

NAHASDA AMENDMENTS 1998-2008

NAIHC LEGISLATIVE COMMITTEE ANALYSIS

NOTE: All NAHASDA Amendments Listed Below are Self-Executing, and are Currently in Full Force and Effect, Unless the Amendment is Noted by an Asterisk (), in which Case the Amendment Requires Implementing Rules Before Taking Effect.*

<p>AMENDMENT DATE, TITLE, AND FUNCTION</p>	<p>CATEGORIZATION OF AMENDMENT FOR PURPOSE OF NEGOTIATED RULEMAKING</p> <p>Five NAIHC raters evaluated each NAHASDA amendment according to the following ranking system:</p> <p>N/A = Not applicable for neg reg</p> <p>1 = No rule change needed</p> <p>2 = Minor rule change needed, but can be accomplished quickly</p> <p>3 = More extensive discussion and negotiation will be required</p>	<p>HUD NOTICE PIH 2009-50 (ONAP)</p> <p>The following is an overview of how HUD proposed to address amendments made to the Native American Housing Assistance and Self-Determination Act (NAHASDA) by the Native American Housing Assistance and Self-Determination Reauthorization Act of 2008, and earlier statutory amendments to NAHASDA.</p> <p>A complete and thorough review of HUD PIH 2009-50, issued on December 3, 2009, is highly recommended.</p>
<p>CONGRESSIONAL FINDINGS</p>		
<p><u>Section 2</u></p> <p>2008: PL 110-411 amended § 2.</p>	<p>2 (4 raters) or 3 (1 rater)</p>	<p>A conforming regulation is required at 24 CFR 1000.2.</p>

DEFINITIONS		
<u>Section 4</u>		
1998: PL 105-276 rewrote §4(10). <i>Seems clerical.</i>	1	This is a technical correction. No action is required.
1998: PL 105-276 amended §4(12)(c)(i)(II) <i>Seems clerical.</i>	1	There are no comments related to this section.
2002: PL 107-292 added §4(22). <i>Now repealed by 2008 amendment.</i>	N/A	No comments regarding section 4(22).
2008: PL 110-411 amended §4. <i>Defines “Housing related community development.”</i>	1	A conforming regulation is required at 24 CFR 1000.10.
TITLE I: BLOCK GRANTS AND GRANT REQUIREMENTS		
<u>Section 101</u>		
2000: PL 106-569 amended §101(b)(2).	3	No reference to section 101(b)(2) in HUD PIH Notice 2009-50.
1998: PL 105-276 rewrote §101(c). <i>Partially superseded by 2000 change (see below).</i>	3	A clarification limiting the circumstances under which the Secretary would be prohibited from making a grant due to the lack of a cooperation agreement between a recipient and a local governing body. No conforming

		regulation is required.
2000: PL 106-568 amended §101(c).	3	HUD previously published Notice PIH 2003-2 and Notice PIH 2003-3 addressing many of these amendments. Section 101(c) as amended by PL 106-568 does not appear to be addressed in this Notice.
1998: 105-276 amended §101(d)(1).	1	This is a technical correction. No action is required.
1998: PL 105-276 amended §101(d)(2). Clerical change.	1	This is a technical correction. No action is required.
2002: PL 107-292 amended §101(h). This is a change that allows tribes/TDHEs to use a portion of their grants to plan for “housing and community development activities” (and not just “affordable housing activities.”).	3	Conforming regulations are required at 1000.236 and 1000.238.
2008: PL 110-411 amended §101. The change to §101(a) is clerical.	1	No conforming regulation is required.
The reference to Subtitle B in §101(g) should be self-executing, because Subtitle B is itself self-executing (see below).	1	Section 101(g) does not appear to be addressed in this Notice.
This amendment deals with “federal supply sources.”	1	Directs Tribes and Tribal Designated Housing Entities to consult with the General Services Administration for information on the Federal Supply program.

