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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To clarify that eligibility of certain mortgages with Federal credit enhancement may not be conditioned on the status of a mortgagor as a DACA recipient if all other eligibility criteria are satisfied, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. VARGAS introduced the following bill; which was referred to the
Committee on _____

A BILL

To clarify that eligibility of certain mortgages with Federal credit enhancement may not be conditioned on the status of a mortgagor as a DACA recipient if all other eligibility criteria are satisfied, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Homeownership for
5 DREAMers Act”.

1 **SEC. 2. DACA RECIPIENT ELIGIBILITY.**

2 (a) FHA.—Section 203 of the National Housing Act
3 (12 U.S.C. 1709) is amended by inserting after subsection
4 (h) the following:

5 “(i) **DACA RECIPIENT ELIGIBILITY.**—

6 “(1) **IN GENERAL.**—The Secretary may not—

7 “(A) prescribe terms that limit the eligi-
8 bility of a single family mortgage for insurance
9 under this title because of the status of the
10 mortgagor as a DACA recipient; or

11 “(B) issue any limited denial of participa-
12 tion in the program for such insurance because
13 of the status of the mortgagor as a DACA re-
14 cipient.

15 “(2) **DACA RECIPIENT DEFINED.**—For the
16 purposes of this subsection, the term ‘DACA recipi-
17 ent’ means an alien who, at any time before, on, or
18 after the date of the enactment of this subsection,
19 is or was in deferred action status pursuant to the
20 Deferred Action for Childhood Arrivals (‘DACA’)
21 Program announced by the Secretary of Homeland
22 Security on June 15, 2012.

23 “(3) **EXEMPTION.**—

24 “(A) **DENIAL FOR FAILURE TO SATISFY**
25 **VALID ELIGIBILITY REQUIREMENTS.**—Nothing
26 in this title prohibits the denial of insurance

1 based on failure to satisfy valid eligibility re-
2 quirements.

3 “(B) INVALID ELIGIBILITY REQUIRE-
4 MENTS.—Valid eligibility requirements do not
5 include criteria that were adopted with the pur-
6 pose of denying eligibility for insurance because
7 of race, color, religion, sex, familial status, na-
8 tional origin, disability, or the status of a mort-
9 gator as a DACA recipient.”.

10 (b) RURAL HOUSING SERVICE.—Section 501 of the
11 Housing Act of 1949 (42 U.S.C. 1472) is amended by
12 adding at the end the following:

13 “(k) DACA RECIPIENT ELIGIBILITY.—

14 “(1) IN GENERAL.—The Secretary may not
15 prescribe terms that limit eligibility for a single fam-
16 ily mortgage made, insured, or guaranteed under
17 this title because of the status of the mortgator as
18 a DACA recipient.

19 “(2) DACA RECIPIENT DEFINED.—For the
20 purposes of this paragraph, the term ‘DACA recipi-
21 ent’ means an alien who, at any time before, on, or
22 after the date of the enactment of this paragraph,
23 is or was in deferred action status pursuant to the
24 Deferred Action for Childhood Arrivals (‘DACA’)

1 Program announced by the Secretary of Homeland
2 Security on June 15, 2012.”.

3 (c) FANNIE MAE.—Section 302(b) of the National
4 Housing Act (12 U.S.C. 1717(b)) is amended by adding
5 at the end the following:

6 “(8) DACA RECIPIENT ELIGIBILITY.—

7 “(A) IN GENERAL.—The corporation may
8 not condition purchase of a single-family resi-
9 dence mortgage by the corporation under this
10 subsection on the status of the borrower as a
11 DACA recipient.

12 “(B) DACA RECIPIENT DEFINED.—For
13 the purposes of this paragraph, the term
14 ‘DACA recipient’ means an alien who, at any
15 time before, on, or after the date of the enact-
16 ment of this paragraph, is or was in deferred
17 action status pursuant to the Deferred Action
18 for Childhood Arrivals (‘DACA’) Program an-
19 nounced by the Secretary of Homeland Security
20 on June 15, 2012.”.

21 (d) FREDDIE MAC.—Section 305(a) of the Federal
22 Home Loan Mortgage Corporation Act (12 U.S.C. 1454)
23 is amended by adding at the end the following:

24 “(6) DACA RECIPIENT ELIGIBILITY.—

1 “(A) IN GENERAL.—The Corporation may
2 not condition purchase of a single-family resi-
3 dence mortgage by the corporation under this
4 subsection on the status of the borrower as a
5 DACA recipient.

6 “(B) DACA RECIPIENT DEFINED.—For
7 the purposes of this subsection, the term
8 ‘DACA recipient’ means an alien who, at any
9 time before, on, or after the date of the enact-
10 ment of this subsection, is or was in deferred
11 action status pursuant to the Deferred Action
12 for Childhood Arrivals (‘DACA’) Program an-
13 nounced by the Secretary of Homeland Security
14 on June 15, 2012.”.