

116TH CONGRESS
1ST SESSION

S. _____

To prohibit the Department of Housing and Urban Development from limiting the eligibility of DACA recipients for certain assistance, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MENENDEZ introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To prohibit the Department of Housing and Urban Development from limiting the eligibility of DACA recipients for certain assistance, 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”.

6 **SEC. 2. DACA RECIPIENT ELIGIBILITY.**

7 (a) FHA.—Section 203 of the National Housing Act
8 (12 U.S.C. 1709) is amended by inserting after subsection
9 (h) the following:

1 “(i) DACA RECIPIENT ELIGIBILITY.—

2 “(1) DACA RECIPIENT DEFINED.—In this sub-
3 section, the term ‘DACA recipient’ means an alien
4 who, at any time before, on, or after the date of en-
5 actment of this subsection, is or was in deferred ac-
6 tion status pursuant to the Deferred Action for
7 Childhood Arrivals (‘DACA’) Program announced by
8 the Secretary of Homeland Security on June 15,
9 2012.

10 “(2) PROHIBITION.—The Secretary may not—

11 “(A) prescribe terms that limit the eligi-
12 bility of a single family mortgage for insurance
13 under this title because of the status of the
14 mortgagor as a DACA recipient; or

15 “(B) issue any limited denial of participa-
16 tion in the program for such insurance because
17 of the status of the mortgagor as a DACA re-
18 cipient.

19 “(3) EXEMPTION.—

20 “(A) DENIAL FOR FAILURE TO SATISFY
21 VALID ELIGIBILITY REQUIREMENTS.—Nothing
22 in this title prohibits the denial of insurance
23 based on failure to satisfy valid eligibility re-
24 quirements.

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

8 (b) RURAL HOUSING SERVICE.—Section 501 of the
9 Housing Act of 1949 (42 U.S.C. 1471) is amended by
10 adding at the end the following:

11 “(k) DACA RECIPIENT ELIGIBILITY.—

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

20 “(2) PROHIBITION.—The Secretary may not
21 prescribe terms that limit eligibility for a single fam-
22 ily mortgage made, insured, or guaranteed under
23 this title because of the status of the mortgagor as
24 a DACA recipient.”.

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

4 “(8) DACA RECIPIENT ELIGIBILITY.—

5 “(A) DACA RECIPIENT DEFINED.—In this
6 paragraph, the term ‘DACA recipient’ means
7 an alien who, at any time before, on, or after
8 the date of enactment of this paragraph, is or
9 was in deferred action status pursuant to the
10 Deferred Action for Childhood Arrivals
11 (‘DACA’) Program announced by the Secretary
12 of Homeland Security on June 15, 2012.

13 “(B) PROHIBITION.—The corporation may
14 not condition purchase of a single-family resi-
15 dence mortgage by the corporation under this
16 subsection on the status of the borrower as a
17 DACA recipient.”.

18 (d) FREDDIE MAC.—Section 305(a) of the Federal
19 Home Loan Mortgage Corporation Act (12 U.S.C.
20 1454(a)) is amended by adding at the end the following:

21 “(6) DACA RECIPIENT ELIGIBILITY.—

22 “(A) DACA RECIPIENT DEFINED.—In this
23 subsection, the term ‘DACA recipient’ means
24 an alien who, at any time before, on, or after
25 the date of enactment of this paragraph, is or

1 was in deferred action status pursuant to the
2 Deferred Action for Childhood Arrivals
3 (‘DACA’) Program announced by the Secretary
4 of Homeland Security on June 15, 2012.

5 “(B) PROHIBITION.—The Corporation may
6 not condition purchase of a single-family resi-
7 dence mortgage by the Corporation under this
8 subsection on the status of the borrower as a
9 DACA recipient.”.