

115TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bringing Useful Initia-
5 tives for Indian Land Development Act of 2017” or the
6 “BUILD Act of 2017”.

7 **SEC. 2. ENVIRONMENTAL REVIEW.**

8 Section 105 of the Native American Housing Assist-
9 ance and Self-Determination Act of 1996 (25 U.S.C.
10 4115) is amended by adding at the end the following:

1 “(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW
2 REQUIREMENTS.—

3 “(1) IN GENERAL.—If a recipient is using one
4 or more sources of Federal funds in addition to
5 grant amounts under this Act in carrying out a
6 project that qualifies as an affordable housing activ-
7 ity under section 202, where grant amounts under
8 this Act constitute the largest single source of Fed-
9 eral funds that the recipient reasonably expects to
10 commit to the project at the time of environmental
11 review, the recipient’s tribe may, in addition to as-
12 suming all of the responsibilities for environmental
13 review, decisionmaking, and action pursuant to sub-
14 section (a), assume all of the additional responsibil-
15 ities for environmental review, decisionmaking, and
16 action under provisions of law that would apply to
17 the Federal agencies that are the other sources of
18 Federal funds for the project.

19 “(2) DISCHARGE.—A tribe’s compliance with
20 the additional responsibilities described in paragraph
21 (1), as well as the review requirements under the
22 National Environmental Policy Act of 1969 and re-
23 lated laws specified in regulations issued under this
24 section with regard to such project shall be deemed
25 to discharge the responsibility of such other Federal

1 agencies for compliance with any applicable environ-
2 mental review requirements with respect to such
3 project.

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

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

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

15 “(4) LIABILITY.—

16 “(A) IN GENERAL.—A tribe that completes
17 an environmental review pursuant to this sub-
18 section shall assume sole liability for the con-
19 tent and quality of the review.

20 “(B) REMEDIES AND SANCTIONS.—In the
21 event that the Secretary has approved a certifi-
22 cation and release of funds for a project in ac-
23 cordance with subsection (b), but the Secretary
24 or another funding Federal agency subsequently
25 learns that a tribe failed to carry out its re-

1 sponsibilities as described in subsection (a), the
2 appropriate remedies and sanctions may be im-
3 posed in accordance with regulations issued
4 pursuant to section 106, or in accordance with
5 other sources of Federal funds assisting the
6 project.

7 “(C) STATUTORY VIOLATION WAIVERS.—
8 In the event that a statutory violation waiver
9 request is made under subsection (d) and is ap-
10 proved by the Secretary, such approval of the
11 waiver request shall discharge other sources of
12 Federal funds assisting the project from impos-
13 ing remedies or sanctions.”.

14 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 108 of the Native American Housing Assist-
16 ance and Self-Determination Act of 1996 (25 U.S.C.
17 4117) is amended in the first sentence by striking “2009
18 through 2013” and inserting “2018 through 2025”.

19 **SEC. 4. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RE-**
20 **STRICTED LANDS FOR HOUSING PURPOSES.**

21 Section 702 of the Native American Housing Assist-
22 ance and Self-Determination Act of 1996 (25 U.S.C.
23 4211) is amended—

24 (1) in the section heading, by striking “50” and
25 inserting “99”;

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

3 (3) in subsection (c)—

4 (A) in paragraph (1), by inserting “(in ef-
5 fect before, on, or after the date of enactment
6 of the Bringing Useful Initiatives for Indian
7 Land Development Act of 2017)” after “law”;
8 and

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

11 **SEC. 5. TRAINING AND TECHNICAL ASSISTANCE.**

12 Section 703 of the Native American Housing Assist-
13 ance and Self-Determination Act of 1996 (25 U.S.C.
14 4212) is amended to read as follows:

15 **“SEC. 703. TRAINING AND TECHNICAL ASSISTANCE.**

16 “There are authorized to be appropriated for assist-
17 ance for providing training and technical assistance to In-
18 dian tribes and tribally designated housing entities such
19 sums as may be necessary for each of fiscal years 2018
20 through 2025. Such assistance shall be made available to
21 training and technical assistance providers.”.

22 **SEC. 6. LOAN GUARANTEES FOR INDIAN HOUSING.**

23 Section 184(i) of the Housing and Community Devel-
24 opment Act of 1992 (12 U.S.C. 1715z–13a(i)) is amend-
25 ed—

1 (1) in paragraph (5)—

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

7 (B) in subparagraph (C), by striking
8 “2008 through 2012” and inserting “2018
9 through 2025”; and

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

12 **SEC. 7. LEVERAGING.**

13 All funds provided under a grant made pursuant to
14 the Native American Housing Assistance and Self-Deter-
15 mination Act of 1996 (25 U.S.C. 4101 et seq.) may be
16 used for purposes of meeting matching or cost participa-
17 tion requirements under any other Federal or non-Federal
18 program.