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MEMORANDUM

March 19, 2026

TO: TRIBAL HOUSING CLIENTS

FROM: Cari L. Baermann & Anna Sherman-Weiss
HOBBS, STRAUS, DEAN & WALKER, LLP

RE: ***NAHASDA Modernization Act of 2026***
House and Senate Bills to be Introduced Next Week

As you are aware, the NAHASDA statute expired in 2013, and despite a sustained effort by tribes and their allies in Congress, it has not been authorized since. On March 18, 2026, the National Congress of American Indians (NCAI) and National American Indian Housing Council (NAIHC), along with congressional committee staff, hosted a Tribal Leader Briefing Session on Congress's current effort to reauthorize NAHASDA: the NAHASDA Modernization Act of 2026. There are currently two draft bills of the Act—one from the House and one from the Senate. The House bill is sponsored by Representative Bynum (D-OR-05) and Representative Downing (R-MT-02), who both sit on the House Committee on Financial Services. The Senate Bill is sponsored by Senate Committee on Indian Affairs Chair Senator Murkowski (R-AK) and Vice Chair Senator Schatz (D-HI). Both bills are set to be introduced on Wednesday, March 25, 2026. Ahead of that introduction, final drafts of each bill have been shared with tribal leaders and are attached to this memorandum. We summarize the bills and the differences below.

The session began with Representative Downing and Senator Murkowski giving remarks. Both emphasized their commitment to reauthorizing and modernizing NAHASDA and their dedication, to the best of their abilities, to see the legislation through. Each also noted the unique political moment we are currently in where Congress, with the Administration's support, is working across the aisle to try to pass significant national housing reform. As such, both stressed the importance of taking advantage of this moment to pass reauthorization and to ensure that Congress, in addressing the national housing crisis, does not leave Indian Country behind.

Following the remarks, congressional staffers briefed attendees on the two bills, highlighting major reforms and summarily talking through each section. While the two bills are similar, the House bill looks similar to previous reauthorization efforts, while the Senate bill contains several new provisions. The differences between the two bills are summarized below.

Below are some of the noteworthy sections included in both the House and Senate bills:

- House bill section 2 and Senate Bill section 4 consolidate the federally-required environmental review process for tribal housing projects so that only one review is required per project.
- Total Development Costs (TDC). The two bills address TDC in different ways. The House bill section 6 amends NAHASDA to establish a statutory deadline (60 days from receipt) for the Secretary to approve or deny a request for a project to exceed more than 10% of its total development cost (TDC) maximum. If the Secretary does not respond to a request within that 60-day period, the request will be deemed approved. The Senate Bill does not include this provision. Rather, Senate bill section 11 increases the threshold percent of the total development cost—from 10% to 20%— that may be exceeded before Secretarial approval is required.
- House bill section 7 and Senate Bill section 12 create additional pathways for homeownership by allowing families living in NAHASDA-assisted rental units to purchase their units, if so available, requiring only that the family qualified as “low income” when it first occupied the unit.
- House bill section 11 and Senate bill 18 increase the maximum duration for leases on trust and restricted lands from 50 years to 99 years.
- House bill section 16 and Senate Bill section 24 reauthorize and update the Section 184 Indian Home Loan Guarantee Program to expand its applicability and increase private financing options for tribal members’ mortgages. House bill section 17 and Senate bill section 25 do the same for the Native Hawaiian Housing Loan Guarantee Program (Section 184A).
- House bill section 20 and Senate Bill section 16 streamline tribes’ performance reporting requirements so that tribes are required to only submit one annual performance report to HUD.
- House bill section 21 and Senate Bill section 28 exempt tribal housing projects from the Build America, Buy America Act’s requirements so that construction projects costs stay low.

Below are the new sections that are only in the Senate bill:

- Senate bill section 2 provides definitions for the following terms: (1) Department of Hawaiian Home Lands; (2) Domestic Violence; (3) Federally Recognized Tribe; Indian Area; Indian Tribe; Tribally Designated Housing Entity; (4) Hawaiian Home Lands; (5) Homeless Youth; (6) Native Hawaiian; (7) Native Hawaiian Organization; Native Hawaiian Community-Based Organization; (8) Secretary; (9) Tribal Organization.

- Senate bill section 3 amends NAHASDA to provide that tribes, tribally designated housing entities (TDHEs), and the Department of Hawaiian Home Lands have maximum flexibility and deference when determining the allowable uses for technical assistance funding, notwithstanding any requirement of the Community Compass Technical Assistance and Capacity Building Program.
- Senate bill section 6 increases the family income eligibility ceiling for NAHASDA support of homeownership activities to 120% of the area median income (from 80%), so long as no more than 50% of a tribal entity's IHBG funds are used to assist such families. Using the funds this way is optional; tribes/TDHEs may keep the income eligibility thresholds the same. This proposed change, staffers explained, is intended to give tribes and tribal entities greater latitude to assist a broader population of their community, especially those who fall above the current eligibility limit but still require housing assistance. Staff also explained that providing funds for this additional population will not affect the IHBG formula.
- Senate bill section 9 increases the de minimis exception threshold amount for goods and services procurements. When the value of an acquisition of goods or services falls below that threshold amount, that acquisition is exempt from NAHASDA's procurement regulations. The bill replaces the current dollar amount and sets the limit at 150% of the micro-purchase threshold provided under the 2 C.F.R. § 200.320. This change is intended to ensure that the threshold keeps up with inflation.
- Senate bill section 10 amends NAHASDA to allow for tribes and tribal entities to establish their own procurement policies for procuring goods and services, so long as the policies are written, publicly available, and followed.
- Senate bill section 19 directs HUD to enter into a memorandum of understanding (MOU) with the Department of Defense (DOD) to coordinate with DOD's Innovative Readiness Training Program (IRTP) to assist NAHASDA grant recipients with housing-related civil engineering and construction activities.
- Senate bill section 20 amends NAHASDA to permit Native Hawaiian Housing Block Grants to be subawarded to subrecipients. This change is intended to create parity with IHBG for the Native Hawaiian Housing block grant recipients.
- Senate bill section 29 would limit NAHASDA's subsequent negotiated rulemaking to exclude consideration of the IHBG formula, giving HUD full discretion to unilaterally amend the formula regulations.
- Senate bill section 30 creates the "Tribal Homeless Assistance Program," a pilot program for Native Americans and Alaska Natives who are at risk of or are currently experiencing homelessness. Modeled after HUD-VASH, the program will provide housing assistance vouchers, support services in partnership with relevant programs, organizations, and agencies like IHS, and two years of case management services for program beneficiaries.

The program prioritizes assistance for youth, families with children, and survivors of domestic violence. The program is funded under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)), not from IHBG appropriations.

- Senate bill section 31 establishes a similar pilot program for Native Hawaiians entitled the “Native Hawaiian Homeless Assistance program,” to be operated by the Department of Hawaiian Home Lands, a Native Hawaiian Organization, or a Native Hawaiian community-based organization. The program is funded under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)), not from IHBG appropriations.
- Senate bill section 32—related to House bill section 19 and Senate bill section 27, which facilitate tribal participation in the Continuum of Care (CoC) program—establishes a competitive grant program under CoC for construction, acquisition, and rehabilitation of permanent supportive housing for persons experiencing homelessness, where at least one member of the household has a disability. The bill provides that 75% of the funds are reserved for projects that benefit not just tribes, tribal organizations, and the Department of Hawaiian Home Lands, but also Native Hawaiian (community-based) organizations, nonprofit organizations serving Indian tribes or Native Hawaiians, and projects that take place in Indian areas. Further, 25% of the program’s funds are reserved for eligible entities located in small rural states (those with populations under 2.5 million). If there are insufficient applications received under that rural set-aside, the Secretary may reallocate those funds to other CoC grants.
- Senate bill section 33 codifies the Tribal Intergovernmental Advisory Committee (TIAC) at HUD in its current form. The TIAC is set up to have ongoing meetings between Tribal leadership and HUD regarding issues related to Indian housing, so that negotiated rulemaking is not the only time that such discussions take place.
- Senate bill section 34 requires that TIAC, within one year of the Act’s enactment, author a report on the housing supply chain challenges experienced by tribal and Native Hawaiian communities. The report shall also provide recommendations for Congress and HUD on how to respond to those challenges. TIAC must make the report publicly available and submit it to both the Senate Committee on Banking, Housing, and Urban Affairs and the House Committee on Financial Services.
- Senate bill section 35 requires that TIAC, within 180 days of the Act’s enactment, compile all background, issues, recommendations, and other information from previous Advisory Committee reports relevant to Alaska and Hawaii. TIAC shall then consolidate that information into two Housing Task Force reports—one related to each state. The reports must be publicly available and be shared with both the Senate Committee on Banking, Housing, and Urban Affairs and the House Committee on Financial Services.

Conclusion

The current versions of each bill (attached) are the versions that will be introduced next week, but each bill is far from finalized. Once the bills are introduced, there will be hearings and several rounds of mark-ups. Further, Congressional staffers welcome tribal feedback and suggestions on the bills. If you have concerns, questions, or recommendations, we are happy to relay them to the Congressional staffers on your behalf or to provide you with the Congressional staffers' contact information directly.

If you have any additional questions about this memorandum, please contact Cari Baermann (cbaermann@hobbsstrauss.com; 503-242-1745) or Anna Sherman-Weiss (asherman-weiss@hobbsstrauss.com; 202-822-8282).

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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R.

To reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Native American Housing Assistance and Self-Deter-
6 mination Modernization Act of 2026”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title; Table of contents.
- Sec. 2. Consolidation of environmental review requirements.

- Sec. 3. Authorization of appropriations.
- Sec. 4. Student housing assistance.
- Sec. 5. Clarification of application of rent rule only to units owned or operated by Indian Tribe or tribally designated housing entity.
- Sec. 6. Deadline for action on request for approval regarding exceeding the maximum cost for project.
- Sec. 7. Homeownership or lease-to-own low-income requirement and income targeting.
- Sec. 8. Lease requirements and tenant selection.
- Sec. 9. Statutory authority to suspend grant funds in emergencies.
- Sec. 10. Reports to Congress.
- Sec. 11. 99-year leasehold interest in trust or restricted lands for housing purposes.
- Sec. 12. Reauthorization of housing assistance for Native Hawaiians.
- Sec. 13. Community-based development organizations and special activities by Indian Tribes.
- Sec. 14. Housing counseling certification waiver.
- Sec. 15. Eligibility for housing counseling grants.
- Sec. 16. Section 184 Indian home loan guarantee program.
- Sec. 17. Loan guarantees for Native Hawaiian housing.
- Sec. 18. Rental assistance for homeless or at-risk indian veterans.
- Sec. 19. Continuum of care.
- Sec. 20. Streamlining reporting requirements.
- Sec. 21. Application of Build America, Buy America requirements.

1 **SEC. 2. CONSOLIDATION OF ENVIRONMENTAL REVIEW RE-**
 2 **QUIREMENTS.**

3 Section 105 of the Native American Housing Assist-
 4 ance and Self-Determination Act of 1996 (25 U.S.C.
 5 4115) is amended—

6 (1) in subsection (c)(2) by adding after “other
 7 officer of the Tribe” the following: “, or a tribally
 8 designated housing entity official designated by the
 9 Tribe,”;

10 (2) in subsection (d)—

11 (A) by redesignating paragraphs (1)
 12 through (4) as subparagraphs (A) through (D),
 13 respectively; and

1 (B) by striking “The Secretary may” and
2 inserting the following:

3 “(1) IN GENERAL.—The Secretary shall”; and

4 (C) by adding at the end the following:

5 “(2) WAIVER REQUEST.—The Secretary shall
6 act upon a waiver request submitted under this sub-
7 section within 60 days after receipt of such re-
8 quest.”; and

9 (3) by adding at the end the following new sub-
10 sections:

11 “(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW
12 REQUIREMENTS.—For assistance provided under this Act,
13 including under title VIII of this Act, and grants to Indian
14 Tribes issued under title I of the Housing and Community
15 Development Act of 1974 (42 U.S.C. 5301 et seq.), the
16 Indian Tribe or the Director of the Department of Hawai-
17 ian Home Lands shall be deemed to be in compliance with
18 the environmental review requirements under this section
19 or section 806 of this Act, title I of the Housing and Com-
20 munity Development Act of 1974, and the National Envi-
21 ronmental Policy Act of 1969 (42 U.S.C. 4321 et seq.),
22 with regard to such project and to discharge any applica-
23 ble environmental review requirements that might apply
24 to Federal agencies with respect to the use of additional
25 Federal funding sources for that project, if—

1 “(1) a recipient is using 1 or more sources of
2 Federal funds in addition to grant amounts under
3 this Act or in addition to a grant made to an Indian
4 Tribe under title I of the Housing and Community
5 Development Act of 1974;

6 “(2) such other sources of Federal funds do not
7 exceed 49 percent of the Federal share of the project
8 cost; and

9 “(3) the recipient’s Indian Tribe or the Direc-
10 tor of the Department of Hawaiian Home Lands has
11 assumed all of the responsibilities for environmental
12 review, decision-making, and action pursuant to this
13 section, section 806 of this Act, or title I of the
14 Housing and Community Development Act of 1974.

15 “(f) ENVIRONMENTAL STREAMLINING.—For activi-
16 ties assisted under this Act, including title VIII of this
17 Act, or assisted with a grant to an Indian Tribe under
18 title I of the Housing and Community Development Act
19 (42 U.S.C. 5301 et seq.), each of the following apply:

20 “(1) GENERAL EXEMPTION.—Notwithstanding
21 any other provision of law, activities are exempt
22 from any environmental review requirements
23 where—

24 “(A) similar statutory exemptions apply to
25 comparable activities of other Federal agencies;

1 “(B) the activity is an affordable housing
2 activity having a total cost of not more than
3 \$250,000;

4 “(C) the activity is acquisition of property,
5 including long-term equipment, funded using
6 non-Federal sources; or

7 “(D) the activity involves the rehabilitation
8 of a structure and—

9 “(i) the cost of the rehabilitation is
10 less than fifty percent of the market value
11 of the structure before rehabilitation; and

12 “(ii) the rehabilitation involves no
13 ground disturbance, footprint change, or
14 historic structure.

15 “(2) RADON EXEMPTION.—Notwithstanding
16 any other provision of law, the Secretary may not re-
17 quire recipients (including the Director under title
18 VIII of this Act) and Indian Tribes to consider or
19 test for radon in the environmental review. Nothing
20 in this provision shall be construed to limit the au-
21 thority of a recipient (including the Director under
22 title VIII of this Act) and an Indian Tribe to con-
23 sider, test for, and mitigate radon.

24 “(3) LEAD TESTING.—

1 “(A) TESTING.—Lead paint testing of tar-
2 get housing that is in a remote area, and that
3 is being rehabilitated, renovated, repaired, or
4 painted in a manner that will repair or disturb
5 building components that are painted or coated,
6 must be conducted via—

7 “(i) paint chip testing, lead-based
8 paint inspection, visual assessment for de-
9 teriorated paint, or a lead risk assessment
10 for lead-based paint hazards, as applicable
11 in accordance with section 1012 of the
12 Residential Lead-Based Paint Hazard Re-
13 duction Act of 1992; or

14 “(ii) visual assessment for deterio-
15 rated paint and use of EPA-recognized
16 lead test kits in accordance with sections
17 402 or 404, as applicable, of the Toxic
18 Substances Control Act (15 U.S.C. 2682,
19 2684) on each building component that is
20 painted or coated and is to be disturbed.

21 “(B) DEFINITIONS.—In this paragraph:

22 “(i) REMOTE AREA.—The term ‘Re-
23 mote Area’ means as the area of a United
24 States Postal Service ZIP code that has a
25 level 1 Frontier and Remote Area code as

1 most recently posted on the website of the
2 Department of Agriculture.

