

118TH CONGRESS  
2D SESSION

# S. 3906

To set aside USDA rural housing funding for Indian Tribes.

---

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2024

Ms. WARREN introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

---

## A BILL

To set aside USDA rural housing funding for Indian Tribes.

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 “Tribal Rural Housing  
5 Access Act”.

6 **SEC. 2. SET-ASIDE OF USDA RURAL HOUSING FUNDING FOR**  
7 **INDIAN TRIBES.**

8 Section 509 of the Housing Act of 1949 (42 U.S.C.  
9 1479) is amended by adding at the end the following:

10 “(g) SET-ASIDE FOR INDIAN TRIBES.—

11 “(1) DEFINITIONS.—In this subsection—

1           “(A) the term ‘community development fi-  
2           nancial institution’ has the meaning given the  
3           term in section 103 of the Community Develop-  
4           ment Banking and Financial Institutions Act of  
5           1994 (12 U.S.C. 4702);

6           “(B) the term ‘Indian Tribe’, notwith-  
7           standing section 501 of this Act, has the mean-  
8           ing given the term ‘Indian tribe’ in section 4 of  
9           the Native American Housing Assistance and  
10          Self-Determination Act of 1996 (25 U.S.C.  
11          4103);

12          “(C) the term ‘Native community develop-  
13          ment financial institution’ means an entity—

14                 “(i) that has been certified as a com-  
15                 munity development financial institution by  
16                 the Secretary of the Treasury;

17                 “(ii) that is not less than 50 percent  
18                 owned or controlled by Indian Tribes,  
19                 members of Indian Tribes, or Native Ha-  
20                 waiians; and

21                 “(iii) for which not less than 50 per-  
22                 cent of the activities of the entity serve In-  
23                 dian Tribes, members of Indian Tribes, or  
24                 Native Hawaiians;

1           “(D) the term ‘Native Hawaiian’ has the  
2 meaning given the term in section 801 of the  
3 Native American Housing Assistance and Self-  
4 Determination Act of 1996 (25 U.S.C. 4221);

5           “(E) the term ‘tribally designated housing  
6 entity’ has the meaning given the term in sec-  
7 tion 4 of the Native American Housing Assist-  
8 ance and Self-Determination Act of 1996 (25  
9 U.S.C. 4103); and

10           “(F) the term ‘tribal-owned entity’ means  
11 an entity, whether for-profit or non-profit—

12           “(i) that is not less than 50 percent  
13 owned or controlled by Indian Tribes,  
14 members of Indian Tribes, or Native Ha-  
15 waiians; and

16           “(ii) for which not less than 50 per-  
17 cent of the activities of the entity serve In-  
18 dian Tribes, members of Indian Tribes, or  
19 Native Hawaiians.

20           “(2) SET-ASIDE.—For each fiscal year, with re-  
21 spect to assistance under sections 502, 504, 514,  
22 515, 516, 521(a), 525, 533, and 538, the Secretary  
23 shall set aside and reserve for assistance for the In-  
24 dian Tribes, tribally designated housing entities,  
25 members of Indian Tribes and Native Hawaiians,

1 and tribal-owned entities (including Native commu-  
2 nity development financial institutions) that are oth-  
3 erwise eligible for assistance under the applicable  
4 sections an amount equal to 5.0 percent of the ag-  
5 gregate amount of lending authority, budget author-  
6 ity, or guarantee authority, as appropriate, made  
7 available for the fiscal year for assistance under each  
8 of those sections to make, modify, or guarantee  
9 loans or to carry out programs or activities.

10 “(3) REALLOCATION.—The procedure under  
11 paragraph (2) for reserving amounts shall provide  
12 that any assistance set aside in any fiscal year that  
13 has not been expended by a reasonable date estab-  
14 lished by the Secretary shall be made available and  
15 allocated under the laws and regulations relating to  
16 such assistance, notwithstanding this subsection.”.

○