<p>This amendment deals with “tribal preference.”</p> <p>PL 110-411 amended §101 to add a new ‘(k) Tribal Preference in Employment and Contracting</p>	<p>1 (2 raters) or 3 (2 raters)</p>	<p>Administrative requirements under 24 CFR Part 85 apply. The Indian Preference requirements outlined in 24 CFR 1000.52 continue to apply. Preference to Indian-owned companies and Indian-owned organizations stills applies in the award of contracts and subcontracts. HUD will issue general guidance to assist tribes on how the GSA schedule can work in the Indian Housing Block Grant program</p> <p>Rulemaking is required to define the scope of this provision.</p>
<p>Section 102</p> <p>1998: PL 105-276 amended §102(a). Clerical and superseded by 2008 changes.</p>	<p>1</p>	<p>A technical correction. No action is required.</p>
<p>2000: PL 106-568 amended §102(c) by adding at the end §(6). This subsection was repealed in 2008.</p>	<p>N/A (2 raters) or 1 (2 raters)</p>	<p>Section 101(c) does not appear to be addressed in this Notice.</p>
<p>2000: PL 106-568 amended §102(f) by re-designating former subsection (g) as (f). The 2000 change actually repealed old §102(f), dealing with special IHP rules for small tribes (see §222). There never were</p>	<p>1</p>	<p>Section 101(f) and (g) do not appear to be addressed in this Notice.</p>

any such rules.		
<p>2008: PL 110-411 amended §102(a)(1). The change to 102(a)(1) converts the Indian Housing Plan (IHP) requirement from a “fiscal year” to a “tribal program year,” and this will require changes to several regulatory sections (see, e.g., §§201 and 214).</p> <p>The changes to §102(b) changed the content of the IHP. However, the existing regulations merely cross-reference the statute when defining the required contents of the IHP (§220).</p>	<p>2</p> <p>1</p>	<p>These provisions will require the issuance of a PIH Notice that will provide additional information on the cumulative changes to the Indian Housing Plan (IHP) process. Consultation has and is being conducted on this process. Conforming regulations are required at 24 CFR 1000.201, 24 CFR 1000.214, and 24 CFR 1000.216.</p>
<p>Section 103</p> <p>1998: PL 105-276 amended §103(c)(3). This change actually conformed the statute to the regulation (§203(a)(3)).</p>	<p>N/A</p>	<p>This is a technical correction. No action is required.</p>
<p>2008: PL 110-411 amended §103(d). This amendment deals with conversion to a “tribal program year.”</p> <p>There probably needs to be a rule clarifying new §103(e), since that</p>	<p>2</p> <p>2</p>	<p>Section 101(d) will require the issuance of a PIH Notice that will include a revised IHP and provide additional information on the cumulative changes to the IHP process. Consultation has and is being conducted on this process. No conforming regulation is required.</p> <p>Section 103(e) concerns review of information in a recipient’s IHP on self-</p>

subsection erroneously refers to non-existent subsections. That error is related to the new Subtitle B, which is self-executing (see below).		determined activities. Recipients are not required to include this information in their IHP. A technical correction is needed to strike this provision from the statute.
Section 104		
2002: PL 107-292 amended §104(a)(1). See below.	3	Rulemaking is required to implement these provisions.
2002: PL 107-292 amended §104(a)(1)(B) by striking subparagraph (b). The deletion was actually to (a)(1)(B). The changes were part of Congress' desire to let tribes use program income for "housing related activities," and apparently requires a change to §62(b) of the regulations.	3	Rulemaking is required to implement these provisions.
2002: PL 107-292 amended §104(a)(2). See above.	3	See above.
2002: PL 107-292 amended §104(a)(2)(B). See above.	1	See above.
2002: PL 107-292 amended §104(a)(2) subparagraph (C).	1	See above.
2002: PL 107-292 amended §104(a)(2) by adding (D). See above.	3	See above.
2005: PL 109-136 amended §104(a)(2).	2	No conforming regulation is required. Note further, however, that P.L. 107-292 and P.L. 109-136 (passed in 2005) amended section 104(a) of NAHASDA and does require rulemaking.
2000: PL 106-569 amended §104(b)(1). Clerical.	1	This section of PL 106-59 is not addressed in this notice.
2000: PL 106-569 added §104(b)(3). This		

change allowed use of tribal prevailing wage rates. Although HUD has allowed use of tribal wage rates, it has never amended the pertinent regulation (§16).	2	This section of PL 106-59 is not addressed in this notice.
2008: PL 110-411 amended §104. This amendment was to exclude LIHTC developers' fees from "program income".	2	No conforming regulation is required.
<u>Section 105</u>		
2000: PL 106-568 added §105(d). This is the "environmental compliance waiver" section.	3	Rulemaking is required to determine the process for requesting a waiver under 105(d).
<u>Section 106</u>		
2008: PL 110-411 amended §106(b)(2)(B)(i).	2	No conforming regulation is required.
2002: PL 107-292 amended §106(b)(2)(A). See above.	2	See above.
2002: P.L. 107-292 amended §106(b)(2)(D) – Amendment adds a requirement that the Secretary review the regulations promulgated pursuant to this section not less than every 7 years in consultation with the tribes.	N/A (3 raters) or 3 (1 rater)	No conforming regulation is required.
<u>Section 108</u>		
2002: PL 107-292 amended §108. Technical change.	1	See below.
2008: PL 110-411 amended §108. Technical change.	1	No conforming regulation is required.
<u>Section 201</u>		

