

amendments made by section 704 [amending sections 11902 to 11905 of Title 42]) shall take effect on the date of the enactment of this Act [Oct. 26, 1996].”

§ 4212. Training and technical assistance

There are authorized to be appropriated for assistance for a national organization representing Native American housing interests for providing training and technical assistance to Indian housing authorities and tribally designated housing entities such sums as may be necessary for each of fiscal years 2009 through 2013.

(Pub. L. 104-330, title VII, § 703, Oct. 26, 1996, 110 Stat. 4051; Pub. L. 107-292, § 2(c), Nov. 13, 2002, 116 Stat. 2053; Pub. L. 110-411, title VII, § 701(c), Oct. 14, 2008, 122 Stat. 4334.)

AMENDMENTS

2008—Pub. L. 110-411 substituted “2009 through 2013” for “1997 through 2007”.

2002—Pub. L. 107-292 substituted “1997 through 2007” for “1997, 1998, 1999, 2000, and 2001”.

EFFECTIVE DATE

Section effective Oct. 26, 1996, see section 705 of Pub. L. 104-330, set out as a note under section 4211 of this title.

SUBCHAPTER VIII—HOUSING ASSISTANCE FOR NATIVE HAWAIIANS

§ 4221. Definitions

In this subchapter:

(1) Department of Hawaiian Home Lands; Department

The term “Department of Hawaiian Home Lands” or “Department” means the agency or department of the government of the State of Hawaii that is responsible for the administration of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et seq.).

(2) Director

The term “Director” means the Director of the Department of Hawaiian Home Lands.

(3) Elderly families; near-elderly families

(A) In general

The term “elderly family” or “near-elderly family” means a family whose head (or his or her spouse), or whose sole member, is—

- (i) for an elderly family, an elderly person; or
- (ii) for a near-elderly family, a near-elderly person.

(B) Certain families included

The term “elderly family” or “near-elderly family” includes—

- (i) two or more elderly persons or near-elderly persons, as the case may be, living together; and
- (ii) one or more persons described in clause (i) living with one or more persons determined under the housing plan to be essential to their care or well-being.

(4) Hawaiian Home Lands

The term “Hawaiian Home Lands” means lands that—

- (A) have the status as Hawaiian home lands under section 204 of the Hawaiian

Homes Commission Act, 1920 (42 Stat. 110); or

(B) are acquired pursuant to that Act.

(5) Housing area

The term “housing area” means an area of Hawaiian Home Lands with respect to which the Department of Hawaiian Home Lands is authorized to provide assistance for affordable housing under this chapter.

(6) Housing entity

The term “housing entity” means the Department of Hawaiian Home Lands.

(7) Housing plan

The term “housing plan” means a plan developed by the Department of Hawaiian Home Lands.

(8) Median income

The term “median income” means, with respect to an area that is a Hawaiian housing area, the greater of—

- (A) the median income for the Hawaiian housing area, which shall be determined by the Secretary; or
- (B) the median income for the State of Hawaii.

(9) Native Hawaiian

The term “Native Hawaiian” means any individual who is—

- (A) a citizen of the United States; and
- (B) a descendant of the aboriginal people, who, prior to 1778, occupied and exercised sovereignty in the area that currently constitutes the State of Hawaii, as evidenced by—
 - (i) genealogical records;
 - (ii) verification by kupuna (elders) or kama’aina (long-term community residents); or
 - (iii) birth records of the State of Hawaii.

(Pub. L. 104-330, title VIII, § 801, as added Pub. L. 106-568, title II, § 203, Dec. 27, 2000, 114 Stat. 2876, and Pub. L. 106-569, title V, § 513, Dec. 27, 2000, 114 Stat. 2969.)

REFERENCES IN TEXT

The Hawaiian Homes Commission Act, 1920, referred to in pars. (1) and (4)(B), is act July 9, 1921, ch. 42, 42 Stat. 108, as amended, which was classified generally to sections 691 to 718 of Title 48, Territories and Insular Possessions, and was omitted from the Code.

This chapter, referred to in par. (5), was in the original “this Act”, meaning Pub. L. 104-330, Oct. 26, 1996, 110 Stat. 4016, known as the Native American Housing Assistance and Self-Determination Act of 1996. For complete classification of this Act to the Code, see Short Title note set out under section 4101 of this title and Tables.

CODIFICATION

Pub. L. 106-568, § 203, and Pub. L. 106-569, § 513, enacted substantially identical sections 801 of Pub. L. 104-330. This section is based on the text of section 801 of Pub. L. 104-330, as added by Pub. L. 106-569, § 513.

EFFECTIVE DATE

Pub. L. 104-330, title VIII, § 808, as added by Pub. L. 106-569, title V, § 513, Dec. 27, 2000, 114 Stat. 2979, provided that: “Except as otherwise expressly provided in this title [enacting this subchapter], this title shall