they have worked tirelessly to make the reauthorization of this act possible and a truly bipartisan effort that achieves many of the reforms requested by Native American tribes nationwide.

Working together, we were able to reduce the burden on tribes and expand the opportunities in Native American housing. These reforms will result in more efficient use of taxpayer money and provide approval of projects with greater speed, allowing tribes to focus money and resources on development and innovation instead of spending inordinate amounts of time and money on administrative requirements. Ultimately, this will provide more families with homes.

Mr. Speaker, I commend HUD for truly embracing the need for more modernized programs with more accountability, transparency, and increased self-determination among Native Americans. Their willingness to engage with our offices, my counterparts working on this issue, and the committee has allowed us to create a more united product. Some Native Americans, upon reading the bill, have declared these changes and ideas will become transformational if they are adopted into law. Transformational is what we all came here to do.

H.R. 4329 includes a number of reforms, updates, and additions to the originating legislation, which are widely supported across Native American tribes. Since passage out of the Financial Services Committee, our office has received countless letters of support for passage of the bill.

In discussions with tribal housing councils and tribal leaders, there was great frustration with HUD for continued delays, and in extreme cases, failure to respond altogether. This legislation includes a compromise way forward to address this shortcoming. It sets a requirement that HUD shall re-

spond to tribes within a 60-day period, ensuring timely responsiveness, but it does this without jeopardizing HUD's oversight responsibility.

This reauthorization has a special provision that provides tribal businesses with greater opportunities for employment on tribal housing projects. The bill provides tribes with the flexibility to create independent maximum rent requirements dictated by the needs of their communities and with the flexibility to commingle Indian Health Service funds with NAHASDA money to construct sanitation facilities and greater infrastructure around housing developments.

Working with the administration, my legislation includes language to recoup unexpended funds within the program. The agreement that was reached is more accommodating to tribal needs than the original request, allowing more room for tribes to work through their balances while meeting the need for efficiencies in the system.

Finally, we have included a new demonstration project in the bill designed to attract greater private financing and more developers to invest private money in housing projects on tribal lands. This program envisions the same privatization projects that occurred on military land and succeeded in providing great numbers of new houses for military individuals in a very short period of time. The objective here is to put more Native Americans in homes and work through the backlog of housing needs in ways unseen before on Native lands.

NAHASDA was designed to promote development and increase flexibility so that tribes may meet the unique challenges they face and provide the self-determination tribes deserve. The legislation before you today expands upon these principles and represents an opportunity for greater prosperity for a cross-section of our society that in many parts of the Nation is truly in need of assistance.

Finally, I would like to thank Chairman HENSARLING and Majority Leader MCCARTHY and their staff for their willingness to address this issue and working with me to bring it up to date.

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

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

Mr. Speaker, this day is a culmination of a lot of time, a lot of work, and a lot of conversations back and forth, but, again, it is the best work that we have been able to produce in a bipartisan manner. It is not perfect, but I do want to thank all of our partners in this process. Representatives COLE, HANABUSA, HECK, KILDEE, PEARCE, and YOUNG have really been just outstanding partners. I really want to thank Ranking Member WATERS. She has been supportive, constructive, and, not to mention, exceedingly patient.

I also want to thank the Native American community. The National Congress of American Indians, the Na-

tional American Indian Housing Council, and many individual tribes from across the country have provided their expertise, their comments, their education, and their energy every single step of the way. My very first meeting in the 112th Congress was with one of my Wisconsin tribes, and I assured them that I would keep fighting to get NAHASDA to the floor, this reauthorization that honors the unique needs and sovereignty of the Nations of the First People, and H.R. 4329 keeps that promise.

It is a model for how Congress can work. Of course, again, there is not 100 percent agreement on every provision. I am waiting for the perfect bill. But we cannot let the perfect stand in the way of the possible. We must do what is the best for our tribal communities at this time.