3 “(ii) TARGET HOUSING.—The term
4 ‘Target Housing’ has the meaning given
5 the term in section 1004(27) of the Resi-
6 dential Lead-Based Paint Hazard Reduc-
7 tion Act of 1992 (42 U.S.C. 4851b(27))
8 assisted under the Native American Hous-
9 ing Assistance and Self-Determination Act
10 of 1996.

11 “(4) SITING OF HUD PROJECTS NEAR EXPLO-
12 SIVE AND FLAMMABLE HAZARDS.—

13 “(A) IN GENERAL.—Recipients carrying
14 out activities under this Act (including the Di-
15 rector under title VIII of this Act) or Indian
16 Tribe carrying out activities under title I of the
17 Housing and Community Development Act shall
18 be exempt from the Secretary’s acceptable sepa-
19 ration distance requirements and mitigation for
20 residential tanks when the tank—

21 “(i) has a capacity of 1,320 gallons or
22 less;

23 “(ii) is intended to contain common
24 liquid fuels such as gasoline, fuel oil, ker-

1 propane, diesel, liquified petroleum gas (pro-
2 pane), or crude oil;

3 “(iii) is sited on land or property that
4 contains a one- to four-family dwelling;

5 “(iv) is intended to be used solely by
6 residents of such dwelling; and

7 “(v) is intended to be used by resi-
8 dents of such dwelling exclusively for non-
9 commercial, non-industrial purposes.

10 “(B) RULE OF CONSTRUCTION.—Nothing
11 in this provision shall be construed to limit the
12 authority of a recipient (including the Director
13 under title VIII of this Act) or an Indian Tribe
14 to consider acceptable separation distance or
15 implement mitigation measures.

16 “(C) APPLICATION.—The Secretary’s ac-
17 ceptable separation distance requirements be-
18 tween a residential structure assisted with
19 funds under this Act (or assisted with funds
20 under a grant to an Indian Tribe under title 1
21 of the Housing and Community Development
22 Act) and an above-ground storage tank used to
23 store hazardous substances as defined in sub-
24 part C of part 51 of title 24, Code of Federal
25 Regulations, or successor regulation, including

1 mitigation measures, do not apply if the Indian
2 Tribe or recipient (including the Director under
3 title VIII of this Act) determines that—

4 “(i) inapplicability of the requirements
5 is necessary to address the housing needs
6 of the Indian Tribe or recipient (including
7 the Director under title VIII of this Act);

8 “(ii) the use of an alternative stand-
9 ard, or the absence of a standard, does not
10 present an unacceptable risk to the health
11 or safety of residents; and

12 “(iii) the Indian Tribe or recipient
13 (including the Director under title VIII of
14 this Act) has provided notice and an op-
15 portunity for comment to residents of the
16 affected area regarding the inapplicability
17 of the requirements, and has developed a
18 safety and response plan.

19 “(5) STREAMLINING WETLAND REQUIRE-
20 MENTS.—The Secretary may not apply additional re-
21 quirements involving protection of wetlands in in-
22 stances where an affected wetland requires a U.S.
23 Army Corps of Engineers General, Regional, or indi-
24 vidual permit and the Indian Tribe or recipient (in-

1 including the Director under title VIII of this Act)
2 complies with permit conditions.”.

3 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

4 Section 108 of the Native American Housing Assist-
5 ance and Self-Determination Act of 1996 (25 U.S.C.
6 4117) is amended, in the first sentence, by striking “2009
7 through 2013” and inserting “2026 through 2032”.

8 **SEC. 4. STUDENT HOUSING ASSISTANCE.**

9 Section 202(3) of the Native American Housing As-
10 sistance and Self-Determination Act of 1996 (25 U.S.C.
11 4132(3)) is amended by inserting “including college hous-
12 ing assistance,” after “self-sufficiency and other serv-
13 ices,”.

14 **SEC. 5. CLARIFICATION OF APPLICATION OF RENT RULE**
15 **ONLY TO UNITS OWNED OR OPERATED BY IN-**
16 **DIAN TRIBE OR TRIBALLY DESIGNATED**
17 **HOUSING ENTITY.**

18 Section 203(a) of the Native American Housing As-
19 sistance and Self-Determination Act of 1996 (25 U.S.C.
20 4133(a)) is amended—

21 (1) in paragraph (2), by inserting “owned or
22 operated by a recipient and” after “residing in a
23 dwelling unit”; and

24 (2) by adding at the end the following:

1 “(3) SELF-DETERMINATION.—Notwithstanding
2 paragraph (2), recipients may establish their own
3 policies governing maximums and minimum rents
4 and homebuyer payments for dwelling units assisted
5 under this Act, provided such policies are written
6 and made publicly available.”.

7 **SEC. 6. DEADLINE FOR ACTION ON REQUEST FOR AP-**
8 **PROVAL REGARDING EXCEEDING TDC MAX-**
9 **IMUM COST FOR PROJECT.**

10 (a) APPROVAL.—Section 103 of the Native American
11 Housing Assistance and Self-Determination Act of 1996
12 (25 U.S.C. 4113) is amended by adding at the end the
13 following new subsection:

14 “(f) DEADLINE FOR ACTION ON REQUEST TO EX-
15 CEED TDC MAXIMUM.—

16 “(1) DEADLINE.—A request for approval by the
17 Secretary to exceed by more than 10 percent the
18 total development cost maximum cost for a project
19 shall be approved or denied during the 60-day period
20 that begins on the date that the Secretary receives
21 the request.

22 “(2) NO RESPONSE BY SECRETARY.—If the
23 Secretary does not respond to a request in the 60-
24 day period described in paragraph (1), the request
25 shall be deemed approved.”.

1 (b) DEFINITION.—Section 4 of the Native American
2 Housing Assistance and Self-Determination Act of 1996
3 (25 U.S.C. 4103) is amended—

4 (1) by redesignating paragraph (22) as para-
5 graph (23); and

6 (2) by inserting after paragraph (21) the fol-
7 lowing new paragraph:

8 “(22) TOTAL DEVELOPMENT COST.—The term
9 ‘total development cost’ means, with respect to a
10 housing project, the sum of all costs for the project,
11 including all undertakings necessary for administra-
12 tion, planning, site acquisition, demolition, construc-
13 tion or equipment and financing (including payment
14 of carrying charges), and for otherwise carrying out
15 the development of the project, excluding off-site
16 water and sewer. The total development cost
17 amounts shall be based on a moderately designed
18 house and determined by averaging the current con-
19 struction costs as listed in not less than two nation-
20 ally recognized residential construction cost indi-
21 ces.”.

1 **SEC. 7. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME**
2 **REQUIREMENT AND INCOME TARGETING.**

3 Section 205 of the Native American Housing Assist-
4 ance and Self-Determination Act of 1996 (25 U.S.C.
5 4135) is amended—

6 (1) in subsection (a)(1)—

7 (A) in subparagraph (C), by striking
8 “and” at the end; and

9 (B) by adding at the end the following:

10 “(E) notwithstanding any other provision
11 of this paragraph, in the case of rental housing
12 that is made available to a current rental family
13 for conversion to a homebuyer or a lease-pur-
14 chase unit—

15 “(i) that the current rental family can
16 purchase through a contract of sale, lease-
17 purchase agreement, or any other sales
18 agreement; and

19 “(ii) the housing is made available for
20 purchase only by the current rental family,
21 if the rental family was a low-income fam-
22 ily at the time of their initial occupancy of
23 such unit; and”;

24 (2) in subsection (c)—

25 (A) by striking “The provisions” and in-
26 serting the following:

1 “(1) IN GENERAL.—The provisions”; and

2 (B) by adding at the end the following:

3 “(2) APPLICABILITY TO IMPROVEMENTS.—The
4 provisions of subsection (a)(2) regarding binding
5 commitments for the remaining useful life of prop-
6 erty shall not apply to improvements of privately
7 owned homes if the cost of the improvements do not
8 exceed 10 percent of the maximum total develop-
9 ment cost for the home.”.

10 **SEC. 8. LEASE REQUIREMENTS AND TENANT SELECTION.**

11 Section 207 of the Native American Housing Assist-
12 ance and Self-Determination Act of 1996 (25 U.S.C.
13 4137) is amended by adding at the end the following:

14 “(c) NOTICE OF TERMINATION.—The notice period
15 described in subsection (a)(3) shall apply to projects and
16 programs funded in part by amounts authorized under
17 this Act.”.

18 **SEC. 9. STATUTORY AUTHORITY TO SUSPEND GRANT
19 FUNDS IN EMERGENCIES.**

20 Section 401(a)(4) of the Native American Housing
21 Assistance and Self-Determination Act of 1996 (25 U.S.C.
22 4161(a)(4)) is amended—

23 (1) in subparagraph (A), by striking “may take
24 an action described in paragraph (1)(C)” and insert-

1 ing “may immediately take an action described in
2 paragraph (1)(C)”;

3 (2) by striking subparagraph (B) and inserting
4 the following:

5 “(B) PROCEDURAL REQUIREMENTS.—

6 “(i) IN GENERAL.—If the Secretary
7 takes an action described in subparagraph
8 (A), the Secretary shall provide notice to
9 the recipient at the time that the Secretary
10 takes that action.

11 “(ii) NOTICE REQUIREMENTS.—The
12 notice under clause (i) shall inform the re-
13 cipient that the recipient may request a
14 hearing by not later than 30 days after the
15 date on which the Secretary provides the
16 notice.

17 “(iii) HEARING REQUIREMENTS.—A
18 hearing requested under clause (ii) shall be
19 conducted—

20 “(I) in accordance with subpart
21 A of part 26 of title 24, Code of Fed-
22 eral Regulations (or successor regula-
23 tions); and

24 “(II) to the maximum extent
25 practicable, on an expedited basis.

1 “(iv) FAILURE TO CONDUCT A HEAR-
2 ING.—If a hearing requested under clause
3 (ii) is not completed by the date that is
4 180 days after the date on which the re-
5 cipient requests the hearing, the action of
6 the Secretary to limit the availability of
7 payments shall no longer be effective.”.

8 **SEC. 10. REPORTS TO CONGRESS.**

9 Section 407 of the Native American Housing Assist-
10 ance and Self-Determination Act of 1996 (25 U.S.C.
11 4167) is amended—

12 (1) in subsection (a), by striking “Congress”
13 and inserting “Committee on Indian Affairs and the
14 Committee on Banking, Housing and Urban Affairs
15 of the Senate and the Committee on Financial Serv-
16 ices of the House of Representatives”; and

17 (2) by adding at the end the following:

18 “(c) PUBLIC AVAILABILITY.—The report described in
19 subsection (a) shall be made publicly available, including
20 to recipients.”.

21 **SEC. 11. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RE-**
22 **STRICTED LANDS FOR HOUSING PURPOSES.**

23 Section 702 of the Native American Housing Assist-
24 ance and Self-Determination Act of 1996 (25 U.S.C.
25 4211) is amended—

1 (1) in the section heading, by striking “**50-**
2 **YEAR**” and inserting “**99-YEAR**”;

3 (2) in subsection (b), by striking “50 years”
4 and inserting “99 years”; and

5 (3) in subsection (c)(2), by striking “50 years”
6 and inserting “99 years”.

7 **SEC. 12. REAUTHORIZATION OF HOUSING ASSISTANCE FOR**
8 **NATIVE HAWAIIANS.**

9 Section 824 of the Native American Housing Assist-
10 ance and Self-Determination Act of 1996 (25 U.S.C.
11 4243) is amended by striking “for each of fiscal years
12 2001, 2002, 2003, 2004, and 2005” and inserting “each
13 of fiscal years 2026 through 2032.”.

14 **SEC. 13. COMMUNITY-BASED DEVELOPMENT ORGANIZA-**
15 **TIONS AND SPECIAL ACTIVITIES BY INDIAN**
16 **TRIBES.**

17 Section 105 of the Housing and Community Develop-
18 ment Act of 1974 (42 U.S.C. 5305) is amended by adding
19 at the end the following:

20 “(i) INDIAN TRIBES, TRIBALLY DESIGNATED HOUS-
21 ING ENTITIES, AND TRIBAL ORGANIZATIONS AS COMMU-
22 NITY-BASED DEVELOPMENT ORGANIZATIONS.—

23 “(1) DEFINITIONS.—In this subsection:

24 “(A) TRIBALLY DESIGNATED HOUSING EN-
25 TITY.—The term ‘tribally designated housing

1 entity’ has the meaning given the term in sec-
2 tion 4 of the Native American Housing Assist-
3 ance and Self-Determination Act of 1996 (25
4 U.S.C. 4103).

5 “(B) TRIBAL ORGANIZATION.—The term
6 ‘Tribal organization’ has the meaning the term
7 in section 4 of the Indian Self-Determination
8 and Education Assistance Act (25 U.S.C.
9 5304).

10 “(2) QUALIFICATION.—An Indian Tribe, a trib-
11 ally designated housing entity, or a Tribal organiza-
12 tion shall qualify as a community-based development
13 organization for purposes of carrying out new hous-
14 ing construction under this subsection for a grant
15 made under section 106(a)(1).

16 “(j) SPECIAL ACTIVITIES BY INDIAN TRIBES.—An
17 Indian Tribe (or a Tribal organization or Tribally des-
18 ignated housing entity designated by such Indian Tribe)
19 receiving a grant under section 106(a)(1) shall be author-
20 ized to directly carry out activities described in subsection
21 (a)(15).”.

22 **SEC. 14. HOUSING COUNSELING CERTIFICATION WAIVER.**

23 Subtitle A of title II of the Native American Housing
24 Assistance and Self-Determination Act of 1996 (25 U.S.C.

1 4131 et. seq.) is amended by adding at the end the fol-
2 lowing new section:

3 **“SEC. 211. HOUSING COUNSELING CERTIFICATION WAIVER.**

4 “Notwithstanding section 106(g)(1) of the Housing
5 and Urban Development Act of 1968 (12 U.S.C.
6 1701x(g)(1)), Indian Tribes, Tribal organizations, tribally
7 designated housing entities and the Department of Hawai-
8 ian Homelands carrying out homeownership counseling or
9 rental housing counseling under section 105(a)(20) of the
10 Housing and Community Development Act of 1974 (42
11 U.S.C. 5305(a)(20)) and sections 202(3) and
12 810(b)(2)(A) of the Native American Housing and Self-
13 Determination Act of 1996 (25 U.S.C. 4132(3),
14 4229(b)(2)(A)), may not be required to comply with any
15 housing counseling certification requirements established
16 by the Secretary. Nothing in this provision shall be con-
17 strued as limiting such recipients’ ability to obtain a hous-
18 ing counseling certification from the Secretary.”.

19 **SEC. 15. ELIGIBILITY FOR HOUSING COUNSELING GRANTS.**

20 Section 106(a)(4) of the Housing and Urban Devel-
21 opment Act of 1968 (12 U.S.C. 1701x(a)(4)) is amend-
22 ed—

23 (1) in subparagraph (A)—

24 (A) by striking “and” and inserting a
25 comma; and

1 (B) by inserting before the period at the
2 end the following: “, Indian Tribes, and tribally
3 designated housing entities”;

4 (2) in subparagraph (B), by inserting “, Indian
5 Tribes, and tribally designated housing entities”
6 after “organizations)”;

7 (3) by redesignating subparagraph (F) as sub-
8 paragraph (G); and

9 (4) by inserting after subparagraph (E) the fol-
10 lowing:

11 “(F) DEFINITIONS.—In this paragraph,
12 the terms ‘Indian Tribe’ and ‘tribally des-
13 igned housing entity’ have the meanings given
14 those terms in section 4 of the Native American
15 Housing Assistance and Self-Determination Act
16 of 1996 (25 U.S.C. 4103).”.

