

(b) Procedure**(1) In general**

The Secretary shall authorize the release of funds subject to the procedures under this section only if, not less than 15 days before that approval and before any commitment of funds to such projects, the Director of the Department of Hawaiian Home Lands submits to the Secretary a request for such release accompanied by a certification that meets the requirements of subsection (c) of this section.

(2) Effect of approval

The approval of the Secretary of a certification described in paragraph (1) shall be deemed to satisfy the responsibilities of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and such other provisions of law as the regulations of the Secretary specify to the extent that those responsibilities relate to the releases of funds for projects that are covered by that certification.

(c) Certification

A certification under the procedures under this section shall—

- (1) be in a form acceptable to the Secretary;
- (2) be executed by the Director of the Department of Hawaiian Home Lands;
- (3) specify that the Department of Hawaiian Home Lands has fully carried out its responsibilities as described under subsection (a) of this section; and
- (4) specify that the Director—

(A) consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and each provision of law specified in regulations issued by the Secretary to the extent that those laws apply by reason of subsection (a) of this section; and

(B) is authorized and consents on behalf of the Department of Hawaiian Home Lands and the Director to accept the jurisdiction of the Federal courts for the purpose of enforcement of the responsibilities of the Director of the Department of Hawaiian Home Lands as such an official.

(Pub. L. 104-330, title VIII, § 806, as added Pub. L. 106-568, title II, § 203, Dec. 27, 2000, 114 Stat. 2883, and Pub. L. 106-569, title V, § 513, Dec. 27, 2000, 114 Stat. 2977.)

REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in subsecs. (a)(1), (b)(2), and (c)(4)(A), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, as amended, which is classified generally to chapter 55 (§ 4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

CODIFICATION

Pub. L. 106-568, § 203, and Pub. L. 106-569, § 513, enacted substantially identical sections 806 of Pub. L. 104-330. This section is based on the text of section 806 of Pub. L. 104-330, as added by Pub. L. 106-569, § 513.

§ 4227. Regulations

The Secretary shall issue final regulations necessary to carry out this subchapter not later than October 1, 2001.

(Pub. L. 104-330, title VIII, § 807, as added Pub. L. 106-568, title II, § 203, Dec. 27, 2000, 114 Stat. 2885, and Pub. L. 106-569, title V, § 513, Dec. 27, 2000, 114 Stat. 2979.)

CODIFICATION

Pub. L. 106-568, § 203, and Pub. L. 106-569, § 513, enacted substantially identical sections 807 of Pub. L. 104-330. This section is based on the text of section 807 of Pub. L. 104-330, as added by Pub. L. 106-569, § 513. Section 807 of Pub. L. 104-330, as added by Pub. L. 106-568, § 203, required the issuance of final regulations not later than October 1, 2000, instead of October 1, 2001.

§ 4228. Affordable housing activities**(a)¹ National objectives and eligible families****(1) Primary objective**

The national objectives of this subchapter are—

(A) to assist and promote affordable housing activities to develop, maintain, and operate affordable housing in safe and healthy environments for occupancy by low-income Native Hawaiian families;

(B) to ensure better access to private mortgage markets and to promote self-sufficiency of low-income Native Hawaiian families;

(C) to coordinate activities to provide housing for low-income Native Hawaiian families with Federal, State, and local activities to further economic and community development;

(D) to plan for and integrate infrastructure resources on the Hawaiian Home Lands with housing development; and

(E) to—

(i) promote the development of private capital markets; and

(ii) allow the markets referred to in clause (i) to operate and grow, thereby benefiting Native Hawaiian communities.

(2) Eligible families**(A) In general**

Except as provided under subparagraph (B), assistance for eligible housing activities under this subchapter shall be limited to low-income Native Hawaiian families.

(B) Exception to low-income requirement**(i) In general**

The Director may provide assistance for homeownership activities under—

(I) section 4229(b) of this title;

(II) model activities under section 4229(f) of this title; or

(III) loan guarantee activities under section 1715z-13b of title 12 to Native Hawaiian families who are not low-income families, to the extent that the Secretary approves the activities under that section to address a need for housing for those families that cannot be reasonably met without that assistance.

(ii) Limitations

The Secretary shall establish limitations on the amount of assistance that may be

¹ So in original. No subsec. (b) has been enacted.