NAHASDA provides tribal governments the ability to provide safe and affordable housing to tribal communities consistent with their status as sovereign. And it is no small task. Some of the poorest and most remote communities in this country are Native American. In fact, the three poorest communities in the United States are Native American.

Improvements that this bill accomplishes include expediting certain Federal approvals, providing rental assistance for Native American veterans, and providing that all Native people are eligible for NAHASDA. Expediting approval ends costly administrative duplication and delays, which is important due to unique timing and building challenges on reservations.

I am hopeful that when I yield time to another one of my colleagues, Mr. HECK, that he will expand on the provisions that we are proud of in this bill regarding Native American veterans. We are going to have several speakers, Mr. Speaker, who are going to comment on how we, after much back and forth, have included all Native people in this bill.

With that, I reserve the balance of my time.

Mr. PEARCE. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Alaska (Mr. YOUNG), who has devoted not just time this year but decades of helping Native Americans.

Mr. YOUNG of Alaska. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today to support H.R. 4329, the NAHASDA reauthorization act of 2014. Over the last 2 years, I have had the privilege of working with a bipartisan group of my colleagues on this crucial legislation. I would like to first start by thanking and commending Mr. PEARCE for his leadership in sponsoring this bill. This bill wouldn't have been possible without the efforts of Mr. COLE, Ms. MOORE, Mr. DENNY HECK, Ms. HANABUSA, Mr. KILDEE, and all the others. I also would like to thank Chairman HENSARLING for his dedication in moving this bill through the committee and for his statesmanship in resolving the difficult issues.



I would be remiss without thanking Alex on my staff, who has done great work on this legislation for the good of the First Americans.

Finally, it is important to acknowledge the many tribes and organizations that contributed to this legislation. These include the National American Indian Housing Council, which has developed a foundation for the legislation, and the Cook Inlet Housing Authority, which has been a tireless advocate in my State.

As my colleagues note, NAHASDA continues to be a successful and well-liked program throughout Indian Country. NAHASDA exemplifies the spirit of self-determination by allowing Native communities to create their own innovative housing assistance programs in ways that best serve their members. This bill upholds the success of NAHASDA and includes improvements to the programs that empower Native communities to better confront their housing challenges.

□ 1430

Furthermore, the bill responsibly streamlines administration of the programs so that both tribes and HUD will spend less time navigating red tape and more time advancing housing that makes a difference for native people.

As we pass this bill, the Senate must act quickly to take up the legislation before the end of this Congress. I call on our colleagues in the Senate to recognize the bipartisan nature of the bill and listen to the voices on this side of the aisle in support of Indian Country. It is my hope that the legislation will be signed into law before the end of the year.

As I said, I urge and I thank those for passage of this bill, H.R. 4329.

Ms. MOORE. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Florida (Mr. MURPHY), a member on the Financial Services Committee.

Mr. MURPHY of Florida. Mr. Speaker, I thank the gentlelady for yielding and for her hard work on the legislation.

I rise in support of reauthorizing the Native American Housing Assistance and Self-Determination Act. Communities are built upon access to safe, quality, affordable housing, but for many of America's great tribal nations, bureaucratic red tape has restricted tribes' abilities to make the most of scarce Federal housing dollars.

While Native Americans face some of the worst housing and economic conditions in the country, this is simply unacceptable. Giving control of housing grants to tribal nations just makes sense.

In addition to providing housing, the Miccosukee Indian Tribe of Florida preserves tradition, fights to protect the Florida Everglades, and works to develop the Tamiami Trail Reservation, using the flexibility NAHASDA provides to grow native-owned construction and building material businesses.

I thank the gentleman from New Mexico (Mr. PEARCE), chairman and ranking member of the committee, and the tribal leaders for their work on this important bipartisan legislation that provides much-needed reform to keep our Nation's promise to tribal nations and strengthen their communities. I urge my colleagues to support this bipartisan legislation.

Mr. PEARCE. Mr. Speaker, I yield myself such time as I may consume. There are many different Native American groups across the country who have sent letters of support, including the National American Indian Housing Council, the U.S. Chamber of Commerce, Southwest Tribal Housing Alliance, Nevada and California Indian housing authorities, and the Northwest Indian Housing Association.