17 **SEC. 16. SECTION 184 INDIAN HOME LOAN GUARANTEE**
18 **PROGRAM.**

19 (a) IN GENERAL.—Section 184 of the Housing and
20 Community Development Act of 1992 (12 U.S.C. 1715z–
21 13a) is amended—

22 (1) by amending subsection (a) to read as fol-
23 lows:

24 “(a) AUTHORITY.—To provide access to sources of
25 private financing to Indian families, Indian housing au-

1 thorities, and Indian Tribes, who otherwise could not ac-
2 quire housing financing because of the unique legal status
3 of Indian lands and the unique nature of Tribal econo-
4 mies, and to expand homeownership opportunities to In-
5 dian families, tribally designated housing entities, Indian
6 housing authorities and Indian Tribes on fee simple lands,
7 the Secretary may guarantee not to exceed 100 percent
8 of the unpaid principal and interest due on any loan eligi-
9 ble under subsection (b) made to an Indian family, tribally
10 designated housing entities, Indian housing authority, or
11 Indian Tribe on trust land and fee simple land.”; and

12 (2) in subsection (b)—

13 (A) by amending paragraph (2) to read as
14 follows:

15 “(2) ELIGIBLE HOUSING.—The loan shall be
16 used to construct, acquire, refinance, or rehabilitate
17 1- to 4-family dwellings that are standard housing.”;

18 (B) in paragraph (4)—

19 (i) by redesignating subparagraphs

20 (A) through (D) as clauses (i) through

21 (iv), respectively, and adjusting the mar-

22 gins accordingly;

23 (ii) by striking “The loan” and insert-

24 ing the following:

25 “(A) IN GENERAL.—The loan”;

1 (iii) in subparagraph (A), as so rededesignated,
2 by adding at the end the following:
3

4 “(v) Any entity certified as a community development
5 financial institution by the Community Development Fi-
6 nancial Institutions Fund established under section
7 104(a) of the Riegle Community Development and Regu-
8 latory Improvement Act of 1994 (12 U.S.C. 4703(a)).”;
9 and

10 (iv) by adding at the end the following:
11

12 “(B) DIRECT GUARANTEE PROCESS.—

13 “(i) AUTHORIZATION.—The Secretary
14 may authorize qualifying lenders to partici-
15 pate in a direct guarantee process for ap-
16 proving loans under this section.

17 “(ii) INDEMNIFICATION.—

18 “(I) IN GENERAL.—If the Sec-
19 retary determines that a mortgage
20 guaranteed through a direct guar-
21 antee process under this subpara-
22 graph was not originated in accord-
23 ance with the requirements estab-
24 lished by the Secretary, the Secretary
25 may require the lender approved

1 under this subparagraph to indemnify
2 the Secretary for the loss, irrespective
3 of whether the violation caused the
4 mortgage default.

5 “(II) FRAUD OR MISREPRESENTATION.—If fraud or misrepresenta-
6 tion is involved in a direct guarantee
7 process under this subparagraph, the
8 Secretary may require the originating
9 lender approved under this subpara-
10 graph to indemnify the Secretary for
11 the loss regardless of when an insur-
12 ance claim is paid.

14 “(III) IMPLEMENTATION.—The
15 Secretary may implement any require-
16 ment described in this subparagraph
17 by regulation, notice or Dear Lender
18 Letter.

19 “(C) REVIEW OF MORTGAGEES.—

20 “(i) IN GENERAL.—The Secretary
21 may periodically review the mortgagees
22 originating, underwriting, or servicing sin-
23 gle family mortgage loans under this sec-
24 tion.

1 “(ii) REQUIREMENTS.—In conducting
2 a review under clause (i), the Secretary—

3 “(I) shall compare the mortgagee
4 with other mortgagees originating or
5 underwriting loan guarantees for In-
6 dian housing based on the rates of de-
7 faults and claims for guaranteed
8 mortgage loans originated, under-
9 written, or serviced by that mort-
10 gagee; and

11 “(II) may compare the mort-
12 gagee with such other mortgagees
13 based on underwriting quality, geo-
14 graphic area served, or any commonly
15 used factors the Secretary determines
16 necessary for comparing mortgage de-
17 fault risk, provided that the compari-
18 son is of factors that the Secretary
19 would expect to affect the default risk
20 of mortgage loans guaranteed by the
21 Secretary;

22 “(iii) shall implement such compari-
23 sons by regulation, notice, or Dear Lender
24 Letter; and

1 “(iv) may terminate the approval of a
2 mortgagee to originate, underwrite, or
3 service loan guarantees for housing under
4 this section if the Secretary determines
5 that the mortgage loans originated, under-
6 written, or serviced by the mortgagee
7 present an unacceptable risk to the Indian
8 Housing Loan Guarantee Fund established
9 under clause (i)—

10 “(I) based on a comparison of
11 any of the factors set forth in this
12 subparagraph; or

13 “(II) by a determination that the
14 mortgagee engaged in fraud or mis-
15 representation.”; and

16 (C) in paragraph (5)(A), by inserting be-
17 fore the semicolon at the end the following: “ex-
18 cept, as determined by the Secretary, when
19 there is a loan modification under subsection
20 (h)(1)(B), the term of the loan shall not exceed
21 40 years”;

22 (3) in subsection (c)—

23 (A) in paragraph (1)—

24 (i) by striking “Before” and inserting
25 the following:

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B), before”; and

3 (ii) by adding at the end the fol-
4 lowing:

5 “(B) EXCEPTION.—Subparagraph (A)
6 shall not apply when the Secretary exercises
7 their discretion to delegate direct guarantee en-
8 dorsement authority to eligible lenders under
9 subsection (b)(4)(B)(i).”;

10 (B) in paragraph (2)—

11 (i) by striking “The Secretary” and
12 inserting the following:

13 “(A) IN GENERAL.—Except as provided in
14 subparagraph (B), the Secretary”; and

15 (ii) by adding at the end the fol-
16 lowing:

17 “(B) EXCEPTIONS.—When the Secretary
18 exercises its discretion to delegate direct guar-
19 antee endorsement authority to eligible lenders
20 under subsection (b)(4)(B)(i)—

21 “(i) subparagraph (A) shall not apply;
22 and

23 “(ii) the direct guarantee endorsement
24 lender may issue a certificate under this
25 paragraph as evidence of the guarantee in

1 accordance with requirements established
2 by the Secretary.”; and

3 (C) in paragraph (3), by inserting “, or
4 where applicable, the direct guarantee endorse-
5 ment lender,” after “Secretary” in each place
6 that term appears; and

7 (4) in subsection (l)—

8 (A) by redesignating paragraphs (8) and
9 (9) as paragraphs (9) and (10), respectively;
10 and

11 (B) by inserting after paragraph (7) the
12 following:

13 “(8) The term ‘tribally designated housing enti-
14 ty’ has the meaning given the term in section 4 of
15 the Native American Housing Assistance and Self-
16 Determination Act of 1996 (25 U.S.C. 4103).”.

17 (b) LOAN GUARANTEES FOR INDIAN HOUSING.—
18 Section 184(i)(5) of the Housing and Community Devel-
19 opment Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is
20 amended—

21 (1) in subparagraph (B), by inserting after the
22 first sentence the following: “There are authorized
23 to be appropriated for those costs such sums as may
24 be necessary for each of fiscal years 2026 through
25 2032.”; and

1 (2) in subparagraph (C), by striking “2008
2 through 2012” and inserting “2026 through 2032”.

3 **SEC. 17. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUS-**
4 **ING.**

5 Section 184A of the Housing and Community Devel-
6 opment Act of 1992 (12 U.S.C. 1715z–13b) is amended—

7 (1) in subsection (b), by inserting “, and to ex-
8 pand homeownership opportunities to Native Hawai-
9 ian families who are eligible to receive a homestead
10 under the Hawaiian Homes Commission Act, 1920
11 (42 Stat. 108) on fee simple lands in the State of
12 Hawaii” after “markets”;

13 (2) in subsection (c)—

14 (A) by amending paragraph (2) to read as
15 follows:

16 “(2) ELIGIBLE HOUSING.—The loan shall be
17 used to construct, acquire, refinance, or rehabilitate
18 1- to 4-family dwellings that are standard housing.”;

19 (B) in paragraph (4)—

20 (i) in subparagraph (B)—

21 (I) by redesignating clause (iv) as
22 clause (v); and

23 (II) by adding after clause (iii)
24 the following:

1 “(iv) Any other lender that is super-
2 vised, approved, regulated, or insured by
3 any agency of the Federal Government, in-
4 cluding any entity certified as a community
5 development financial institution by the
6 Community Development Financial Insti-
7 tutions Fund established under section
8 104(a) of the Riegle Community Develop-
9 ment and Regulatory Improvement Act of
10 1994 (12 U.S.C. 4703(a)).”; and

11 (ii) by adding at the end the fol-
12 lowing:

13 “(C) DIRECT GUARANTEE ENDORSEMENT
14 AND INDEMNIFICATION.—

15 “(i) IN GENERAL.—If the Secretary
16 determines that a loan guaranteed under
17 this section was not originated in accord-
18 ance with the requirements established by
19 the Secretary, the Secretary may require
20 the lender approved under this paragraph
21 to indemnify the Secretary for the loss or
22 potential loss, irrespective of whether the
23 violation caused or will cause the loan de-
24 fault.

1 “(ii) DIRECT GUARANTEE ENDORSE-
2 MENT.—The Secretary may, dependent on
3 the availability of systems development and
4 staffing resources, delegate to eligible lend-
5 ers the authority to directly endorse loans
6 under this section.

7 “(iii) FRAUD OR MISREPRESENTA-
8 TION.—If fraud or misrepresentation is in-
9 volved in a loan guaranteed under this sec-
10 tion, the Secretary may require the origi-
11 nating lender approved under this subpara-
12 graph to indemnify the Secretary for the
13 loss regardless of whether there was a pay-
14 ment made by the Secretary under the
15 guarantee.

16 “(iv) IMPLEMENTATION.—The Sec-
17 retary may implement any requirements
18 described in this subparagraph by regula-
19 tion, notice, or Dear Lender Letter.

20 “(v) REVIEW OF LENDERS.—

21 “(I) IN GENERAL.—The Sec-
22 retary may periodically review the
23 lenders originating, underwriting, or
24 servicing single family mortgage loans
25 under this section.

1 “(II) REQUIREMENTS.—In con-
2 ducting a review under paragraph (1),
3 the Secretary—

4 “(aa) shall compare the
5 lender with other lenders origi-
6 nating or underwriting loan guar-
7 antees for Indian housing and
8 Native Hawaiian housing based
9 on the rates of defaults and
10 claims for guaranteed loans origi-
11 nated, underwritten, or serviced
12 by that lender; and

13 “(bb) may compare the lend-
14 er with such other lenders based
15 on underwriting quality, geo-
16 graphic area served, or any com-
17 monly used factors the Secretary
18 determines necessary for com-
19 paring mortgage default risk,
20 provided that the comparison is
21 of factors that the Secretary
22 would expect to affect the default
23 risk of mortgage loans guaran-
24 teed by the Secretary.”; and

1 (C) in paragraph (5)(A), by inserting be-
2 fore the semicolon at the end the following: “ex-
3 cept, as determined by the Secretary, when
4 there is a loan modification under subsection
5 (i)(1)(B), the term of the loan shall not exceed
6 40 years”;

7 (3) in subsection (d)—

8 (A) in paragraph (1)—

9 (i) in subparagraph (A), by striking
10 “Before” and inserting “Except as pro-
11 vided in subsection (C), before”;

12 (ii) in subparagraph (B), by striking
13 “If” and inserting “Except as provided
14 under subparagraph (C), before”; and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(C) EXCEPTION.—When the Secretary
18 exercises its discretion to delegate direct guar-
19 antee endorsement authority pursuant to sub-
20 section (e)(4)(C)(ii), subparagraphs (A) and
21 (B) of this paragraph shall not apply.”;

22 (B) by amending paragraph (2) to read as
23 follows:

24 “(2) STANDARD FOR APPROVAL.—

1 “(A) APPROVAL.—Except as provided in
2 subparagraph (B), the Secretary may approve a
3 loan for guarantee under this section and issue
4 a certificate under this subsection only if the
5 Secretary determines that there is a reasonable
6 prospect of repayment of the loan.

7 “(B) EXCEPTIONS.—When the Secretary
8 exercises its discretion to delegate direct guar-
9 antee endorsement authority pursuant to sub-
10 section (c)(4)(C)(ii)—

11 “(i) subparagraph (A) shall not apply;
12 and

13 “(ii) the direct guarantee endorsement
14 lender may issue a certificate under this
15 paragraph as evidence of the guarantee in
16 accordance with requirements prescribed
17 by the Secretary.”; and

18 (C) in paragraph (3)(A), by inserting “or,
19 where applicable, the direct guarantee endorse-
20 ment lender,” after “Secretary”; and

21 (4) in subsection (j)(5)(B), by inserting after
22 the first sentence the following: “There are author-
23 ized to be appropriated for those costs such sums as
24 may be necessary for each of fiscal years 2026
25 through 2032.”.

1 **SEC. 18. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK**
2 **INDIAN VETERANS.**

3 Section 8(o)(19) of the United States Housing Act
4 of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding
5 at the end the following:

6 “(E) INDIAN VETERANS HOUSING RENTAL
7 ASSISTANCE PROGRAM.—

8 “(i) DEFINITIONS.—In this subpara-
9 graph:

10 “(I) ELIGIBLE INDIAN VET-
11 ERAN.—The term ‘eligible Indian vet-
12 eran’ means an Indian veteran who
13 is—

14 “(aa) homeless or at risk of
15 homelessness; and

16 “(bb) living—

17 “(AA) on or near a res-
18 ervation; or

19 “(BB) in or near any
20 other Indian area.

21 “(II) ELIGIBLE RECIPIENT.—
22 The term ‘eligible recipient’ means a
23 recipient eligible to receive a grant
24 under section 101 of the Native
25 American Housing Assistance and

1 Self-Determination Act of 1996 (25
2 U.S.C. 4111).

3 “(III) INDIAN; INDIAN AREA.—
4 The terms ‘Indian’ and ‘Indian area’
5 have the meanings given those terms
6 in section 4 of the Native American
7 Housing Assistance and Self-Deter-
8 mination Act of 1996 (25 U.S.C.
9 4103).

10 “(IV) INDIAN VETERAN.—The
11 term ‘Indian veteran’ means an In-
12 dian who is a veteran.

13 “(V) PROGRAM.—The term ‘Pro-
14 gram’ means the Tribal HUD–VASH
15 program carried out under clause (ii).

16 “(VI) TRIBAL ORGANIZATION.—
17 The term ‘Tribal organization’ has the
18 meaning given the term in section 4
19 of the Indian Self-Determination and
20 Education Assistance Act (25 U.S.C.
21 5304).

22 “(ii) PROGRAM SPECIFICATIONS.—
23 The Secretary may not use less than 5 per-
24 cent of the amounts made available for
25 rental assistance under this paragraph to

1 carry out a rental assistance and sup-
2 ported housing program, to be known as
3 the ‘Tribal HUD–VASH program’, in con-
4 junction with the Secretary of Veterans Af-
5 fairs, by awarding grants for the benefit of
6 eligible Indian veterans.

7 “(iii) MODEL.—

8 “(I) IN GENERAL.—Except as
9 provided in subclause (II), the Sec-
10 retary shall model the Program on the
11 rental assistance and supported hous-
12 ing program authorized under sub-
13 paragraph (A) and applicable appro-
14 priations Acts, including administra-
15 tion in conjunction with the Secretary
16 of Veterans Affairs.

17 “(II) EXCEPTIONS.—

18 “(aa) SECRETARY OF HOUS-
19 ING AND URBAN DEVELOP-
20 MENT.—After consultation with
21 Indian Tribes, eligible recipients,
22 and any other appropriate Tribal
23 organizations, the Secretary may
24 make necessary and appropriate
25 modifications to facilitate the use

1 of the Program by eligible recipi-
2 ents to serve eligible Indian vet-
3 erans.

