

(4) Fiscal year limitations on Indian tribes**(A) In general**

The Secretary shall monitor the use of guarantees under this section by Indian tribes.

(B) Modifications

If the Secretary determines that 50 percent of the aggregate guarantee authority under paragraph (3) has been committed, the Secretary may—

(i) impose limitations on the amount of guarantees pursuant to this section that any single Indian tribe may receive in any fiscal year of \$25,000,000; or

(ii) request the enactment of legislation increasing the aggregate outstanding limitation on guarantees under this section.

(i) Report

Not later than 4 years after October 14, 2008, the Secretary shall submit to Congress a report describing the use of the authority under this section by Indian tribes and tribally designated housing entities, including—

(1) an identification of the extent of the use and the types of projects and activities financed using that authority; and

(2) an analysis of the effectiveness of the use in carrying out the purposes of this section.

(j) Termination

The authority of the Secretary under this section to make new guarantees for notes and obligations shall terminate on October 1, 2013.

(Pub. L. 104-330, title VI, §606, as added Pub. L. 110-411, title VI, §601(a), Oct. 14, 2008, 122 Stat. 4331.)

CODIFICATION

Another section 606 of Pub. L. 104-330 is set out as an Effective Date note under section 4191 of this title.

SUBCHAPTER VII—OTHER HOUSING ASSISTANCE FOR NATIVE AMERICANS

§ 4211. 50-year leasehold interest in trust or restricted lands for housing purposes**(a) Authority to lease**

Notwithstanding any other provision of law, any trust or restricted Indian lands, whether tribally or individually owned, may be leased by the Indian owners, subject to the approval of the affected Indian tribe and the Secretary of the Interior, for housing development and residential purposes.

(b) Term

Each lease pursuant to subsection (a) shall be for a term not exceeding 50 years.

(c) Rule of construction

This section may not be construed to repeal, limit, or affect any authority to lease any trust or restricted Indian lands that—

(1) is conferred by or pursuant to any other provision of law; or

(2) provides for leases for any period exceeding 50 years.

(d) Self-implementation

This section is intended to be self-implementing and shall not require the issuance of any

rule, regulation, or order to take effect as provided in section 705.

(Pub. L. 104-330, title VII, §702, Oct. 26, 1996, 110 Stat. 4050.)

REFERENCES IN TEXT

Section 705, referred to in subsec. (d), is section 705 of Pub. L. 104-330, which is set out as an Effective Date note below.

EFFECTIVE DATE

Pub. L. 104-330, title VII, §705, Oct. 26, 1996, 110 Stat. 4052, provided that: “This title [enacting this subchapter and amending sections 1715z-13a and 1721 of Title 12, Banks and Banking, and sections 11902 to 11905 of Title 42, The Public Health and Welfare] and the amendments made by this title (but not including the 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