

117TH CONGRESS
1ST SESSION

H. R. 782

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

FEBRUARY 3, 2021

Mr. VARGAS (for himself, Mr. AGUILAR, Mrs. CAROLYN B. MALONEY of New York, Ms. GARCIA of Texas, Mr. FOSTER, Mr. GARCÍA of Illinois, Mr. MEEKS, Ms. VELÁZQUEZ, Mr. CARBAJAL, Ms. TLAIB, Mrs. NAPOLITANO, Mr. BLUMENAUER, Mr. JONES, Mrs. BEATTY, Mr. VICENTE GONZALEZ of Texas, Mr. MCGOVERN, Mr. ESPAILLAT, Ms. ROYBAL-ALLARD, Mr. CASTRO of Texas, Ms. OCASIO-CORTEZ, Ms. PRESSLEY, Mr. VELA, Mr. TORRES of New York, Mrs. WATSON COLEMAN, Ms. BROWNLEY, Mr. SAN NICOLAS, Mr. SOTO, Ms. ESCOBAR, Ms. LEE of California, and Ms. CHU) introduced the following bill; which was referred to the Committee on Financial Services

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Homeownership for
3 DREAMers Act”.

4 **SEC. 2. DACA RECIPIENT ELIGIBILITY.**

5 (a) FHA.—Section 203 of the National Housing Act
6 (12 U.S.C. 1709) is amended by inserting after subsection
7 (h) the following:

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

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

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

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

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

26 “(3) **EXEMPTION.**—

1 “(A) DENIAL FOR FAILURE TO SATISFY
2 VALID ELIGIBILITY REQUIREMENTS.—Nothing
3 in this title prohibits the denial of insurance
4 based on failure to satisfy valid eligibility re-
5 quirements.

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

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

16 “(k) DACA RECIPIENT ELIGIBILITY.—

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

22 “(2) DACA RECIPIENT DEFINED.—For the
23 purposes of this paragraph, the term ‘DACA recipi-
24 ent’ means an alien who, at any time before, on, or
25 after the date of the enactment of this paragraph,

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

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

8 “(8) DACA RECIPIENT ELIGIBILITY.—

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

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

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

1 “(6) DACA RECIPIENT ELIGIBILITY.—

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

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

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