4 “(bb) SECRETARY OF VET-
5 ERANS AFFAIRS.—After consulta-
6 tion with Indian Tribes, eligible
7 recipients, and any other appro-
8 priate Tribal organizations, the
9 Secretary of Veterans Affairs
10 may make necessary and appro-
11 priate modifications to facilitate
12 the use of the Program by eligi-
13 ble recipients to serve eligible In-
14 dian veterans.

15 “(iv) ELIGIBLE RECIPIENTS.—The
16 Secretary shall make amounts for rental
17 assistance and associated administrative
18 costs under the Program available in the
19 form of grants to eligible recipients.

20 “(v) FUNDING CRITERIA.—The Sec-
21 retary shall award grants under the Pro-
22 gram based on—

23 “(I) need;

24 “(II) administrative capacity; and

1 “(III) any other funding criteria
2 established by the Secretary in a no-
3 tice published in the Federal Register
4 after consulting with the Secretary of
5 Veterans Affairs.

6 “(vi) ADMINISTRATION.—Grants
7 awarded under the Program shall be ad-
8 ministered in accordance with the Native
9 American Housing Assistance and Self-De-
10 termination Act of 1996 (25 U.S.C. 4101
11 et seq.), except that recipients shall—

12 “(I) submit to the Secretary, in a
13 manner prescribed by the Secretary,
14 reports on the utilization of rental as-
15 sistance provided under the Program;
16 and

17 “(II) provide to the Secretary in-
18 formation specified by the Secretary
19 to assess the effectiveness of the Pro-
20 gram in serving eligible Indian vet-
21 erans.

22 “(vii) CONSULTATION.—

23 “(I) GRANT RECIPIENTS; TRIBAL
24 ORGANIZATIONS.—The Secretary, in
25 coordination with the Secretary of

1 Veterans Affairs, shall consult with el-
2 igible recipients and any other appro-
3 priate Tribal organization on the de-
4 sign of the Program to ensure the ef-
5 fective delivery of rental assistance
6 and supportive services to eligible In-
7 dian veterans under the Program.

8 “(II) INDIAN HEALTH SERV-
9 ICE.—The Director of the Indian
10 Health Service shall provide any as-
11 sistance requested by the Secretary or
12 the Secretary of Veterans Affairs in
13 carrying out the Program.

14 “(viii) WAIVER.—

15 “(I) IN GENERAL.—Except as
16 provided in subclause (II), the Sec-
17 retary may waive or specify alter-
18 native requirements for any provision
19 of law (including regulations) that the
20 Secretary administers in connection
21 with the use of rental assistance made
22 available under the Program if the
23 Secretary finds that the waiver or al-
24 ternative requirement is necessary for
25 the effective delivery and administra-

1 tion of rental assistance under the
2 Program to eligible Indian veterans.

3 “(II) EXCEPTION.—The Sec-
4 retary may not waive or specify alter-
5 native requirements under subclause
6 (I) for any provision of law (including
7 regulations) relating to labor stand-
8 ards or the environment.

9 “(ix) RENEWAL GRANTS.—The Sec-
10 retary may—

11 “(I) set aside, from amounts
12 made available for tenant-based rental
13 assistance under this subsection and
14 without regard to the amounts used
15 for new grants under clause (ii), such
16 amounts as may be necessary to
17 award renewal grants to eligible re-
18 cipients that received a grant under
19 the Program in a previous year; and

20 “(II) specify criteria that an eli-
21 gible recipient must satisfy to receive
22 a renewal grant under subclause (I),
23 including providing data on how the
24 eligible recipient used the amounts of

1 any grant previously received under
2 the Program.

3 “(x) REPORTING.—Not later than 1
4 year after the date of enactment of this
5 subparagraph, and every 5 years there-
6 after, the Secretary, in coordination with
7 the Secretary of Veterans Affairs and the
8 Director of the Indian Health Service,
9 shall—

10 “(II) conduct a review of the im-
11 plementation of the Program, includ-
12 ing any factors that may have limited
13 its success; and

14 “(III) submit a report describing
15 the results of the review under item
16 (aa) to—

17 “(aa) the Committee on In-
18 dian Affairs, the Committee on
19 Banking, Housing, and Urban
20 Affairs, the Committee on Vet-
21 erans’ Affairs, and the Com-
22 mittee on Appropriations of the
23 Senate; and

24 “(bb) the Subcommittee on
25 Indian, Insular and Alaska Na-

1 tive Affairs of the Committee on
2 Natural Resources, the Com-
3 mittee on Financial Services, the
4 Committee on Veterans' Affairs,
5 and the Committee on Appropria-
6 tions of the House of Representa-
7 tives.

8 “(xi) IMPACT ON FORMULA CURRENT
9 ASSISTED STOCK.—For a given fiscal
10 year’s allocation formula of the Native
11 American Housing Block Grants program,
12 as authorized under title I of the Native
13 American Housing Assistance and Self-De-
14 termination Act of 1996 (25 U.S.C. 4111
15 et seq.), the number of qualifying low-in-
16 come housing dwelling units under section
17 302(b)(1) of the Native American Housing
18 Assistance and Self-Determination Act of
19 1996 (25 U.S.C. 4152(b)(1)) may not be
20 reduced due to the placement of an eligible
21 Indian veteran assisted with amounts pro-
22 vided under the Program within such
23 qualifying units.”.

1 **SEC. 19. CONTINUUM OF CARE.**

2 Title IV of the McKinney-Vento Homeless Assistance
3 Act (42 U.S.C. 11360 et seq.) is amended—

4 (1) in section 401 (42 U.S.C. 11360)—

5 (A) by redesignating paragraphs (32)
6 through (35) as paragraphs (33) through (36),
7 respectively; and

8 (B) by inserting after paragraph (31) the
9 following:

10 “(32) TRIBALLY DESIGNATED HOUSING ENTI-
11 TY.—The term ‘tribally designated housing entity’
12 has the meaning given the term in section 4 of the
13 Native American Housing Assistance and Self-De-
14 termination Act of 1996 (25 U.S.C. 4103).”;

15 (2) in section 423(g) (42 U.S.C. 11383(g)), by
16 inserting “Indian Tribe, tribally designated housing
17 entity,” after “private nonprofit organization,”; and

18 (3) in section 435 (42 U.S.C. 11389)—

19 (A) by striking “(as defined in section 4 of
20 the Native American Housing Assistance and
21 Self-Determination Act of 1996 (25 U.S.C.
22 4103))”;

23 (B) by striking “Notwithstanding” and in-
24 serting the following:

25 “(a) ELIGIBLE ENTITIES.—Notwithstanding”; and

26 (C) by adding at the end the following:

1 “(b) CIVIL RIGHTS EXEMPTIONS.—With respect to
2 grants awarded to carry out eligible activities under this
3 subtitle, title VI of the Civil Rights Act of 1964 (42 U.S.C.
4 2000d et seq.) and title VIII of the Civil Rights Act of
5 1968 (42 U.S.C. 3601 et seq.) shall not apply to applica-
6 tions or awards for projects to be carried out—

7 “(1) on or off reservation or trust lands for
8 awards made to Indian Tribes or tribally designated
9 housing entities;

10 “(2) on reservation or trust lands for awards
11 made to eligible entities; or

12 “(3) with respect to a project in which amounts
13 provided under this Act will be used specifically to
14 benefit Tribal communities or Tribal members, in
15 formula areas (as such term is defined in section
16 1000.302 of title 24, Code of Federal Regulations,
17 or any successor regulation) for the Indian Housing
18 Block Grant.

19 “(c) CERTIFICATION.—Notwithstanding section 106
20 of the Cranston-Gonzalez National Affordable Housing
21 Act (42 U.S.C. 12706) and section 403 of this Act, with
22 respect to applications for projects to be carried out on
23 reservations or trust land using grants awarded under this
24 subtitle—

1 “(1) the applications shall contain a certifi-
2 cation of consistency with an approved Indian hous-
3 ing plan developed under section 102 of the Native
4 American Housing Assistance and Self-Determina-
5 tion Act (25 U.S.C. 4112); and

6 “(2) Indian Tribes and tribally designated
7 housing entities that are recipients of awards for
8 projects on reservations or trust land from such
9 funds shall certify that they are following an ap-
10 proved housing plan developed under section 102 of
11 the Native American Housing Assistance and Self-
12 Determination Act (25 U.S.C. 4112).

13 “(d) CONSOLIDATED PLAN EXEMPTION.—A collabo-
14 rative applicant for a Continuum of Care whose geo-
15 graphic area includes only reservation or trust land is not
16 required to meet the requirement described in section
17 402(f)(2).

18 “(e) WAIVER AUTHORITY FOR TRIBAL PARTICIPA-
19 TION.—In administering the amounts made available
20 under this Act, the Secretary may waive, or specify alter-
21 native requirements for, any provision of any statute or
22 regulation that the Secretary administers in connection
23 with the obligation by the Secretary or the use by the re-
24 cipient of these amounts (except for requirements related
25 to labor standards and the environment), if the Secretary

1 finds that good cause exists for the waiver or alternative
2 requirement and such waiver or alternative requirement
3 is necessary to modify any requirements preventing the
4 participation of Indian Tribes or tribally designated hous-
5 ing entity in the Continuum of Care Program, or would
6 expedite or facilitate the use of funds.”.

7 **SEC. 20. STREAMLINING REPORTING REQUIREMENTS.**

8 Section 404 of the Native American Housing Assist-
9 ance and Self-Determination Act of 1996 (25 U.S.C.
10 4164) is amended—

11 (1) by redesignating subsection (d) as sub-
12 section (e); and

13 (2) by inserting after subsection (c) the fol-
14 lowing:

15 “(d) CONSOLIDATED REPORTING.—Notwithstanding
16 any other provision of law, the Secretary shall develop
17 policies and procedures that authorize interested Indian
18 Tribes and tribally designated housing entities receiving
19 grant amounts under this Act to submit to the Secretary,
20 at their discretion, one consolidated annual performance
21 report covering all grants the Indian Tribe or tribally des-
22 igned housing entity receives from other grant programs
23 administered by the Secretary.”.

1 **SEC. 21. APPLICATION OF BUILD AMERICA, BUY AMERICA**
2 **REQUIREMENTS.**

3 The requirements under the Build America, Buy
4 America Act (41 U.S.C. 8301 note) and any implementing
5 regulations or guidance shall not apply to any housing ac-
6 tivities carried out using any Federal financial assistance
7 provided to Indian tribes, tribally designated housing enti-
8 ties, tribal organizations, and other Tribal entities (includ-
9 ing the Department of Hawaiian Home Lands) under any
10 Federal program.

1 S. ___

2

3 To reauthorize the Native American Housing Assistance and Self-Determination Act of 1996.

4

5 Ms. Murkowski introduced the following bill; which was read twice and referred to the
6 Committee on _____

7

8 Be it enacted by the Senate and House of Representatives of the United States of America in
9 Congress assembled,

10 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

11 (a) Short Title.—This Act may be cited as the “Native American Housing Assistance and Self-
12 Determination Modernization Act of 2026”.

13 (b) Table of Contents.—The table of contents for this Act is as follows:

14 Sec.1.Short title; table of contents.

15 Sec.2.Definitions.

16 Sec.3.Flexibility for community compass technical assistance.

17 Sec.4.Consolidation of environmental review requirements.

18 Sec.5.Authorization of appropriations.

19 Sec.6.Eligible families.

20 Sec.7.Student housing assistance.

21 Sec.8.Clarification of application of rent rule to units owned or operated by Indian tribe or
22 tribally designated housing entity.

23 Sec.9.De minimis exemption for procurement of goods and services.

24 Sec.10.Procurement policies.

25 Sec.11.Total development cost maximum cost.

26 Sec.12.Homeownership or lease-to-own low-income requirement and income targeting.

27 Sec.13.Lease requirements and tenant selection.

28 Sec.14.Housing counseling certification exemption.

29 Sec.15.Statutory authority to suspend grant funds in emergencies.

30 Sec.16.Streamlining reporting requirements.

31 Sec.17.Reports to Congress.

32 Sec.18.99-year leasehold interest in trust or restricted lands for housing purposes.

33 Sec.19.Innovative readiness training program coordination.

34 Sec.20.Amendments for block grants for affordable housing activities.

35 Sec.21.Reauthorization of housing assistance for Native Hawaiians.

- 1 Sec.22.Community-based development organizations and special activities by Indian tribes.
- 2 Sec.23.Eligibility for housing counseling grants.
- 3 Sec.24.Section 184 Indian Home Loan Guarantee program.
- 4 Sec.25.Loan guarantees for Native Hawaiian housing.
- 5 Sec.26.Rental assistance for homeless or at-risk Indian veterans.
- 6 Sec.27.Continuum of care.
- 7 Sec.28.Application of Build America, Buy America requirements.
- 8 Sec.29.Formula negotiated rulemaking.
- 9 Sec.30.Pilot program for housing assistance for homeless Native Americans and Alaska Natives.
- 10 Sec.31.Pilot program for housing assistance for homeless Native Hawaiians.
- 11 Sec.32.Tribal and rural continuum of care builds program.
- 12 Sec.33.HUD Tribal Intergovernmental Advisory Committee.
- 13 Sec.34.Housing supply chain challenges.
- 14 Sec.35.Report on housing in Alaska.

15 SEC. 2. DEFINITIONS.

16 In this Act:

17 (1) DEPARTMENT OF HAWAIIAN HOME LANDS.—The term “Department of Hawaiian Home
18 Lands” has the meaning given the term in section 801 of the Native American Housing
19 Assistance and Self-Determination Act of 1996 (25 U.S.C. 4221).

20 (2) DOMESTIC VIOLENCE.—The term “domestic violence” has the meaning given the term
21 in section 40002(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)).

22 (3) FEDERALLY RECOGNIZED TRIBE; INDIAN AREA; INDIAN TRIBE; TRIBALLY DESIGNATED
23 HOUSING ENTITY.—The terms “Federally recognized tribe”, “Indian area”, “Indian tribe”,
24 and “tribally designated housing entity” have the meanings given those terms in section 4 of
25 the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C.
26 4103).

27 (4) HAWAIIAN HOME LANDS.—The term “Hawaiian Home Lands” means lands that—

28 (A) have the status as Hawaiian home lands under section 204 of the Hawaiian
29 Homes Commission Act, 1920 (42 Stat. 110); or

30 (B) are acquired pursuant to that Act.

31 (5) HOMELESS YOUTH.—The term “homeless youth” has the meaning given the term in
32 section 387 of the Runaway and Homeless Youth Act (34 U.S.C. 11279).

33 (6) NATIVE HAWAIIAN.—The term “Native Hawaiian” means any individual who is—

34 (A) a citizen of the United States; and

35 (B) a descendant of the aboriginal people, who, prior to 1778, occupied and

1 exercised sovereignty in the area that currently constitutes the State of Hawaii, as
2 evidenced by—

3 (i) genealogical records;

4 (ii) verification by kupuna (elders) or kama'aina (long-term community
5 residents); or

6 (iii) birth records of the State of Hawaii.

7 (7) NATIVE HAWAIIAN ORGANIZATION; NATIVE HAWAIIAN COMMUNITY-BASED
8 ORGANIZATION.—The terms “Native Hawaiian organization” and “Native Hawaiian
9 community-based organization” have the meanings given those terms in section 6207 of the
10 Native Hawaiian Education Act (20 U.S.C. 7517).

11 (8) SECRETARY.—The term “Secretary” means the Secretary of Housing and Urban
12 Development.

13 (9) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given the
14 term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C.
15 5304).