In New Mexico, the Acoma Pueblo, Laguna Pueblo, Mescalero Apache, Jicarilla Apache, Santa Clara Pueblo, the Northern Pueblo, Santo Domingo Pueblo, and the Navajo Nation offers its support. Indian tribes all across the country are lending their support.

I did note that I had overlooked the gentleman from Michigan (Mr. KILDEE) on the other side of the aisle. His office was also greatly involved and instrumental in this bill, and I would like to recognize those efforts.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I am so happy to yield 2 minutes to the gentleman from Michigan (Mr. KILDEE), who came here in his running shoes and really came here because of his relationship to his uncle who is one of our former retired colleagues, Mr. Kildee of Michigan, and the younger Mr. KILDEE has been a tremendous asset in terms of putting this bill together.

Mr. KILDEE. Mr. Speaker, I thank the gentlewoman from Wisconsin (Ms. MOORE) for her great work on this legislation and her kind words, as well as Ranking Member WATERS, and to Mr. PEARCE who has pursued this legislation relentlessly, Mr. YOUNG, and others, I think this is a fine moment for us. It is an exercise in bipartisanship which we don't see enough of around here.

This is important legislation that has taken too long for Congress to bring to the floor. I think we all agree that it is long overdue. Our responsibilities, our trust relationships to the tribes has to be adhered to.

I will say no bill is perfect, and I do support this legislation with some concerns primarily around, as I voiced in committee, the demonstration project that is included in this bill which is, by some, viewed as a step toward privatization of the NAHASDA program.

I know most don't feel that way, but some feel it might lead to that. Tribes already have the ability to contract with nonprofit or for-profit private developers in building and rehabilitating tribal housing.

This particular program, the demonstration program, is not included in the National American Indian Housing

Council's NAHASDA recommendations, and I think it is important that we listen to Indian Country and those in the tribal communities because the very name of this bill has to do with self-determination, and I think it is important that we adhere to the interests of those sovereign tribes that will be administering this program.

There are other provisions that will be exempt from the NAHASDA requirements if in fact the privatization effort goes forward, so I would just be cautioning those tribal organizations and housing authorities that will be implementing under this law to take care to examine those relationships that they might enter into before pursuing the pilot program.

I will finish by saying that it is important that this legislation move forward. No bill is perfect. This is a very good step forward. I commend leaders on both sides of the aisle for bringing this to the floor, and I look forward to it becoming law very soon.

Mr. PEARCE. Mr. Speaker, again, I appreciate the observations by the gentleman. We had time to discuss after the hearing and after the markup, and at that time, it was pointed out that the pilot project is completely voluntary, easy to opt into and easy to opt out of.

It is not our intent to trap or entrap anyone, but instead open a door if they desire to go through it. I think there will be tribes that can go in and build all of houses that they need in a very short period of time. That is what we are looking for, but again, I take his observations very seriously, and we have looked for flaws in the program that might be hooks or have unintended consequences.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I am absolutely delighted to yield 2 minutes to the gentlewoman from Hawaii (Ms. HANABUSA), who is not a member of the committee but weighed in heavily on the final draft that is before us today.

Ms. HANABUSA. Mr. Speaker, I thank the gentlewoman from Wisconsin not only for yielding, but for her hard work and advocacy for native people.

I rise in support of this important piece of legislation for all of our native people, and I want to thank the chair and the ranking member of the Financial Services Committee for moving the bill forward.

Our native people, all native people, the Native Hawaiians included, have a very strong tie to the land. In Hawaii, it is called the *aina*. The need to have homeownership and to be tied to the land equates to the preservation of the culture and of the people.

In Hawaii, we continue to have beneficiaries of a Federal law called the Hawaiian Homes Commission Act of 1920, which Congress did pass, who are still waiting to get on the land—still waiting. This reauthorization will bring us closer to fulfilling the intent and the purpose of that act.