<p>2000: PL 106-568 amended §201(b) by substituting “paragraphs (2) and (4)” for “paragraph (2)”. It also inserted paragraph (4) and redesignated former paragraphs (4) and (5) as (5) and (6), respectively. This change authorized tribes to provide assistance to law enforcement officers. HUD never amended the regulations to accommodate law enforcement officers. (See §§104-110).</p>	<p>3</p>	<p>Conforming regulations are required at 24 CFR 1000.104, 1000.106, 1000.108 and 1000.110.</p>
<p>2000: PL 106-568 inserted paragraph 201(b)(4) and redesignated former paragraphs (4) and (5) as (5) and (6), respectively. See above.</p>	<p>3</p>	<p>See above.</p>
<p>1998: PL 105-276 amended §201(b)(5).</p>	<p>3</p>	<p>Section 201 (b)(5) of PL 105-276 is not addressed in this notice.</p>
<p>2008: PL 110-411 amended §201(b). There are several changes here. The first (§ 201(b)(1)) unconditionally exempts projects assisted by loan guarantees from the family eligibility requirements. This requires a conforming rule change to §1000.110(a)-(c).</p> <p>The second (§201(b)(2)) and ((§201(b)(2)(B))) allows any form of NAHASDA assistance to “ineligible” families whom the tribe can prove needs the assistance, and dictates that the Secretary shall establish limits. This requires a change to the regulations at</p>	<p>3</p> <p>3</p>	<p>Conforming regulations are required at 24 CFR 1000.104, 1000.106, 1000.108 and 1000.110</p> <p>Conforming regulations are required at 24 CFR 1000.104, 1000.106, 1000.108 and 1000.110.</p>

<p>§1000.110(a)-(c).</p> <p>Thirdly, §201(b)(3) extends “essential family” eligibility to Indians, contrary to existing rule (§1000.104(c)).</p> <p>Finally, §201(b)(4)(A) expands the ranks of eligible law enforcement officers, which, as noted previously, the current regulations do not recognize at all.</p>	<p>3</p> <p>3</p>	
<p><u>Section 202</u></p> <p>2008: PL 110-411 amended §202. The amendments to §202(2) expand the list of eligible “affordable housing activities.” The applicable regulation (§102) simply references the statutory definition of “affordable housing activities”.</p>	<p>3</p>	<p>The provisions of the introduction and (2) DEVELOPMENT and (4) HOUSING MANAGEMENT SERVICES do not require conforming regulations. The new provision on reserves will require rulemaking to determine the requirements for reserve accounts.</p>
<p>2002: PL 107-292 amended §202 by inserting §(7). Both this and subsection (8) (see below) call for a demonstration project.</p>	<p>N/A</p>	<p>Section 202 of PL 107-292 is not addressed in this notice.</p>
<p>2002: PL 107-292 amended §202 by inserting §(8). See above.</p>	<p>N/A</p>	<p>Section 202 of PL 107-292 is not addressed in this notice.</p>
<p><u>Section 203</u></p> <p>2008: PL 110-411 amended §203. Subsection (f) (carryover of funds) will require some conforming regulatory changes (see, e.g., §524(a)).</p>	<p>2</p>	<p>Section 203(f) requires a conforming regulation to remove 24 CFR 1000.524(a). Section 203(g) does not require a conforming regulation.</p>