16 SEC. 3. FLEXIBILITY FOR COMMUNITY COMPASS 17 TECHNICAL ASSISTANCE.

18 The Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C.
19 4101 et seq.) is amended—

20 (1) in section 101 (25 U.S.C. 4111), by adding at the end the following:

21 “(l) Technical Assistance Flexibility.—Notwithstanding any requirement of the Community
22 Compass Technical Assistance and Capacity Building Program, in approving technical
23 assistance requests, the Secretary shall grant an Indian tribe or a tribally designated housing
24 entity requesting such technical assistance maximum flexibility and deference when determining
25 the allowable uses of such technical assistance funding.”; and

26 (2) in section 802 (25 U.S.C. 4222), by adding at the end the following:

27 “(f) Technical Assistance Flexibility.—Notwithstanding any requirement of the Community
28 Compass Technical Assistance and Capacity Building Program, in approving technical
29 assistance requests, the Secretary shall grant the Department of Hawaiian Home Lands, or its
30 subrecipients under subsection (e)(2), requesting such technical assistance maximum flexibility
31 and deference when determining the allowable uses of such technical assistance funding.”.

32 SEC. 4. CONSOLIDATION OF ENVIRONMENTAL 33 REVIEW REQUIREMENTS.

34 Section 105 of the Native American Housing Assistance and Self-Determination Act of 1996
35 (25 U.S.C. 4115) is amended—

36 (1) in subsection (c)(2), by inserting “, or a tribally designated housing entity official
37 designated by the tribe,” after “tribe”;

38 (2) in subsection (d)—

1 (A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D),
2 respectively, and adjusting the margins accordingly;

3 (B) by striking “The Secretary may” and inserting the following:

4 “(1) IN GENERAL.—The Secretary may”; and

5 (C) by adding at the end the following:

6 “(2) TIMELINE.—The Secretary shall act upon a waiver request submitted under this
7 subsection not later than 60 days after receiving the request.”; and

8 (3) by adding at the end of the following:

9 “(e) Consolidation of Environmental Review Requirements.—

10 “(1) IN GENERAL.—With respect to a project carried out using amounts provided under
11 this Act, including under title VIII of this Act or carried out by an Indian tribe, or under a
12 grant made to an Indian tribe under title I of the Housing and Community Development Act
13 of 1974 (42 U.S.C. 5301 et seq.), the Indian tribe, recipient, or the Director of the
14 Department of Hawaiian Home Lands, as applicable, shall be deemed to be in compliance
15 with the environmental review requirements under this section or section 806 of this Act,
16 under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et
17 seq.), and under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), to
18 discharge from any applicable environmental review requirements that may apply to
19 Federal agencies with respect to the use of additional Federal funding sources for that
20 project, if—

21 “(A) a recipient is using 1 or more sources of Federal funds in addition to assistance
22 provided under this Act or under title I of the Housing and Community Development
23 Act of 1974 (42 U.S.C. 5301 et seq.);

24 “(B) the sum of the other sources of Federal funds described in subparagraph (A)
25 does not exceed 49 percent of the Federal share of the project cost; and

26 “(C) the recipient’s Indian tribe or the Director of the Department of Hawaiian
27 Home Lands, as applicable, has assumed all of the responsibilities for environmental
28 review, decisionmaking, and action pursuant to this section, section 806 of this Act, or
29 title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et
30 seq.), as applicable.

31 “(2) EFFECT.—Upon completion of an environmental review for a project described in
32 paragraph (1) in accordance with procedures established by the Secretary, as applicable, no
33 other Federal agency providing additional Federal funds for the project shall be required to
34 conduct a separate or supplemental environmental review for purposes of compliance with
35 the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other
36 provision of Federal law described in paragraph (1), except to the extent that the project is
37 materially changed in a manner that was not analyzed in the consolidated review.”

38 “(f) Environmental Streamlining.—With respect to a project carried using amounts provided
39 under this Act, including under title VIII of this Act or grants made to an Indian tribe under title I
40 of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), each of the
41 following applies:

1 “(1) GENERAL EXEMPTION.—Notwithstanding any other provision of law, activities are
2 exempt from any environmental review requirements where—

3 “(A) similar statutory exemptions apply to comparable activities of other Federal
4 agencies;

5 “(B) the activity is an affordable housing activity having a total cost of not more
6 than \$250,000;

7 “(C) the activity is acquisition of property, including long-term equipment, funded
8 using non-Federal sources; or

9 “(D) the activity involves the rehabilitation of a structure and—

10 “(i) the cost of the rehabilitation is less than fifty percent of the market value of
11 the structure before rehabilitation; and

12 “(ii) the rehabilitation involves no ground disturbance, footprint change, or
13 historic structure.

14 “(2) DETERMINATION BY TRIBE.—An Indian tribe that has assumed responsibility for
15 environmental review, decisionmaking, and action pursuant to procedures established by the
16 Secretary pursuant to subsection (e)(1)(C) shall make and document any determination that
17 an activity qualifies for an exemption under this subsection, and such determination shall be
18 deemed sufficient for purposes of compliance by any other Federal agency providing
19 financial assistance for the activity.

20 “(3) RADON EXEMPTION.—

21 “(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may
22 not require recipients, including Director of the Department of Hawaiian Home Lands,
23 and Indian tribes to consider or test for radon in the environmental review.

24 “(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to
25 limit the authority of a recipient or Indian tribe to consider, test for, or mitigate radon.

26 “(4) LEAD TESTING.—

27 “(A) DEFINITIONS.—In this paragraph:

28 “(i) REMOTE AREA.—The term ‘remote area’ means an area with a United
29 States Postal Service ZIP code that has a level 1 Frontier and Remote Area code,
30 as most recently posted on the website of the Department of Agriculture.

31 “(ii) TARGET HOUSING.—The term ‘target housing’ means target housing, as
32 defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction
33 Act of 1992 (42 U.S.C. 4851b), that is assisted under this Act.

34 “(B) TESTING.—Lead paint testing of target housing that is in a remote area, and that
35 is being rehabilitated, renovated, repaired, or painted in a manner that will repair or
36 disturb building components that are painted or coated, shall be conducted through—

37 “(i) paint chip testing, lead-based paint inspection, visual assessment for
38 deteriorated paint, or a lead risk assessment for lead-based paint hazards, as
39 applicable in accordance with section 302 of the Lead-Based Paint Poisoning
40 Prevention Act (42 U.S.C. 4822); or

1 “(ii) a visual assessment for deteriorated paint and use of lead test kits approved
2 by the Environmental Protection Agency in accordance with section 402 or 404,
3 as applicable, of the Toxic Substances Control Act (15 U.S.C. 2682, 2684) on
4 each building component that is painted or coated and is to be disturbed.

5 “(5) FEDERAL FLOOD RISK MANAGEMENT STANDARDS.—The Secretary shall take action to
6 exclude such activities from applicability of Federal Flood Risk Management Standards
7 through issuing revisions to the floodplain regulations of the Department of Housing and
8 Urban Development.

9 “(6) EXEMPTION FROM FLOOD INSURANCE REQUIREMENTS.—Notwithstanding any
10 provision of law, the Secretary may provide financial assistance for acquisition or
11 construction purposes to Indian tribes and tribally designated housing entities under any
12 program administered by the Secretary for a property that—

13 “(A) is owned by the Indian tribe, tribally designated housing entity, tribal
14 organization, or other Tribal entity; and

15 “(B) is—

16 “(i) not covered by flood insurance; or

17 “(ii) not located in a jurisdiction that participates in the national flood insurance
18 program.

19 “(7) SITING OF HUD PROJECTS NEAR EXPLOSIVE AND FLAMMABLE HAZARDS.—

20 “(A) IN GENERAL.—A recipient, including the Director of the Department of
21 Hawaiian Home Lands, carrying out activities under this Act or an Indian tribe
22 carrying out activities under title I of the Housing and Community Development Act of
23 1974 (42 U.S.C. 5301 et seq.) shall be exempt from the acceptable separation distance
24 requirements of the Secretary and mitigation for residential tanks when the tank—

25 “(i) has a capacity of not more than 1,320 gallons;

26 “(ii) is intended to contain common liquid fuels such as gasoline, fuel oil,
27 kerosene, diesel, liquified petroleum gas (propane), or crude oil;

28 “(iii) is sited on land or property that contains a 1- to 4-family dwelling;

29 “(iv) is intended to be used solely by residents of such dwelling; and

30 “(v) is intended to be used by residents of such dwelling exclusively for non-
31 commercial, non-industrial purposes.

32 “(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit
33 the authority of a recipient or an Indian tribe to consider acceptable separation distance
34 or implementation mitigation measures for residential tanks.

35 “(C) APPLICATION.—The acceptable separation distance requirements of the
36 Secretary between a residential structure assisted by a recipient, including the Director
37 of the Department of Hawaiian Home Lands, with funds under this Act (or assisted
38 with funds under a grant to an Indian tribe under title I of the Housing and Community
39 Development Act of 1974 (42 U.S.C. 5301 et seq.)) and an above-ground storage tank
40 used to store hazardous substances, as defined in subpart C of part 51 of title 23, Code

1 of Federal Regulations, or any successor regulation, including mitigation measures,
2 shall not apply if the recipient or Indian tribe determines that—

3 “(i) inapplicability of the requirements is necessary to address the housing
4 needs of the recipient or Indian tribe;

5 “(ii) the use of an alternative standard, or the absence of a standard, shall not
6 present an unacceptable risk to the health or safety of residents; and

7 “(iii) the recipient or Indian tribe has—

8 “(I) provided notice and an opportunity for comment to residents of the
9 affected area regarding the inapplicability of the requirements; and

10 “(II) developed a safety and response plan.

11 “(8) STREAMLINING WETLAND REQUIREMENTS.—The Secretary may not apply additional
12 requirements involving protection of wetlands in instances where—

13 “(A) an affected wetland requires a U.S. Army Corps of Engineers General,
14 regional, or individual permit; and

15 “(B) the recipient or Indian tribe complies with the conditions of the permit.”.

16 SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

17 Section 108 of the Native American Housing Assistance and Self-Determination Act of 1996
18 (25 U.S.C. 4117) is amended, in the first sentence, by striking “2009 through 2013” and inserting
19 “2027 through 2033”.

20 SEC. 6. ELIGIBLE FAMILIES.

21 The Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C.
22 4101 et seq.) is amended—

23 (1) by amending section 201(b)(3) (25 U.S.C. 4131(b)(3)) to read as follows:

24 “(3) OTHER FAMILIES.—

25 “(A) ESSENTIAL FAMILIES.—Notwithstanding paragraph (1), a recipient may provide
26 housing or housing assistance provided through affordable housing activities assisted
27 with grant amounts under this Act for a family on an Indian reservation or other Indian
28 area if the recipient determines that—

29 “(i) the presence of the family on the Indian reservation or other Indian area is
30 essential to the well-being of Indian families; and

31 “(ii) the need for housing for the family cannot reasonably be met without such
32 assistance.

33 “(B) HOMEOWNERSHIP ASSISTANCE.—Notwithstanding paragraph (1), a recipient
34 may provide assistance for homeownership activities under section 202 or title VI of
35 this Act with grant amounts under this Act for families with a household income that
36 does not exceed 120 percent of the median income for the area, as determined by the
37 Secretary, and such housing shall be considered affordable housing for purposes of this
38 Act, provided a recipient shall not use more than 50 percent of its annual grant under

1 this Act to serve such families.”; and
2 (2) in section 809(a)(2) (25 U.S.C. 4228(a)(2)), by amending subparagraph (B) to read as
3 follows:

4 “(B) EXCEPTION TO LOW-INCOME REQUIREMENT.—

5 “(i) IN GENERAL.—The Director may provide assistance for homeownership
6 activities under—

7 “(I) section 810(b) for families with a household income that does not
8 exceed 120 percent of the median income for the area, as determined by the
9 Secretary, and such housing shall be considered affordable housing for
10 purposes of this title; or

11 “(II) loan guarantee activities under section 184A of the Housing and
12 Community Development Act of 1992 (12 U.S.C. 1715z–13b) to Native
13 Hawaiian families who are not low-income families, to the extent that the
14 Secretary approves the activities under that section to address a need for
15 housing for those families that cannot be reasonably met without that
16 assistance.

17 “(ii) LIMITATION.—The Director shall not use more than 50 percent of a grant
18 provided under this title to serve families described in clause (i)(I).”.

19 SEC. 7. STUDENT HOUSING ASSISTANCE.

20 Section 202(3) of the Native American Housing Assistance and Self-Determination Act of
21 1996 (25 U.S.C. 4132(3)) is amended by inserting “including college housing assistance,” after
22 “self-sufficiency and other services,”.

23 SEC. 8. CLARIFICATION OF APPLICATION OF RENT 24 RULE TO UNITS OWNED OR OPERATED BY INDIAN 25 TRIBE OR TRIBALLY DESIGNATED HOUSING ENTITY.

26 Section 203(a) of the Native American Housing Assistance and Self-Determination Act of
27 1996 (25 U.S.C. 4133(a)) is amended—

28 (1) in paragraph (2), by inserting “owned or operated by a recipient and” after “residing
29 in a dwelling unit”; and

30 (2) by adding at the end the following:

31 “(3) SELF-DETERMINATION.—Notwithstanding paragraph (2), each recipient may
32 establish its own policies governing maximum and minimum rents and homebuyer
33 payments for dwelling units assisted under this Act, including rents and homebuyer
34 payments that exceed 30 percent of the monthly adjusted income, provided that the policies
35 are written and made publicly available.”.

36 SEC. 9. DE MINIMIS EXEMPTION FOR PROCUREMENT 37 OF GOODS AND SERVICES.

1 Section 203(g) of the Native American Housing Assistance and Self-Determination Act of
2 1996 (25 U.S.C. 4133(g)) is amended by striking “\$5,000” and inserting “150 percent of the
3 micro-purchase threshold set forth in section 200.320 of title 2, Code of Federal Regulations, or
4 any successor regulation”.

5 SEC. 10. PROCUREMENT POLICIES.

6 Section 203 of the Native American Housing Assistance and Self-Determination Act of 1996
7 (25 U.S.C. 4133) is amended by adding at the end the following:

8 “(h) Tribal Procurement Policies.—

9 “(1) IN GENERAL.—Notwithstanding any other provision of law, including subsection (g),
10 a recipient may adopt its own policies and procedures governing the procurement of goods
11 and services using amounts provided under this Act.

12 “(2) FORM.—A recipient with its own policies and procedures described in paragraph (1)
13 shall—

14 “(A) make the policies and procedures written and publicly available; and

15 “(B) follow those policies and procedures.

16 “(3) DEFAULT.—If a recipient does not adopt its own policies and procedures under
17 paragraph (1), the recipient shall be subject to the procurement standards applicable to
18 Indian tribes in accordance with section 200.317 of title 2, Code of Federal Regulations, or
19 any successor regulation.”.

20 SEC. 11. TOTAL DEVELOPMENT COST MAXIMUM 21 COST.

22 Section 203 of the Native American Housing Assistance and Self-Determination Act of 1996
23 (25 U.S.C. 4133), as amended by this Act, is amended by adding at the end the following:

24 “(i) Total Development Cost Maximum Cost.—Affordable housing that is developed,
25 acquired, or assisted under the block grant program established under section 101 shall not
26 exceed by more than 20 percent, without prior approval of the Secretary, the total development
27 cost maximum cost for all housing assisted under an affordable housing activity, including
28 development and model activities.”.