I appreciate the bipartisan efforts which have gone into this bill, and I would like to point out that title VIII, the portion that is relevant to the Native Hawaiians, expired in 2005.

It is almost 10 years later, and it is only through the bipartisan efforts of this committee and those like my good friend from Alaska (Mr. YOUNG) and Mr. COLE from Oklahoma, who have managed to push this forward with all of our strong advocates on the committee as well.

I ask that all Members of this body join me in supporting H.R. 4329 for all the native people because it is how we define and how we treat our native people that makes us a better Nation and a great Nation.

Mr. PEARCE. Mr. Speaker, again, recognizing the gentlelady from Hawaii, we had an opportunity to visit on the floor multiple times, and I recognize her inputs and just again would salute her for her support of the bill.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Hawaii (Ms. GABBARD), who is one of many people who participated in getting this bill to where it is today.

Ms. GABBARD. Mr. Speaker, today, I rise proudly in support of H.R. 4329, the Native American Housing Assistance and Self-Determination Reauthorization of 2014. In the 18 years since its enactment, this legislation has strengthened indigenous self-determination by empowering native nations to empower their low-income families and households by assisting with their affordable housing needs.

The State of Hawaii's Department of Hawaiian Home Lands uses these funds to manage a trust that Congress established for the rehabilitation of the Native Hawaiian people. Over 1,400 low-income families in Hawaii have benefited from these services, and in many cases, homeownership would not have been possible given the \$640,000 median price of a single-family home on the island of Oahu.

I would like to give one quick example of the Nakihei family on the island of Molokai. Brent and Amber Nakihei could not have afforded to remain in the neighborhood where Brent grew up, but they partnered with the Molokai Habitat for Humanity and Hawaiian Homes to build a new three-bedroom, one-bath house in 2007.

They invested 700 hours of work towards construction of that house, and their four children will now learn the responsibility of homeownership from a young age and have a safe home to grow up in. Passage of this legislation will continue to have a tremendous impact by enabling other families like the Nakihei family.

Nationwide passage of this legislation also would represent an important step to removing roadblocks to economic success in native communities and would reaffirm the House's long-standing commitment to tribal sovereignty and self-determination.

I thank my colleagues, Chairman HENSARLING, Ranking Member WATERS, and Representative MOORE for their outstanding leadership in allowing this legislation to move forward, as well as longtime advocate Representative YOUNG, Congresswoman HANABUSA, and DAN KILDEE who worked very hard on this legislation. I urge my colleagues to join me in supporting H.R. 4329.

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

Ms. MOORE. Mr. Speaker, I am delighted to yield such time as she may consume to the gentlewoman from California (Ms. WATERS), the ranking member of the Financial Services Committee, who has really put a lot of time into this bill.

As the ranking member, she serves on all of the subcommittees, but she has been particularly passionate about her stewardship over this bill.

Ms. WATERS. 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, two groups that not only experience some of the poorest housing conditions in the Nation, but also face unique barriers to housing due to the legal status of tribal lands.

Through block grants and loan guarantees, NAHASDA ensures Federal assistance is tailored to address their needs while respecting their right to self-determination. I am encouraged that my Republican colleagues have finally agreed to include a provision to reauthorize Native Hawaiian programs.

As a supporter of the reauthorization of NAHASDA, I did not object to the bill before us today moving forward under suspension; however, this is one of those times, while you understand very well why reauthorization is necessary, I must go on record to continue to support a fight and a struggle that I have been involved in with some of my colleagues for many years.

The bill will do nothing to protect the Cherokee Freedmen—descendants of former African American slaves of the Cherokee—who are facing possible expulsion by the Cherokee Nation.

The ancestors of the Freedmen marched with the Cherokee on the Trail of Tears; yet, today, their tragic history continues as the Freedmen face ongoing discrimination from the tribe that they call their own.