<p>This amendment exempts de minimus procurements (below \$5000) from procurement requirements.</p>	<p>1</p>	<p>PIH Notice 2009-14, dated May 18, 2009, has been issued. It provides additional information on the de minimis exemption.</p>
<p>Sec. 205 1998: PL 105-276 amended §205(a)(1).</p>	<p>3</p>	<p>This is a technical correction. No action is required.</p>
<p>1998: PL 105-276 substituted §205(a)(2) for “Section 205(2)”.</p>	<p>3</p>	<p>This is a technical correction. No action is required.</p>
<p>2008 - 205(c) -PL 110-411 amended §205 by adding a new subsection. New Subsection (c) exempts conveyed units from a “binding commitment” requirement.</p>	<p>3</p>	<p>Binding commitments no longer apply to a family or household member who subsequently takes ownership of a homeownership unit. Section 205(c) requires a conforming regulation to amend 24 CFR 1000.142. The NAHASDA Guidance on useful life and binding commitments will also be revised.</p>
<p><u>Section 206 – Certification of Compliance with Subsidy-Layering Requirements – 2000 amendments repealed this section</u></p>	<p>N/A</p>	<p>No reference to the subsidy-layer requirements in this PIH Notice 2009-50.</p>
<p><u>Section 207</u> 1998: PL 105-276 amended §207(b). All the 1998 changes were technical.</p>	<p>N/A</p>	<p>No conforming regulation is required.</p>
<p>1998: PL 105-276 amended</p>	<p>N/A</p>	<p>No conforming regulation is required.</p>

§207(b)(3)(A). <i>See above.</i>		
1998: PL 105-276 amended §207(b)(3)(B). <i>See above.</i>	N/A	No conforming regulation is required.
<u>Section 208</u>		
1998: PL 105-276 amended §208(a) by striking out “paragraph (2) and inserting §(b)”. <i>Technical change.</i>	N/A	
2008: PL 110-411 amended §208(a). <i>Allowing tribes access to criminal information for job applicants is currently not provided for in existing regulations (§150).</i>	2	A conforming regulation is required to amend 24 CFR 1000.150.
1998: PL 105-276 amended §208(b) by striking out “paragraph (1)” and inserting “§(a)”. <i>Technical change.</i>	N/A	This is a technical correction. No action is required.
<u>Section 209</u>		
2000: PL 106-568 rewrote §209. <i>This stand-alone enforcement provision has no corresponding rule, but it is linked with other statutory amendments involving monitoring, audits and enforcement (See discussions of §§401-405, below).</i>	3	HUD PIH Notice 2009-50. This section of PL 106-568 is not addressed
<u>Subtitle B, Sections 231-235</u>		
2008: PL 110-411 amended Title II by adding “Subtitle B-Self Determined Housing Activities for Tribal Communities” (including §§231 (Purpose), 232 (Program Authority), 233 (Use of Amounts for Housing Activities),	1	No conforming regulation is required. PIH notice will be issued that provides additional information regarding the new demonstration program. HUD will develop a notice providing guidance on the demonstration program and consult with tribes on its content.

<p>234 (Inapplicability of Other Provisions) and 235 (Review and Report)</p>		<p>Sections 232 and 233 require technical corrections because the cross-references to 102(b)(6) do not exist. The proper cross-reference is 102(b)(2)(D).</p> <p>Section 234 requires two technical corrections: the cross reference in paragraph (5) to 102(b)(4) does not exist, nor does the provision referenced at paragraph (11). The proper cross-reference is 102(b)(2)(D). Section 234(b)(11) should be struck, which will require re-numbering of paragraphs 234(b)(12)-(15).</p> <p>Section 235 will require notice under the Paperwork Reduction Act to advise recipients of the reporting requirements. A technical correction is also needed in Section 235 to clarify the reporting deadline date, as the program is authorized through 2013.</p>
<p><u>Section 231</u></p> <p>2008: PL 110-411 amended Title II by adding “Subtitle B- Self-Determined Housing Activities for Tribal Communities”, including §231 (Purpose).</p>	<p>1 (3 raters) or 2 (1 rater)</p>	<p>Same is above.</p>
<p><u>Section 232</u></p>		

<p>2008: PL 110-411 amended Title II by adding “Subtitle B- Self-Determined Housing Activities for Tribal Communities,” including §232 (Program Authority).</p>	<p>1 (3 raters) or 2 (1 rater)</p>	<p>Same as above.</p>
<p><u>Section 233</u></p> <p>2008: PL 110-411 amended Title II by adding “Subtitle B- Self-Determined Housing Activities for Tribal Communities”, including §233 (Use of Amounts for Housing Activities).</p>	<p>1 (3 raters) or 2 (1 rater)</p>	<p>Same as above.</p>
<p><u>Section 234</u></p> <p>2008: PL 110-411 amended Title II by adding “Subtitle B- Self-Determined Housing Activities for Tribal Communities”, including §234 (Inapplicability of Other Provisions). <i>See above.</i></p>	<p>1 (3 raters) or 2 (1 rater)</p>	<p>Same as above.</p>
<p><u>Section 235</u></p> <p>2008: PL 110-411 amended Title II by adding “Subtitle B- Self-Determined Housing Activities for Tribal Communities”, including §235 (Review and Report).</p>	<p>1 (3 raters) or 2 (1 rater)</p>	<p>Same as above.</p>
<p>TITLE III: ALLOCATION OF GRANT AMOUNTS</p>		