29 SEC. 12. HOMEOWNERSHIP OR LEASE-TO-OWN LOW- 30 INCOME REQUIREMENT AND INCOME TARGETING.

31 The Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C.
32 4101 et seq.) is amended—

33 (1) in section 205 (25 U.S.C. 4135)—

34 (A) in subsection (a)(1)—

35 (i) in subparagraph (C), by striking “and” at the end; and

36 (ii) by adding at the end the following:

1 “(E) notwithstanding any other provision of this paragraph, in the case of rental
2 housing that is made available to a current rental family for conversion to a homebuyer
3 or a lease-purchase unit, that the current rental family can purchase through a contract
4 of sale, lease-purchase agreement, or any other sales agreement, is made available for
5 purchase only by the current rental family, if the rental family was a low-income
6 family at the time of their initial occupancy of such unit; and”;

7 (B) in subsection (c)—

8 (i) by striking “The provisions” and inserting the following:

9 “(1) IN GENERAL.—The provisions”;

10 (ii) by adding at the end the following:

11 “(2) APPLICABILITY TO IMPROVEMENTS.—The provisions of subsection (a)(2) regarding
12 binding commitments for the remaining useful life of property shall not apply to
13 improvements of privately owned homes if the cost of the improvements do not exceed 10
14 percent of the maximum total development cost for the home.”;

15 (2) in section 813(a) (25 U.S.C. 4232(a))—

16 (A) in paragraph (1)—

17 (i) in subparagraph (A), by striking “and” at the end; and

18 (ii) by adding at the end the following:

19 “(C) notwithstanding any other provision of this paragraph, in the case of rental
20 housing that is made available to a current rental family for conversion to a homebuyer
21 or a lease-purchase unit, the current rental family can purchase through a contract of
22 sale, lease-purchase agreement, or any other sales agreement, is made available for
23 purchase only by the current rental family, if the rental family was a low-income
24 family at the time of their initial occupancy of such unit; and”;

25 (B) by adding at the end the following:

26 “(3) APPLICABILITY TO IMPROVEMENTS.—The provisions of subsection (a)(2) regarding
27 binding commitments for the remaining useful life of property or other period as determined
28 by the Secretary shall not apply to improvements of privately owned homes if the cost of
29 the improvements do not exceed 10 percent of the maximum total development cost for the
30 home.”.

31 SEC. 13. LEASE REQUIREMENTS AND TENANT 32 SELECTION.

33 Section 207 of the Native American Housing Assistance and Self-Determination Act of 1996
34 (25 U.S.C. 4137) is amended by adding at the end the following:

35 “(c) Notice of Termination.—The notice period described in subsection (a)(3) shall apply to
36 projects and programs funded in part by amounts authorized under this Act.”.

37 SEC. 14. HOUSING COUNSELING CERTIFICATION 38 EXEMPTION.

1 (a) In General.—Subtitle A of title II of the Native American Housing Assistance and Self-
2 Determination Act of 1996 (25 U.S.C. 4131 et seq.) is amended by adding at the end the
3 following:

4 “SEC. 211. HOUSING COUNSELING CERTIFICATION
5 EXEMPTION.

6 “(a) In General.—Notwithstanding section 106(g)(1) of the Housing and Urban Development
7 Act of 1968 (12 U.S.C. 1701x(g)(1)), Indian tribes, Tribal organizations, tribally designated
8 housing entities, and the Department of Hawaiian Home Lands carrying out homeownership
9 counseling or rental housing counseling under section 105(a)(20) of the Housing and Community
10 Development Act of 1974 (42 U.S.C. 5305(a)(20)) or section 202(3) or 810(b)(2)(A) of this Act
11 may not be required to comply with any housing counseling certification requirements
12 established by the Secretary.

13 “(b) Rule of Construction.—Nothing in this section shall be construed to limit the ability of an
14 entity described in subsection (a) to obtain a housing counseling certification from the
15 Secretary.”.

16 (b) Technical and Conforming Amendment.—The table of contents in section 1(b) of the
17 Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104–330;
18 110 Stat. 4016) is amended by inserting after the item relating to section 210 the following:

19 “Sec.211.Housing counseling certification exemption.”.

20 SEC. 15. STATUTORY AUTHORITY TO SUSPEND GRANT
21 FUNDS IN EMERGENCIES.

22 Section 401(a)(4) of the Native American Housing Assistance and Self-Determination Act of
23 1996 (25 U.S.C. 4161(a)(4)) is amended—

24 (1) in subparagraph (A), by striking “may take an action described in paragraph (1)(C)”
25 and inserting “may immediately take an action described in paragraph (1)(C)”; and

26 (2) by striking subparagraph (B) and inserting the following:

27 “(B) PROCEDURAL REQUIREMENTS.—

28 “(i) IN GENERAL.—If the Secretary takes an action described in subparagraph
29 (A), the Secretary shall provide notice to the recipient at the time that the
30 Secretary takes that action.

31 “(ii) NOTICE REQUIREMENTS.—The notice under clause (i) shall inform the
32 recipient that the recipient may request a hearing by not later than 30 days after
33 the date on which the Secretary provides the notice.

34 “(iii) HEARING REQUIREMENTS.—A hearing requested under clause (ii) shall be
35 conducted—

36 “(I) in accordance with subpart A of part 26 of title 24, Code of Federal
37 Regulations (or successor regulations); and

38 “(II) to the maximum extent practicable, on an expedited basis.

1 “(iv) FAILURE TO CONDUCT A HEARING.—If a hearing requested under clause
2 (ii) is not completed by the date that is 180 days after the date on which the
3 recipient requests the hearing, the action of the Secretary to limit the availability
4 of payments shall no longer be effective.”.

5 SEC. 16. STREAMLINING REPORTING REQUIREMENTS.

6 Section 404 of the Native American Housing Assistance and Self-Determination Act of 1996
7 (25 U.S.C. 4164) is amended—

8 (1) by redesignating subsection (d) as subsection (e); and

9 (2) by inserting after subsection (c) the following:

10 “(d) Consolidated Reporting.—Notwithstanding any other provision of law, the Secretary shall
11 develop policies and procedures that authorize interested Indian tribes and tribally designated
12 housing entities receiving grant amounts under this Act to submit to the Secretary, at their
13 discretion, 1 consolidated annual performance report covering all grants the Indian tribe or
14 tribally designated housing entity receives under this Act and from other grant programs
15 administered by the Secretary.”.

16 SEC. 17. REPORTS TO CONGRESS.

17 The Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C.
18 4101 et seq.) is amended—

19 (1) in section 407 (25 U.S.C. 4167)—

20 (A) in subsection (a), in the matter preceding paragraph (1)—

21 (i) by striking “90” and inserting “180”; and

22 (ii) by striking “Congress” and inserting “Committee on Indian Affairs and the
23 Committee on Banking, Housing and Urban Affairs of the Senate and the
24 Committee on Financial Services of the House of Representatives”; and

25 (B) by adding at the end the following:

26 “(c) Public Availability.—The report described in subsection (a) shall be made publicly
27 available, including to recipients.”; and

28 (2) in section 823 (25 U.S.C. 4242)—

29 (A) in subsection (a), in the matter preceding paragraph (1)—

30 (i) by striking “90” and inserting “180”; and

31 (ii) by striking “Congress” and inserting “Committee on Indian Affairs and the
32 Committee on Banking, Housing and Urban Affairs of the Senate and the
33 Committee on Financial Services of the House of Representatives”; and

34 (B) by adding at the end the following:

35 “(c) Public Availability.—The report described in subsection (a) shall be made publicly
36 available, including to recipients.”.

1 **SEC. 18. 99-YEAR LEASEHOLD INTEREST IN TRUST OR**
2 **RESTRICTED LANDS FOR HOUSING PURPOSES.**

3 Section 702 of the Native American Housing Assistance and Self-Determination Act of 1996
4 (25 U.S.C. 4211) is amended—

- 5 (1) in the section heading, by striking “50-year” and inserting “99-year”;
6 (2) in subsection (b), by striking “50 years” and inserting “99 years”; and
7 (3) in subsection (c)(2), by striking “50 years” and inserting “99 years”.

8 **SEC. 19. INNOVATIVE READINESS TRAINING**
9 **PROGRAM COORDINATION.**

10 (a) In General.—Title VII of the Native American Housing Assistance and Self-Determination
11 Act of 1996 (25 U.S.C. 4211 et seq.) is amended by adding at the end the following:

12 **“SEC. 706. INNOVATIVE READINESS TRAINING**
13 **PROGRAM COORDINATION.**

14 “(a) Coordination Requirement.—The Secretary shall coordinate with the Secretary of
15 Defense, and with Indian tribes and tribally designated housing entities that are recipients of
16 funds under this Act, to maximize the benefit of the Department of Defense’s Innovative
17 Readiness Training Program (in this section referred to as the ‘Program,’), when the Program
18 conducts civil engineering and construction activities in partnership with recipients of formula
19 and competitive block grant funds made available under title I.

20 “(b) Maximizing Benefit.—The coordination under subsection (a) shall include—

21 “(1) the development of a joint Memorandum of Understanding between the Department
22 of Housing and Urban Development and the Department of Defense to streamline the
23 identification of suitable construction projects under this Act;

24 “(2) the synchronization of project planning and execution to ensure that Program
25 construction activities directly support the affordable housing goals and priorities identified
26 in a housing plan submitted under section 102; and

27 “(3) the identification and communication of best practices to Indian tribes for leveraging
28 Program resources, including guidance on project eligibility and application processes.”.

29 (b) Technical and Conforming Amendment.—The table of contents in section 1(b) of the
30 Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104–330;
31 110 Stat. 4016) is amended by inserting after the item relating to section 706 the following:

32 “Sec.706.Innovative readiness training program coordination.”.

33 **SEC. 20. AMENDMENTS FOR BLOCK GRANTS FOR**
34 **AFFORDABLE HOUSING ACTIVITIES.**

35 Section 802(e) of the Native American Housing Assistance and Self-Determination Act of
36 1996 (25 U.S.C. 4222(e)) is amended—

1 (1) by striking “The Director” and inserting the following:

2 “(1) IN GENERAL.—The Director”; and

3 (2) by adding at the end the following:

4 “(2) SUBAWARDS.—Notwithstanding any other provision of law, including provisions of
5 State law requiring competitive procurement, the Director may make subawards to
6 subrecipients, except for for-profit entities, using amounts provided under this title to carry
7 out affordable housing activities upon a determination by the Director that such
8 subrecipients have adequate capacity to carry out activities in accordance with this Act.”.

9 SEC. 21. REAUTHORIZATION OF HOUSING ASSISTANCE 10 FOR NATIVE HAWAIIANS.

11 Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996
12 (25 U.S.C. 4243) is amended by striking “such sums as may be necessary” and all that follows
13 through the period at the end and inserting “such sums as may be necessary for each of fiscal
14 years 2027 through 2033.”.

15 SEC. 22. COMMUNITY-BASED DEVELOPMENT 16 ORGANIZATIONS AND SPECIAL ACTIVITIES BY 17 INDIAN TRIBES.

18 Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is
19 amended by adding at the end the following:

20 “(i) Special Activities by Indian Tribes.—

21 “(1) DEFINITIONS.—In this paragraph:

22 “(A) TRIBAL ORGANIZATION.—The term ‘tribal organization’ has the meaning the
23 term in section 4 of the Indian Self-Determination and Education Assistance Act (25
24 U.S.C. 5304).

25 “(B) TRIBALLY DESIGNATED HOUSING ENTITY.—The term ‘tribally designated
26 housing entity’ has the meaning given the term in section 4 of the Native American
27 Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

28 “(2) AUTHORIZATION.—An Indian tribe (or a tribal organization or tribally designated
29 housing entity designated by the Indian tribe) receiving a grant under section 106(a)(1)—

30 “(A) is authorized to directly carry out activities described in section 106(a)(15),
31 including the new construction of affordable housing; and

32 “(B) may not be subject to any limitation on the percentage of the grant that may be
33 used to carry out the activities described in subparagraph (A).”.

34 SEC. 23. ELIGIBILITY FOR HOUSING COUNSELING 35 GRANTS.

36 Section 106(a)(4) of the Housing and Urban Development Act of 1968 (12 U.S.C.

1 1701x(a)(4) is amended—

2 (1) in subparagraph (A)—

3 (A) by striking “and” and inserting a comma; and

4 (B) by inserting before the period at the end the following: “, Indian tribes, and
5 tribally designated housing entities”;

6 (2) in subparagraph (B), by inserting “, Indian tribes, and tribally designated housing
7 entities” after “organizations”;

8 (3) by redesignating subparagraph (F) as subparagraph (G); and

9 (4) by inserting after subparagraph (E) the following:

10 “(F) DEFINITIONS.—In this paragraph, the terms ‘Indian tribe’ and ‘tribally
11 designated housing entity’ have the meanings given those terms in section 4 of the
12 Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C.
13 4103).”.

14 SEC. 24. SECTION 184 INDIAN HOME LOAN 15 GUARANTEE PROGRAM.

16 (a) In General.—Section 184 of the Housing and Community Development Act of 1992 (12
17 U.S.C. 1715z–13a) is amended—

18 (1) by amending subsection (a) to read as follows:

19 “(a) Authority.—To provide access to sources of private financing to Indian families, Indian
20 housing authorities, and Indian tribes, who otherwise could not acquire housing financing
21 because of the unique legal status of Indian lands and the unique nature of tribal economies, and
22 to expand homeownership opportunities to Indian families, tribally designated housing entities,
23 Indian housing authorities, and Indian tribes on fee simple lands, the Secretary may guarantee
24 not to exceed 100 percent of the unpaid principal and interest due on any loan eligible under
25 subsection (b) made to an Indian family, tribally designated housing entity, Indian housing
26 authority, or Indian tribe on trust land and fee simple land.”;

27 (2) in subsection (b)—

28 (A) by amending paragraph (2) to read as follows:

29 “(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or
30 rehabilitate 1- to 4-family dwellings that are standard housing.”;

31 (B) in paragraph (4)—

32 (i) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv),
33 respectively, and adjusting the margins accordingly;

34 (ii) by striking “The loan” and inserting the following:

35 “(A) IN GENERAL.—The loan”;

36 (iii) in subparagraph (A), as so designated, by adding at the end the following:

37 “(v) Any other lender that is supervised, approved, regulated, or insured by any

1 agency of the Federal Government, including any entity certified as a community
2 development financial institution by the Community Development Financial
3 Institutions Fund established under section 104(a) of the Riegle Community
4 Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a).”;
5 and

6 (iv) by adding at the end the following:

7 “(B) DIRECT GUARANTEE ENDORSEMENT PROCESS AND INDEMNIFICATION.—

8 “(i) AUTHORIZATION.—The Secretary may, dependent on the available systems
9 development and staffing resources, delegate to eligible lenders the authority to
10 directly endorse loans under this section.

11 “(ii) INDEMNIFICATION.—

12 “(I) IN GENERAL.—If the Secretary determines that a loan guaranteed
13 under this section was not originated in accordance with the requirements
14 established by the Secretary, the Secretary may require the lender approved
15 under this subparagraph to indemnify the Secretary for the loss or potential
16 loss, irrespective of whether the violation caused or will cause the loan
17 default.

18 “(II) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation is
19 involved in a loan guaranteed under this section, the Secretary may require
20 the originating lender approved under this subparagraph to indemnify the
21 Secretary for the loss regardless of whether there was a payment made by the
22 Secretary under the guarantee.

23 “(III) IMPLEMENTATION.—The Secretary may implement any requirement
24 described in this subparagraph by regulation, notice or Dear Lender Letter.”;

25 (C) in paragraph (5)(A), by inserting before the semicolon at the end the following:
26 “except, as determined by the Secretary, when there is a loan modification under
27 subsection (h)(1)(B), the term of the loan shall not exceed 40 years”; and

28 (D) by adding at the end the following:

29 “(6) REVIEW OF LENDERS.—

30 “(A) IN GENERAL.—The Secretary may periodically review the lenders originating,
31 underwriting, or servicing single family mortgage loans under this section.

