115TH CONGRESS  
1ST SESSION  
S. 1275  

To improve the housing conditions and promote useful land uses within tribal communities, and for other purposes.

IN THE SENATE OF THE UNITED STATES  
MAY 25, 2017  
Mr. HOEVEN introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL  
To improve the housing conditions and promote useful land uses within tribal communities, and for other purposes.

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

SECTION 1. SHORT TITLE.  
This Act may be cited as the “Bringing Useful Initiatives for Indian Land Development Act of 2017” or the “BUILD Act of 2017”.

SEC. 2. ENVIRONMENTAL REVIEW.  
Section 105 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4115) is amended by adding at the end the following:
“(e) Consolidation of Environmental Review Requirements.—

“(1) In general.—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, where grant amounts under this Act constitute the largest single source of Federal funds that the recipient reasonably expects to commit to the project at the time of environmental review, the recipient’s tribe may, in addition to assuming all of the responsibilities for environmental review, decisionmaking, and action pursuant to subsection (a), assume all of the additional responsibilities for environmental review, decisionmaking, and action under provisions of law that would apply to the Federal agencies that are the other sources of Federal funds for the project.

“(2) Discharge.—A tribe’s compliance with the additional responsibilities described in paragraph (1), as well as the review requirements under the National Environmental Policy Act of 1969 and related laws specified in regulations issued under this section with regard to such project shall be deemed to discharge the responsibility of such other Federal
agencies for compliance with any applicable environ-
mental review requirements with respect to such
project.

“(3) Certification.—In the case of a tribe
that assumes additional responsibilities described in
paragraph (1), the certification under subsection (c)
shall, in addition to the content required under sub-
section (c), specify—

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

“(B) that the certifying officer consents to
assume the status of a responsible Federal offi-
cial under such additional provisions of law.

“(4) Liability.—

“(A) In general.—A tribe that completes
an environmental review pursuant to this sub-
section shall assume sole liability for the con-
tent and quality of the review.

“(B) Remedies and sanctions.—In the
event that the Secretary has approved a certifi-
cation and release of funds for a project in ac-
cordance with subsection (b), but the Secretary
or another funding Federal agency subsequently
learns that a tribe failed to carry out its re-
sponsibilities as described in subsection (a), the appropriate remedies and sanctions may be imposed in accordance with regulations issued pursuant to section 106, or in accordance with other sources of Federal funds assisting the project.

“(C) Statutory violation waivers.—In the event that a statutory violation waiver request is made under subsection (d) and is approved by the Secretary, such approval of the waiver request shall discharge other sources of Federal funds assisting the project from imposing remedies or sanctions.”.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 108 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4117) is amended in the first sentence by striking “2009 through 2013” and inserting “2018 through 2025”.

SEC. 4. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 702 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) is amended—

(1) in the section heading, by striking “50” and inserting “99”;
(2) in subsection (b), by striking “50 years” and inserting “99 years”; and

(3) in subsection (c)—

(A) in paragraph (1), by inserting “(in effect before, on, or after the date of enactment of the Bringing Useful Initiatives for Indian Land Development Act of 2017)” after “law”; and

(B) in paragraph (2), by striking “50 years” and inserting “99 years”.

SEC. 5. TRAINING AND TECHNICAL ASSISTANCE.

Section 703 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4212) is amended to read as follows:

“SEC. 703. TRAINING AND TECHNICAL ASSISTANCE.

“There are authorized to be appropriated for assistance for providing training and technical assistance to Indian tribes and tribally designated housing entities such sums as may be necessary for each of fiscal years 2018 through 2025. Such assistance shall be made available to training and technical assistance providers.”.

SEC. 6. LOAN GUARANTEES FOR INDIAN HOUSING.

Section 184(i) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(i)) is amended—
(1) in paragraph (5)—

   (A) in subparagraph (B), by inserting after the period at the end of the first sentence the following: “There are authorized to be appropriated for those costs $12,200,000 for each of fiscal years 2018 through 2025.”; and

   (B) in subparagraph (C), by striking “2008 through 2012” and inserting “2018 through 2025”; and

(2) in paragraph (7), by striking “2008 through 2012” and inserting “2018 through 2025”.

SEC. 7. LEVERAGING.

All funds provided under a grant made pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) may be used for purposes of meeting matching or cost participation requirements under any other Federal or non-Federal program.