□ 1445

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

I attempted to deal with this issue by way of an amendment, but the Republicans again refused to offer protections for the Cherokee Freedmen in

this legislation. During the committee markup, my amendment was rejected, which would have made NAHASDA funding to the Cherokee contingent on full recognition of the Freedmen as citizens of the Cherokee Nation. It causes me great pain to not be able to support the continued silence on this issue.

Furthermore, there is one other issue that I have to be concerned about. This bill would seriously undercut the central goal of providing affordable housing for low-income Native Americans. It would waive a low-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. I have to be concerned about this because this is a rule that is throughout HUD. I do not wish to be part of opening up that door and then having to face that later on as we deal with public housing and assisted housing. This bill strips away this basic safeguard, making low-income Native Americans vulnerable to unlimited increases in rent without any kind of hardship exemptions in place.

Lastly, this bill includes a new demonstration program that moves toward increased privatization and deregulation of tribal housing activities. I remain very concerned that this program could have negative impacts on low-income Native American households in participating tribes.

I would like to sincerely thank Ms. MOORE, Mr. HECK, and Mr. KILDEE for their efforts to reach a bipartisan agreement on this bill. I would like to thank Ms. HANABUSA and Ms. GABBARD for the work that they are doing. I won't support the reauthorization in its current form for all the reasons I have stated, but I thank all of those who have worked so hard to try and deal with the need for assistance for both the Hawaiians and the Native Americans in housing.

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

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

The SPEAKER pro tempore. The gentlewoman from Wisconsin has 5½ minutes remaining. The gentleman from New Mexico has 10 minutes remaining.

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

Let me thank again all of the partners in getting this legislation to the floor.

I do want to make mention of someone who is not a part of this debate, the gentlewoman from Minnesota, Representative BETTY MCCOLLUM, who is the cochair of the Native American Caucus. She wanted to make sure that she weighed in during this discussion about the extraordinary need to deal with Native American housing.

So many of us believe that Native Americans often are involved in gaming and that they are wealthy and rich, but as the ranking member mentioned, they are subjected to some of the poorest housing conditions in our country.



Although we are reauthorizing NAHASDA, none of us should be fooled at all that this will in any way deal with the tremendous need for affordable housing within Native American communities.

I, again, am very, very empathetic with the issues, particularly that the ranking member has raised, and I am really hopeful that many of these issues, particularly the issue of the Cherokee Freedmen, will be dealt with. It seems promising to me because of some of the decisions that have been made in courts so far.

We do seem to have a Cherokee chairman who is more open, it would seem, to providing membership and retaining membership of the Cherokee Freedmen.

I, again, am happy that the Native Hawaiians are in this bill. I think that as we move forward, we should be ever mindful to make sure that nothing that we have done here will preempt the Native Americans' sovereignty or sovereignty status.

Again, I want to thank all of my partners.

I yield back the balance of my time. Mr. PEARCE. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE), who is a tireless advocate for Native Americans and Native American housing.

Mr. COLE. Mr. Speaker, I thank my friend for yielding.

I rise to support the Native American Housing Assistance and Self-Determined Reauthorization Act of 2014.

I want to begin by thanking my friend Mr. PEARCE. Nobody has worked harder on this legislation and, frankly, cared more and done more to make sure that a part of our population that historically has not done well, to say the least, has the opportunity to not only receive some benefits that are appropriately and rightfully theirs, but to take more control over their own destiny and their own housing. I think this legislation does just that.

I want to thank Members on both sides of the aisle. I see my good friend from Wisconsin over there who, we worked together on VAWA. I know what her commitment is on Native American issues, and I appreciate that very, very much.

This legislation provides Native American tribes with much greater efficiencies when deploying NAHASDA funding. We all know government, however well intentioned, quite often is a pretty clumsy and pretty bureaucratic instrument. Consolidating the environmental review requirements, requiring the HUD Secretary to study and recommend to Congress standards to streamline the construction of Indian housing, recommendations for HUD to establish alternative reporting requirements for tribes, these are all good things that will speed the development of housing and allow tribes to deploy their funds more efficiently.