32 “(B) REQUIREMENTS.—In conducting a review under subparagraph (A), the
33 Secretary—

34 “(i) shall compare the lender with other lenders originating or underwriting
35 loan guarantees for Indian housing based on the rates of defaults and claims for
36 guaranteed loans originated, underwritten, or serviced by that lender; and

37 “(ii) may compare the lender with such other lenders based on underwriting
38 quality, geographic area served, or any commonly used factors the Secretary
39 determines necessary for comparing mortgage default risk, provided that the
40 comparison is of factors that the Secretary would expect to affect the default risk

- 1 of mortgage loans guaranteed by the Secretary.”;
- 2 (3) in subsection (c)—
- 3 (A) in paragraph (1)—
- 4 (i) by striking “Before” and inserting the following:
- 5 “(A) IN GENERAL.—Except as provided in subparagraph (B), before”; and
- 6 (ii) by adding at the end the following:
- 7 “(B) EXCEPTION.—Subparagraph (A) shall not apply when the Secretary exercises
- 8 its discretion to delegate direct guarantee endorsement authority to eligible lenders
- 9 under subsection (b)(4)(B)(i).”;
- 10 (B) in paragraph (2)—
- 11 (i) by striking “The Secretary” and inserting the following:
- 12 “(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary”; and
- 13 (ii) by adding at the end the following:
- 14 “(B) EXCEPTIONS.—When the Secretary exercises its discretion to delegate direct
- 15 guarantee endorsement authority to eligible lenders under subsection (b)(4)(B)(i)—
- 16 “(i) subparagraph (A) shall not apply; and
- 17 “(ii) the direct guarantee endorsement lender may issue a certificate under this
- 18 paragraph as evidence of the guarantee in accordance with requirements
- 19 established by the Secretary.”; and
- 20 (C) in paragraph (3), by inserting “, or where applicable, the direct guarantee
- 21 endorsement lender,” after “Secretary” in each place that term appears; and
- 22 (4) in subsection (l)—
- 23 (A) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively;
- 24 and
- 25 (B) by inserting after paragraph (7) the following:
- 26 “(8) The term ‘tribally designated housing entity’ has the meaning given the term in
- 27 section 4 of the Native American Housing Assistance and Self-Determination Act of 1996
- 28 (25 U.S.C. 4103).”.
- 29 (b) Loan Guarantees for Indian Housing.—Section 184(i)(5) of the Housing and Community
- 30 Development Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is amended—
- 31 (1) in subparagraph (B), by inserting after the first sentence the following: “There are
- 32 authorized to be appropriated for those costs such sums as may be necessary for each of
- 33 fiscal years 2027 through 2033.”; and
- 34 (2) in subparagraph (C), by striking “2008 through 2012” and inserting “2027 through
- 35 2033”.

36 **SEC. 25. LOAN GUARANTEES FOR NATIVE HAWAIIAN**

1 HOUSING.

2 Section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–
3 13b) is amended—

4 (1) in subsection (b), by inserting “, and to expand homeownership opportunities to
5 Native Hawaiian families who are eligible to receive a homestead under the Hawaiian
6 Homes Commission Act, 1920 (42 Stat. 108) on fee simple lands in the State of Hawaii”
7 after “markets”;

8 (2) in subsection (c)—

9 (A) by amending paragraph (2) to read as follows:

10 “(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or
11 rehabilitate 1- to 4-family dwellings that are standard housing.”;

12 (B) in paragraph (4)—

13 (i) in subparagraph (B)—

14 (I) by redesignating clause (iv) as clause (v); and

15 (II) by adding after clause (iii) the following:

16 “(iv) Any other lender that is supervised, approved, regulated, or insured by
17 any agency of the Federal Government, including any entity certified as a
18 community development financial institution by the Community Development
19 Financial Institutions Fund established under section 104(a) of the Riegle
20 Community Development and Regulatory Improvement Act of 1994 (12 U.S.C.
21 4703(a)).”; and

22 (ii) by adding at the end the following:

23 “(C) DIRECT GUARANTEE ENDORSEMENT AND INDEMNIFICATION.—

24 “(i) IN GENERAL.—If the Secretary determines that a loan guaranteed under this
25 section was not originated in accordance with the requirements established by the
26 Secretary, the Secretary may require the lender approved under this paragraph to
27 indemnify the Secretary for the loss or potential loss, irrespective of whether the
28 violation caused or will cause the loan default.

29 “(ii) DIRECT GUARANTEE ENDORSEMENT.—The Secretary may, dependent on
30 the availability of systems development and staffing resources, delegate to
31 eligible lenders the authority to directly endorse loans under this section.

32 “(iii) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation is
33 involved in a loan guaranteed under this section, the Secretary may require the
34 originating lender approved under this subparagraph to indemnify the Secretary
35 for the loss regardless of whether there was a payment made by the Secretary
36 under the guarantee.

37 “(iv) IMPLEMENTATION.—The Secretary may implement any requirements
38 described in this subparagraph by regulation, notice, or Dear Lender Letter.”;

39 (C) in paragraph (5)(A), by inserting before the semicolon at the end the following:

1 “except, as determined by the Secretary, when there is a loan modification under
2 subsection (i)(1)(B), the term of the loan shall not exceed 40 years”; and

3 (D) by adding at the end the following:

4 “(6) REVIEW OF LENDERS.—

5 “(A) IN GENERAL.—The Secretary may periodically review the lenders originating,
6 underwriting, or servicing single family mortgage loans under this section.

7 “(B) REQUIREMENTS.—In conducting a review under subparagraph (A), the
8 Secretary—

9 “(i) shall compare the lender with other lenders originating or underwriting
10 loan guarantees for Indian housing and Native Hawaiian housing based on the
11 rates of defaults and claims for guaranteed loans originated, underwritten, or
12 serviced by that lender;

13 “(ii) may compare the lender with such other lenders based on underwriting
14 quality, geographic area served, or any commonly used factors the Secretary
15 determines necessary for comparing mortgage default risk, provided that the
16 comparison is of factors that the Secretary would expect to affect the default risk
17 of mortgage loans guaranteed by the Secretary;

18 “(iii) shall implement the comparisons described in clauses (i) and (ii) by
19 regulation, notice, or Dear Lender Letter; and

20 “(iv) may terminate the approval of a lender to originate, underwrite, or service
21 loan guarantees for housing under this section if the Secretary determines that the
22 mortgage loans originated, underwritten, or serviced by the lender present an
23 unacceptable risk to the Hawaiian Housing Loan Guarantee Fund established
24 under subsection (j)—

25 “(I) based on a comparison of any of the factors set forth in this
26 subparagraph; or

27 “(II) by a determination that the lender engaged in fraud or
28 misrepresentation.”;

29 (3) in subsection (d)—

30 (A) in paragraph (1)—

31 (i) in subparagraph (A), by striking “Before” and inserting “Except as provided
32 in subsection (C), before”;

33 (ii) in subparagraph (B), by striking “If” and inserting “Except as provided
34 under subparagraph (C), before”; and

35 (iii) by adding at the end the following:

36 “(C) EXCEPTION.—When the Secretary exercises its discretion to delegate direct
37 guarantee endorsement authority pursuant to subsection (c)(4)(C)(ii), subparagraphs
38 (A) and (B) of this paragraph shall not apply.”;

39 (B) by amending paragraph (2) to read as follows:

1 “(2) STANDARD FOR APPROVAL.—

2 “(A) APPROVAL.—Except as provided in subparagraph (B), the Secretary may
3 approve a loan for guarantee under this section and issue a certificate under this
4 subsection only if the Secretary determines that there is a reasonable prospect of
5 repayment of the loan.

6 “(B) EXCEPTIONS.—When the Secretary exercises its discretion to delegate direct
7 guarantee endorsement authority pursuant to subsection (c)(4)(C)(ii)—

8 “(i) subparagraph (A) shall not apply; and

9 “(ii) the direct guarantee endorsement lender may issue a certificate under this
10 paragraph as evidence of the guarantee in accordance with requirements
11 prescribed by the Secretary.”; and

12 (C) in paragraph (3)(A), by inserting “or, where applicable, the direct guarantee
13 endorsement lender,” after “Secretary”; and

14 (4) in subsection (j)(5)(B), by inserting after the first sentence the following: “There are
15 authorized to be appropriated for those costs such sums as may be necessary for each of
16 fiscal years 2027 through 2033.”.

17 SEC. 26. RENTAL ASSISTANCE FOR HOMELESS OR AT- 18 RISK INDIAN VETERANS.

19 Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is
20 amended—

21 (1) by redesignating subparagraph (D) as subparagraph (E); and

22 (2) by inserting after subparagraph (C) the following:

23 “(D) INDIAN VETERANS HOUSING RENTAL ASSISTANCE PROGRAM.—

24 “(i) DEFINITIONS.—In this subparagraph:

25 “(I) ELIGIBLE INDIAN VETERAN.—The term ‘eligible Indian veteran’ means
26 an Indian veteran who is—

27 “(aa) homeless or at risk of homelessness; and

28 “(bb) living—

29 “(AA) on or near a reservation; or

30 “(BB) in or near any other Indian area.

31 “(II) ELIGIBLE RECIPIENT.—The term ‘eligible recipient’ means a recipient
32 eligible to receive a grant under section 101 of the Native American Housing
33 Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

34 “(III) INDIAN; INDIAN AREA.—The terms ‘Indian’ and ‘Indian area’ have
35 the meanings given those terms in section 4 of the Native American Housing
36 Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

37 “(IV) INDIAN VETERAN.—The term ‘Indian veteran’ means an Indian who

1 is a veteran.

2 “(V) PROGRAM.—The term ‘Program’ means the Tribal HUD–VASH
3 program carried out under clause (ii).

4 “(VI) TRIBAL ORGANIZATION.—The term ‘tribal organization’ has the
5 meaning given the term in section 4 of the Indian Self-Determination and
6 Education Assistance Act (25 U.S.C. 5304).

7 “(ii) PROGRAM SPECIFICATIONS.—The Secretary may not use less than 5
8 percent of the amounts made available for rental assistance under this paragraph
9 to carry out a rental assistance and supported housing program, to be known as
10 the ‘Tribal HUD–VASH program’, in conjunction with the Secretary of Veterans
11 Affairs, by awarding grants for the benefit of eligible Indian veterans.

12 “(iii) MODEL.—

13 “(I) IN GENERAL.—Except as provided in subclause (II), the Secretary
14 shall model the Program on the rental assistance and supported housing
15 program authorized under subparagraph (A) and applicable appropriations
16 Acts, including administration in conjunction with the Secretary of Veterans
17 Affairs.

18 “(II) EXCEPTIONS.—

19 “(aa) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—After
20 consultation with Indian tribes, eligible recipients, and any other
21 appropriate tribal organizations, the Secretary may make necessary and
22 appropriate modifications to facilitate the use of the Program by eligible
23 recipients to serve eligible Indian veterans.

24 “(bb) SECRETARY OF VETERANS AFFAIRS.—After consultation with
25 Indian tribes, eligible recipients, and any other appropriate tribal
26 organizations, the Secretary of Veterans Affairs may make necessary
27 and appropriate modifications to facilitate the use of the Program by
28 eligible recipients to serve eligible Indian veterans.

29 “(iv) ELIGIBLE RECIPIENTS.—The Secretary shall make amounts for rental
30 assistance and associated administrative costs under the Program available in the
31 form of grants to eligible recipients.

32 “(v) FUNDING CRITERIA.—The Secretary shall award grants under the Program
33 based on—

34 “(I) need;

35 “(II) administrative capacity; and

36 “(III) any other funding criteria established by the Secretary in a notice
37 published in the Federal Register after consulting with the Secretary of
38 Veterans Affairs.

39 “(vi) ADMINISTRATION.—Grants awarded under the Program shall be
40 administered in accordance with the Native American Housing Assistance and

1 Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients
2 shall—

3 “(I) submit to the Secretary, in a manner prescribed by the Secretary,
4 reports on the utilization of rental assistance provided under the Program;
5 and

6 “(II) provide to the Secretary information specified by the Secretary to
7 assess the effectiveness of the Program in serving eligible Indian veterans.

8 “(vii) CONSULTATION.—

9 “(I) GRANT RECIPIENTS; TRIBAL ORGANIZATIONS.—The Secretary, in
10 coordination with the Secretary of Veterans Affairs, shall consult with
11 eligible recipients and any other appropriate tribal organization on the design
12 of the Program to ensure the effective delivery of rental assistance and
13 supportive services to eligible Indian veterans under the Program.

14 “(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service
15 shall provide any assistance requested by the Secretary or the Secretary of
16 Veterans Affairs in carrying out the Program.

17 “(viii) WAIVER.—

18 “(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may
19 waive or specify alternative requirements for any provision of law (including
20 regulations) that the Secretary administers in connection with the use of
21 rental assistance made available under the Program if the Secretary finds that
22 the waiver or alternative requirement is necessary for the effective delivery
23 and administration of rental assistance under the Program to eligible Indian
24 veterans.

25 “(II) EXCEPTION.—The Secretary may not waive or specify alternative
26 requirements under subclause (I) for any provision of law (including
27 regulations) relating to labor standards or the environment.

28 “(ix) RENEWAL GRANTS.—The Secretary may—

29 “(I) set aside, from amounts made available for tenant-based rental
30 assistance under this subsection and without regard to the amounts used for
31 new grants under clause (ii), such amounts as may be necessary to award
32 renewal grants to eligible recipients that received a grant under the Program
33 in a previous year; and

34 “(II) specify criteria that an eligible recipient must satisfy to receive a
35 renewal grant under subclause (I), including providing data on how the
36 eligible recipient used the amounts of any grant previously received under
37 the Program.

38 “(x) REPORTING.—Not later than 1 year after the date of enactment of this
39 subparagraph, and every 5 years thereafter, the Secretary, in coordination with the
40 Secretary of Veterans Affairs and the Director of the Indian Health Service,
41 shall—

1 “(I) conduct a review of the implementation of the Program, including any
2 factors that may have limited its success; and

3 “(II) submit a report describing the results of the review under subclause
4 (II) to—

5 “(aa) the Committee on Indian Affairs, the Committee on Banking,
6 Housing, and Urban Affairs, the Committee on Veterans’ Affairs, and
7 the Committee on Appropriations of the Senate; and

8 “(bb) the Subcommittee on Indian and Insular Affairs of the
9 Committee on Natural Resources, the Committee on Financial Services,
10 the Committee on Veterans’ Affairs, and the Committee on
11 Appropriations of the House of Representatives.

12 “(xi) IMPACT ON FORMULA CURRENT ASSISTED STOCK.—For a given fiscal
13 year’s allocation formula of the Native American Housing Block Grant program,
14 as authorized under title I of the Native American Housing Assistance and Self-
15 Determination Act of 1996 (25 U.S.C. 4111 et seq.), the number of qualifying
16 low-income housing dwelling units under section 302(b)(1) of the Native
17 American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C.
18 4152(b)(1)) shall not be reduced due to the placement of an eligible Indian
19 veteran assisted with amounts provided under the Program within such qualifying
20 units.”.

21 SEC. 27. CONTINUUM OF CARE.

22 Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.) is
23 amended—

24 (1) in section 401 (42 U.S.C. 11360)—

25 (A) by redesignating paragraphs (32) through (35) as paragraphs (33) through (36)
26 respectively; and

27 (B) by inserting after paragraph (31) the following:

28 “(32) TRIBALLY DESIGNATED HOUSING ENTITY.—The term ‘tribally designated housing
29 entity’ has the meaning given the term in section 4 of the Native American Housing
30 Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).”;

31 (2) in section 423(g) (42 U.S.C. 11383(g)), by inserting “Indian tribe, tribally designated
32 housing entity,” after “private nonprofit organization,”; and

33 (3) in section 435 (42 U.S.C. 11389)—

34 (A) by striking “Notwithstanding” and inserting “(a) Eligible Entities.—
35 Notwithstanding”;

36 (B) in subsection (a), as so designated, by striking “(as defined in section 4 of the
37 Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C.
38 4103))”; and

39 (C) by adding at the end the following:

1 “(b) Civil Rights Exemptions.—

2 “(1) DEFINITIONS.—In this subsection:

3 “(A) FORMULA AREA.—The term ‘formula area’ has the meaning given the term in
4 section 1000.302 of title 24, Code of Federal Regulations, or any successor regulation.

5 “(B) TRIBAL PROJECT.—The term ‘Tribal project’ means a project in which amounts
6 provided under this Act shall be used specifically to benefit Tribal communities or
7 Tribal members.

