



Legislative Bulletin.....September 6, 2007

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H.R. 2786—Amendments to the Native American Housing Assistance and Self-Determination Reauthorization Act

H.R. 2786, the Native American Housing Assistance and Self-Determination Reauthorization Act (sponsored by Rep. Dale Kildee, D-MI), is scheduled to be considered on the House floor on Thursday, September 6, 2007, subject to a modified open rule ([H.Res. 633](#)), making in order any germane amendment that was pre-filed in the *Congressional Record* by close of business yesterday. The following seven amendments were pre-filed and are debatable under the five-minute rule.

The rule waives all points of order against consideration of the bill, except those regarding PAYGO and earmarks, waives all points of order against the bill itself, and allows the Chair to postpone consideration of the legislation at any time during its consideration. The rule allows one motion to recommit with or without instructions.

The rule would also lay the following no-longer-necessary resolutions on the table (i.e. prevent them from ever being offered): H.Res. 595 (same-day rule for Ag Approps), H.Res. 596 (unused rule for Defense Approps), H.Res. 613 (allowing suspensions on Saturday, August 4, 2007), and H.Res. 614 (same-day rule for Defense Approps and FISA reform for August 4, 5, or 6, 2007).

Note: The summaries below are based on RSC staff's review of *actual amendment text*. For a summary of the underlying bill, see a separate RSC document released yesterday.

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1. King (R-IA). Strikes the reauthorization of the Native Hawaiian housing programs in the underlying bill. For more information on previous opposition by conservatives to special benefits for Native Hawaiians, see these two links:

http://www.house.gov/hensarling/rsc/doc/LB_032707_HawaiianHousingRule.doc; and
<http://www.house.gov/hensarling/rsc/doc/Native%20Hawaiians.doc>.

NOTE: this Native Hawaiian amendment is expected to be offered by Rep. Westmoreland (see amendment number seven below.)

2. King (R-IA). Prohibits amounts made available pursuant to any authorization of appropriations under this legislation, or under the amendments made by this legislation, from being used to employ

illegal workers [as defined in section 274A(h)(3)) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3))].

3. Pearce (R-NM). Creates a new loan-guarantee program for American Indian community and economic development activities. 70% of the guaranteed loans would have to benefit low-income Indian families, and no more than \$200 million in loans could be guaranteed for each of fiscal years 2008-2012. The HUD Secretary would have to establish underwriting criteria for the guarantees, including fees for such guarantees, as may be necessary to ensure that this program is financially sound. A guarantee would have to guarantee repayment of 95% of the unpaid principal and interest due on the notes or other obligations guaranteed. Such sums as necessary are authorized to cover costs of the guarantees for each of fiscal years 2008-2012. This loan guarantee authority affirmatively terminates on October 1, 2012.

4. Price (R-GA). Prohibits any housing assistance from being provided under this legislation unless the recipient provides, or, in the case of a household, all adult members of the recipient household provide, valid personal identification in one of the following forms:

- A Social Security card accompanied by a photo ID card issued by the federal government or a state government;
- A driver's license or ID card issued by a state in compliance with title II of the REAL ID Act of 2005 (title II of division B of Public Law 109-13; 49 U.S.C. 30301 note);
- A passport issued by the United States or a foreign government; or
- A photo ID card issued by the Secretary of Homeland Security (acting through the Director of the United States Citizenship and Immigration Services).

5. Price (R-GA). Prohibits authorizations of appropriations made by this legislation, or by the amendments made by this legislation, or any other provision of this legislation that results in costs to the federal government, from being effective, except to the extent that this legislation, or its amendments, provide for offsetting decreases in federal spending, such that the net effect of this legislation and such amendments neither increases the federal deficit nor reduces the federal surplus.

6. Watt (D-NC). Prohibits funds authorized under this legislation, or its amendments, or appropriated pursuant to an authorization under this legislation or such amendments, from being expended for the benefit of the Cherokee Nation of Oklahoma, until the Cherokee Nation of Oklahoma is in full compliance with the Treaty of 1866 and fully recognizes all Cherokee Freedmen and their descendants as citizens of the Cherokee Nation.

Earlier this year, the Cherokee Nation voted the Cherokee Freedmen (descendants of former slaves owned by Cherokees) out of the tribe, limiting tribe membership to those who are Indian "by blood." For more background, see this *USA Today* story:

http://www.usatoday.com/news/nation/2007-03-04-choerokee_N.htm?csp=34.

7. Westmoreland (R-GA). Strikes the reauthorization of the Native Hawaiian housing programs in the underlying bill. For more information on previous opposition by conservatives to special benefits for Native Hawaiians, see these two links:

http://www.house.gov/hensarling/rsc/doc/LB_032707_HawaiianHousingRule.doc; and

<http://www.house.gov/hensarling/rsc/doc/Native%20Hawaiians.doc>.