<p><u>Section 302</u></p> <p>2000: PL 106-568 amended §302(d)(1)(A) [IMPLEMENTED] <i>This amendment, dealing with small tribe “hold harmless” funding, was implemented in the last Neg Reg session (§316(b)(2)).</i></p>	<p>N/A</p>	<p>Specific paragraph on “hold harmless” is not addressed in this Notice. However, HUD previously published Notice PIH 2003-2 and Notice PIH 2003-3 addressing many of these amendments.</p>
<p>2000: PL 106-258 added §302(d)(1)(B)[IMPLEMENTED]. <i>See above.</i></p>	<p>N/A</p>	<p>See above.</p>
<p>2008: PL 110-411 amended §302(a)(1) clerical change.</p> <p>2008: PL 110-411 added §302(a)(2)(A).* <i>The conduct of HUD’s study, and an acceptable definition of “consultation,” should be the subject of NegReg discussion. *</i></p> <p>2008: PL 110-411 added §302(b)(1).* <i>This change amends the criteria for when a unit ceases to be counted for FCAS purposes. *</i></p>	<p>1</p> <p>3</p> <p>3</p>	<p>Section 302(a) does not require a conforming regulation. A conforming regulation is required to implement section 302(b). Conforming regulations are required at 24 CFR 1000.312, 24 CFR 1000.318, and 24 CFR 1000.322. Pursuant to 24 CFR 1000.306(b), not later than May 21, 2012, the IHBG Formula will be reviewed and any necessary changes will be made with respect to funding under the Formula Current Assisted Stock component.</p>
<p>TITLE IV: COMPLIANCE, AUDITS AND REPORTS</p>		
<p><u>Section 401</u></p> <p>2000: PL 106-569 rewrote §401(a).</p>	<p>3</p>	<p>A conforming regulation is required at 24 CFR 1000.534.</p>

<p>2000: §401(b)(1-4) Amendments allow Secretary and tribes to enter into performance agreements to monitor compliance.</p>	<p>3</p>	<p>This statutory amendment was previously addressed by Notice PIH 2003-2. A technical correction to the statute is required at 401(b)(4)(A) to change the word “and” to “or.” Rulemaking is required to define the term “performance agreement.” A conforming regulation is required at 24 CFR 1000.534.</p>
<p>2008: PL 110-411 amended §401(a)(2). This amendment creates an exclusion from what constitutes “substantial non-compliance.”</p>	<p>3</p>	<p>A conforming regulation is required at 24 CFR 1000.534.</p>
<p><u>Section 403</u> 2008: PL 110-411 amended §403(b). This amendment requires an “appropriate level” of onsite inspection.</p>	<p>3</p>	<p>Rulemaking is required to determine the appropriate level of onsite inspections.</p>
<p><u>Section 404</u> 2008: PL 110-411 amended §404(b)(2). This section deletes one element of the performance report. The existing rule (§512(a)) merely references §404(b) in setting out what a performance report must contain.</p>	<p>1</p>	<p>This provision will require the issuance of a PIH Notice that will include a revised Annual Performance Report (APR) and provide additional information on the cumulative changes to the APR process. Consultation has and is being conducted on this process. No conforming regulation is required.</p>
<p><u>Section 405</u> 2000: PL 106-568 rewrote §405(b).</p>	<p>3</p>	<p>Section 405(b)(1) no longer requires annual reviews and audits to be conducted by HUD. Instead, this paragraph now permits reviews and audits to the extent the Secretary determines such action to be appropriate.</p>