There is also legislation in here to deal with taxpayer protections and

tribal accountability to make sure the HUD Secretary has the authority to recoup unexpended funds that are held for too long; it strengthens tribal flexibility and sovereignty; and, finally, it allows tribes to pursue alternative funding sources by encouraging private investment, something that is desperately needed.

I know, and happened to come in the last part of the debate, there was some discussion about the Cherokee Freedmen issue. That is an issue I know a fair amount about since the tribe is located in my home State of Oklahoma. I want to agree with Ms. MOORE that we do have a chief, Chief Baker, who is extremely concerned about this issue and is trying to work it through.

The bill itself, the language, is really just an update from what we did in 2008. We are trying to allow the courts and the tribe to solve the issue. I think they genuinely have made progress that the people here that have had legitimate concerns about this issue can be proud of. I think they will continue to do that. But there is no substantive change in what my friend Mr. PEARCE has brought forward and what existing law was in this area.

I just want to end once more by thanking my friend Mr. PEARCE. Frankly, this bill would not have been on this floor without his diligent work. I certainly want to thank Mr. HENSARLING for working with my friend Mr. PEARCE, and I want to thank my friends on the other side of the aisle who also have focused a great deal of attention and concern on this issue to try and make sure that the first Americans aren't the last Americans in almost every category. So, again, I thank my friends, and I look forward to the passage of this legislation.

Mr. PEARCE. Mr. Speaker, I yield myself the remainder of my time.

I thank the gentleman from Oklahoma and, again, appreciate his leadership.

As you have heard, there is no shortage of debate on the bill, but there is also no shortage of people coming together and saying let's pass this bill.

I listened with interest to the ranking member. The points that she made today were made during the markup, and, again, I appreciate and respect that and have not set those concerns off on the side. It was absolutely essential that we move the bill forward in order to get this passed in this session, so I appreciate all of the support from our partners across the aisle.

This support that you are hearing from Native Americans across the country from people in this Chamber is no coincidence. It comes from hard work, and that hard work has come from both sides of the aisle, but especially from Ms. MOORE, Mr. HECK, Mr. KILDEE, and, again, Ms. WATERS. So thank you all for that dedicated effort. On our side, Mr. YOUNG, Mr. COLE, and Mr. HENSARLING have been just vital in getting this kind of pulled together in a fashion that we could bring it here today on suspension.

For the past 2 years, my office and I have worked with countless tribal leaders and housing associations nationwide; we have worked with other Members of Congress from both sides of the aisle; we have worked with HUD and the administration—all for one end result, and that is to create greater prosperity for Native Americans. It is that simple.

I am proud to cosponsor H.R. 4329 because it does so much to accomplish this goal. For generations, prosperity and growth has evaded many Native American communities. NAHASDA is not designed as an entitlement but, rather, as a tool of empowerment and growth. To date, each reauthorization has built upon the past to make alterations and updates designed to provide greater autonomy and prosperity on tribal lands. H.R. 4329 is no exception.

I ask that you join me today in reauthorizing this commonsense yet transformative legislation, which will help millions realize the dream of prosperity. Vote "yes" and help break a perpetual cycle of poverty through self-determination and independence.

I yield back the balance of my time. 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. 4329, as amended.

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

A motion to reconsider was laid on the table.

#### HOUSING ASSISTANCE EFFICIENCY ACT

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2790) to authorize private nonprofit organizations to administer permanent housing rental assistance provided through the Continuum of Care Program under the McKinney-Vento Homeless Assistance Act, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2790

*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 "Housing Assistance Efficiency Act".

#### SEC. 2. AUTHORITY TO ADMINISTER RENTAL ASSISTANCE.

Subsection (g) of section 423 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383(g)) is amended by inserting "private nonprofit organization," after "unit of general local government,".

#### SEC. 3. REALLOCATION OF FUNDS.

Paragraph (1) of section 414(d) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11373(d)(1)) is amended by striking "twice" and inserting "once".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from