		<p>Rulemaking is required to implement the statutory changes.</p> <p>Section 405(b)(2) requires a conforming regulation at 24 CFR 1000.520.</p> <p>Section 405(c) requires a conforming regulation at 24 CFR 1000.528.</p> <p>Section 405(d) modified the statute by removing the words “reduce, or withdraw grant amounts, or take other action as appropriate.” Additionally, the revised statute no longer contains the following language: “except that grant amounts already expended on affordable housing activities may not be recaptured or deducted from future assistance provided on behalf of an Indian tribe.” Rulemaking is required to address the statutory changes.</p>
<u>Section 408</u>		
1998: PL 105-276 amended §408.	2	No conforming regulation is required.
TITLE V: TERMINATION OF ASSISTANCE FOR INDIAN TRIBES UNDER INCORPORATED PROGRAMS		
<u>Section 502</u>		

2000: PL 106-569 amended §502(a).	N/A	HUD Notice PIH 2009-50 does not address section 502 of PL 106-569.
<u>Section 509</u>		
2008: PL 110-141 amended Title V by adding §509. This section confirms tribes' eligibility to receive HOME funds.	1	No conforming regulation is required.
TITLE VI: FEDERAL GUARANTEES FOR FINANCING FOR TRIBAL HOUSING ACTIVITIES		
<u>Section 601</u>		
2002: PL 107-292 amended §601(a) by authorizing the Secretary to provide guarantees for financing "housing related community development activities" (in addition to affordable housing activities).	1	A conforming regulation is required at 24 CFR 1000.424 and 24 CFR 1000.428.
2002: PL 107-292 amended §601(b). This change eliminated the requirement that tribes try to find financing elsewhere. It requires a conforming change to the rules (§1000.408).	2	Section 601(b) is not addressed in this Notice.
2002: PL 107-292 struck subparagraph §601(b) and redesignated subsection (c) as (b). Technical change.	N/A	Section of PL 107-292 not addressed in this Notice.
2002: PL 107-292 redesignated subparagraph §601(d) as (c). Technical change.	N/A	Not addressed in this Notice.

<p><u>Section 602</u></p> <p>2004: PL 108-393 amended §602(d), establishing a limitation on percentage of guarantees made under this title.</p>	<p>2</p>	<p>No conforming regulation is required.</p>
<p><u>Section 605</u></p> <p>2002: PL 107-292 amended §605(a). Technical change.</p>	<p>1</p>	<p>Subsection not addressed in this Notice.</p>
<p>2002: PL 107-292 amended §605(b). Technical change.</p>	<p>1</p>	<p>Subsection not addressed in this Notice.</p>
<p>2008: PL 110-411 amended §605. Technical change.</p>	<p>1</p>	<p>No conforming regulation is required.</p>
<p><u>Section 606</u> *</p> <p>2008: PL 110-411 amended Title VI by adding §606.* This is the new demonstration project loan guarantee program.</p>	<p>2</p>	<p>No conforming regulation is required. This provision will require the issuance of a PIH notice that will provide additional information regarding the new demonstration program. HUD will develop a notice providing guidance on the demonstration program and consult with tribes on its content.</p>
<p>TITLE VII: OTHER HOUSING ASSISTANCE FOR NATIVE AMERICANS</p>		
<p><u>Section 703</u></p> <p>2002: PL 107-292 amended §703.</p>	<p>1</p>	<p>No conforming regulation is required.</p>
<p>2008: PL 110-411 amended §703.</p>	<p>1</p>	<p>No conforming regulation is required.</p>

<p>TITLE VIII: MISCELLANEOUS</p>		
<p>2008: PL 110-411 added a “Title VIII-Miscellaneous”, including §§801 (Limitation on Use for Cherokee Nation), 802 (Limitation on Use of Funds), and 803 (GAO Study of Effectiveness of NAHASDA for Tribes of Different Sizes [sic]).</p>	<p>1</p>	<p>See below.</p>
<p><u>Section 801</u></p> <p>2008: PL 110-411 added a “Title VIII-Miscellaneous”, including §801 (Limitation on Use for Cherokee Nation).</p>	<p>1</p>	<p>No conforming regulations are required for sections 801 and 802.</p>
<p><u>Section 802</u></p> <p>2008: PL 110-411 added a “Title VIII-Miscellaneous”, including §802 (Limitation on Use of Funds).</p>	<p>1</p>	<p>See above.</p>
<p><u>Section 803</u></p> <p>2008: PL 110-411 added a “Title VIII-Miscellaneous,” including §803 (GAO Study of Effectiveness of NAHASDA for Tribes of Different Sizes).</p>	<p>1</p>	<p>Section 803 is not applicable to HUD; it requires the Government Accountability Office to conduct a study of the effectiveness of NAHASDA.</p>