8 “(2) EXEMPTIONS.—With respect to grants awarded to carry out eligible activities under
9 this subtitle, title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and title VIII
10 of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.) shall not apply to applications or
11 awards for—

12 “(A) projects to be carried out—

13 “(i) on or off reservation or trust lands for awards made to Indian Tribes or
14 tribally designated housing entities; or

15 “(ii) on reservation or trust lands for awards made to eligible entities; or

16 “(B) Tribal projects located in Indian Housing Block Grant formula areas.

17 “(c) Certification.—Notwithstanding section 106 of the Cranston-Gonzalez National
18 Affordable Housing Act (42 U.S.C. 12706) and section 403 of this Act, with respect to
19 applications for projects to be carried out on reservations or trust land using grants awarded
20 under this subtitle—

21 “(1) the applications shall contain a certification of consistency with an approved Indian
22 housing plan developed under section 102 of the Native American Housing Assistance and
23 Self-Determination Act of 1996 (25 U.S.C. 4112); and

24 “(2) Indian tribes and tribally designated housing entities that are recipients of awards for
25 projects on reservations or trust land from such funds shall certify that they are following an
26 approved housing plan developed under section 102 of the Native American Housing
27 Assistance and Self-Determination Act of 1996 (25 U.S.C. 4112).

28 “(d) Consolidated Plan Exemption.—A collaborative applicant for a continuum of care whose
29 geographic area includes only reservation or trust land is not required to meet the requirement
30 described in section 402(f)(2).

31 “(e) Waiver Authority for Tribal Participation.—In administering the amounts made available
32 under this subtitle, the Secretary may waive, or specify alternative requirements for, any
33 provision of any statute or regulation that the Secretary administers in connection with the
34 obligation by the Secretary or the use by the recipient of these amounts (except for requirements
35 related to labor standards and the environment), if the Secretary finds that—

36 “(1) good cause exists for the waiver or alternative requirement; and

37 “(2) such waiver or alternative requirement—

38 “(A) is necessary to modify any requirements preventing the participation of Indian
39 tribes or tribally designated housing entities in the program under this subtitle; or

1 “(B) would expedite or facilitate the use of funds.

2 “(f) Environmental Review.—Projects under this title shall be treated as assistance for special
3 projects that are subject to section 305(c) of the Multifamily Housing Property Disposition
4 Reform Act of 1994 (42 U.S.C. 3547), and subject to the regulations issued by the Secretary to
5 implement such section, and with respect to projects under this title, an Indian tribe shall be
6 considered a State for purposes of section 305(c) of such Act.”.

7 SEC. 28. APPLICATION OF BUILD AMERICA, BUY 8 AMERICA REQUIREMENTS.

9 The requirements under the Build America, Buy America Act (41 U.S.C. 8301 note) and any
10 implementing regulations or guidance do not apply to any programs, projects, or activities
11 assisted in whole or in part with Federal financial assistance provided by the Secretary to Indian
12 tribes, tribally designated housing entities, tribal organizations, or the Department of Hawaiian
13 Home Lands under any program administered by the Secretary.

14 SEC. 29. FORMULA NEGOTIATED RULEMAKING.

15 (a) In General.—Notwithstanding any other provision of law, the negotiated rulemaking that is
16 initiated by the Secretary pursuant to subsection (b)(2)(C) of section 106 of the Native American
17 Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4116) immediately
18 following the date of enactment of this Act shall not include any changes to the regulations
19 governing the allocation formula under section 302 of such Act (25 U.S.C. 4152).

20 (b) Rule of Construction.—Nothing in subsection (a) shall be construed as limiting the
21 authority of the Secretary to revise such regulations governing the allocation formula under such
22 section 302 other than as described in subsection (a).

23 SEC. 30. PILOT PROGRAM FOR HOUSING ASSISTANCE 24 FOR HOMELESS NATIVE AMERICANS AND ALASKA 25 NATIVES.

26 (a) Definitions.—In this section:

27 (1) ELIGIBLE AMERICAN INDIAN AND ALASKA NATIVE.—The term “eligible American
28 Indian and Alaska Native” means a member of an Indian Tribe who is homeless or at risk of
29 homelessness, as defined in sections 103 and 401 of the McKinney-Vento Homeless
30 Assistance Act (42 U.S.C. 11302, 11360).

31 (2) ELIGIBLE RECIPIENT.—The term “eligible recipient” means an Indian tribe, or a
32 tribally designated housing entity or tribal organization designated by such Indian tribe to
33 apply for a grant on its behalf under this section.

34 (3) PROGRAM.—The term “Program” means the program established under subsection
35 (b).

36 (b) Establishment.—The Secretary may use not more than 5 percent of the amounts made
37 available for rental assistance under section 8(o)(19) of the United States Housing Act of 1937
38 (42 U.S.C. 1437f(o)(19)) each fiscal year to carry out a housing and supportive services program,

1 to be known as the “Tribal Homeless Assistance program”, by awarding grants to eligible
2 recipients for the benefit of eligible American Indians and Alaska Natives.

3 (c) Model; Consultation.—The Secretary, in coordination with the Director of the Indian
4 Health Service, shall—

5 (1) model the Program on the rental assistance and supported housing program authorized
6 under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19))
7 and applicable appropriations Acts for Native American veterans that are homeless or at
8 risk of homelessness living on or near a reservation or other Indian areas; and

9 (2) consult with eligible recipients to ensure effective delivery of grants under the
10 Program.

11 (d) Application.—Each eligible recipient applying for a grant under the Program shall submit
12 to the Secretary an application that describes how the partnership of the eligible recipient with an
13 Indian tribe, tribal organization, nonprofit organization, or the Indian Health Service will provide
14 2 years of mandatory case management services to a beneficiary of housing assistance provided
15 under the Program, including in partnership with other qualified organizations, when appropriate.

16 (e) Priority.—An eligible recipient that receives a grant under the Program shall prioritize
17 providing assistance to homeless youth, families with children, and survivors of domestic
18 violence.

19 (f) Funding Criteria.—Grants awarded under the Program shall be based on need,
20 administrative capacity, and other criteria established by the Secretary in consultation with the
21 Indian Health Service and eligible recipients.

22 (g) Administration and Waiver Authority.—The Program shall be administered in accordance
23 with the requirements under the Native American Housing and Self-Determination Act of 1996
24 (25 U.S.C. 4101 et seq.), provided that the Secretary shall be authorized to waive, or specify
25 alternative requirements for, any provision of any statute or regulation that the Secretary
26 administers in connection with the use of funds made available under the Program (except for
27 requirements related to fair housing, nondiscrimination, and labor standards), upon a finding by
28 the Secretary that any such waiver or alternative requirement is necessary for the effective
29 delivery and administration of such assistance.

30 (h) Renewal Grants.—The Secretary may set aside amounts made available under subsection
31 (b) for renewal grants under the Program and define renewal criteria, including data reporting.

32 (i) Study on Barriers to Implementation.—Not later than 2 years after the date of enactment of
33 this Act, and every 5 years thereafter, the Secretary, in coordination with the Director of the
34 Indian Health Service, shall review and submit to Congress a report on the implementation of the
35 Program, including any barriers to implementation.

36 SEC. 31. PILOT PROGRAM FOR HOUSING ASSISTANCE 37 FOR HOMELESS NATIVE HAWAIIANS.

38 (a) Definitions.—In this section:

39 (1) ELIGIBLE NATIVE HAWAIIAN.—The term “eligible Native Hawaiian” means a Native
40 Hawaiian who is homeless or at risk of homelessness, as defined in sections 103 and 401 of

1 the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302, 11360).

2 (2) ELIGIBLE RECIPIENT.—The term “eligible recipient” means the Department of
3 Hawaiian Home Lands, a Native Hawaiian Organization, or a Native Hawaiian community-
4 based organization.

5 (3) PROGRAM.—The term “Program” means the program established under subsection
6 (b).

7 (b) Establishment.—The Secretary may use up to 1 percent of the amounts made available for
8 rental assistance under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C.
9 1437f(o)(19)) each fiscal year to carry out a housing and supportive services program, to be
10 known as the “Native Hawaiian Homeless Assistance program”, by awarding grants to eligible
11 recipients for the benefit of eligible Native Hawaiians in the state of Hawaii.

12 (c) Model; Consultation.—The Secretary, in coordination with the Director of the Office of
13 Native Hawaiian Relations in the Department of the Interior, shall—

14 (1) model the Program on the rental assistance and supported housing program authorized
15 under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19))
16 and applicable appropriations Acts for Native American veterans that are homeless or at
17 risk of homelessness living on or near a reservation or other Indian areas ;; and

18 (2) consult with eligible recipients to ensure effective delivery of grants under the
19 Program.

20 (d) Application.—Each eligible recipient applying for a grant under the Program shall submit
21 to the Secretary an application that describes how the partnership of the eligible recipient with a
22 Native Hawaiian Organization or a nonprofit organization will provide 2 years of mandatory
23 case management services to a beneficiary of housing assistance provided under the Program,
24 including in partnership with other qualified organizations, when appropriate.

25 (e) Priority.—An eligible recipient that receives a grant under the Program shall prioritize
26 providing assistance to homeless youth, families with children, and survivors of domestic
27 violence.

28 (f) Funding Criteria.—Grants awarded under the Program shall be based on need,
29 administrative capacity, and other criteria established by the Secretary in consultation with the
30 Office of Native Hawaiian Relations in the Department of the Interior and eligible recipients.

31 (g) Administration and Waiver Authority.—The Program shall be administered in accordance
32 with the requirements under the Native American Housing and Self-Determination Act of 1996
33 (25 U.S.C. 4101 et seq.), provided that the Secretary shall be authorized to waive, or specify
34 alternative requirements for, any provision of any statute or regulation that the Secretary
35 administers in connection with the use of funds made available under the Program (except for
36 requirements related to fair housing, nondiscrimination, labor standards, and the environment),
37 upon a finding by the Secretary that any such waivers or alternative requirements are necessary
38 for the effective delivery and administration of such assistance; and provided that the Secretary
39 may by regulation provide for the release of funds for specific projects to eligible recipients
40 under this section if the Department of Hawaiian Home Lands assumes all of the responsibilities
41 for environmental review, decisionmaking, and action pursuant to section 806(a)(1)(B) of the
42 Native American Housing and Self-Determination Act of 1996.

1 (h) Renewal Grants.—The Secretary may set aside amounts made available under subsection
2 (b) for renewal grants under the Program and define renewal criteria, including data reporting.

3 (i) Study on Barriers to Implementation.—Not later than 2 years after the date of enactment of
4 this Act, and every 5 years thereafter, the Secretary, in coordination with the Director of the
5 Office of Native Hawaiian Relations in the Department of the Interior, shall review and submit to
6 Congress a report on the implementation of the Program, including any barriers to
7 implementation.

8 SEC. 32. TRIBAL AND RURAL CONTINUUM OF CARE 9 BUILDS PROGRAM.

10 (a) Definitions.—In this section:

11 (1) ELIGIBLE ENTITY.—The term “eligible entity” means an Indian tribe, a tribally
12 designated housing entity, a Tribal organization, the Department of Hawaiian Home Lands,
13 a Native Hawaiian organization, and a Native Hawaiian community-based organization.

14 (2) FORMULA AREA.—The term “formula area” has the meaning given the term in section
15 1000.302 of title 24, Code of Federal Regulations, or any successor regulation.

16 (3) TRIBAL PROJECT.—The term “Tribal project” means a project in which amounts
17 provided under this section shall be used specifically to benefit Tribal communities or
18 Tribal members.

19 (b) Authorization.—The Secretary is authorized to establish and carry out a program, to be
20 known as the “Tribal and Rural Continuum of Care Builds Program,” to provide competitive
21 grants under the subtitle C of title IV of the McKinney–Vento Homeless Assistance Act (42
22 U.S.C. 11381 et seq.) for the construction, acquisition, or rehabilitation of permanent supportive
23 housing for individuals and families experiencing homelessness or overcrowded living
24 conditions.

25 (c) Eligible Activities.—Of amounts made available to a recipient of a grant under this
26 section—

27 (1) the eligible entity may use grant funds for capital costs, including new construction,
28 acquisition, and rehabilitation of housing units, and any other eligible activities specified by
29 the Secretary;

30 (2) not more than 20 percent of total grant funds may be used for eligible supportive
31 services, operating costs, rental assistance, or other eligible activities as described in section
32 423 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383); and

33 (3) not more than 10 percent of total grant funds may be used for administrative costs.

34 (d) Tribal Priority.—Not less than 75 percent of amounts made available under this section
35 shall be reserved for projects that benefit Indian tribes, Tribal organizations, the Department of
36 Hawaiian Home Lands, Native Hawaiian organizations, Native Hawaiian community-based
37 organizations, nonprofit organizations serving Indian tribes or Native Hawaiians, or projects that
38 take place in Indian areas.

39 (e) Set-aside for Small States.—Not less than 25 percent of amounts made available under this
40 section shall be reserved for eligible entities located in States with populations of less than

1 2,500,000, except that if the Secretary receives insufficient applications from such areas,
2 remaining amounts may be reallocated to other eligible entities of grants under this section.

3 (f) Coordination Requirements.—Eligible recipients seeking a grant under this section shall
4 demonstrate coordination with Tribes, Tribal organizations, tribally designated housing entities,
5 the Department of Hawaiian Home Lands, Native Hawaiian organizations, Native Hawaiian
6 community-based organizations, healthcare providers, social service agencies, or housing
7 partners.

8 (g) Program Requirements.—Except as modified under this section, grants under this section
9 shall be administered in accordance with the requirements of part 578 of title 24, Code of Federal
10 Regulations, or any successor regulation, provided that—

11 (1) for purposes of environmental review, projects under this section shall be treated as
12 assistance for special projects that are subject to section 305(c) of the Multifamily Housing
13 Property Disposition Reform Act of 1994 (42 U.S.C. 3547); and

14 (2) subject to the regulations issued by the Secretary to implement such section, and with
15 respect to projects under this section, an Indian tribe or the Department of Hawaiian Home
16 Lands shall be considered a State for purposes of such section 305(c).

17 (h) Civil Rights Exemptions.—With respect to grants awarded to carry out eligible activities
18 under this section, title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and title VIII
19 of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.) shall not apply to applications or awards
20 for—

21 (1) projects to be carried out—

22 (A) on or off reservation or trust lands for awards made to Indian tribes or tribally
23 designated housing entities; or

24 (B) on reservation or trust lands for awards made to eligible entities; or

25 (2) Tribal projects located in Indian Housing Block Grant formula areas.

26 (i) Certification.—Notwithstanding section 106 of the Cranston-Gonzalez National Affordable
27 Housing Act (42 U.S.C. 12706) and subsection (g) of this section with respect to applications for
28 projects to be carried out on reservations or trust land using grants awarded under this section—

29 (1) the applications shall contain a certification that the applicant consulted with the
30 recipient(s) required to submit an Indian housing plan developed under section 102 of the
31 Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4112); and

32 (2) Indian tribes and tribally designated housing entities that are recipients of awards for
33 projects on reservations or trust land from such funds shall certify that they have consulted
34 with the recipients required to submit an Indian housing plan developed under section 102
35 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C.
36 4112).

37 (j) Consolidated Plan Exemption.—A collaborative applicant for a Continuum of Care whose
38 geographic area includes reservation or trust land is not required to meet the requirement
39 described in section 402(f)(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C.
40 11360a(f)(2)) in order to be eligible for assistance under the Continuum of Care program under
41 title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.).

1 (k) Waiver Authority for Tribal Participation.—In administering the amounts made available
2 under this section, the Secretary may waive, or specify alternative requirements for, any
3 provision of any statute or regulation that the Secretary administers in connection with the
4 obligation by the Secretary or the use by the recipient of these amounts (except for requirements
5 related to labor standards and the environment), if the Secretary finds that—

6 (1) good cause exists for the waiver or alternative requirement; and

7 (2) such waiver or alternative requirement is necessary to modify any requirements
8 preventing the participation of eligible entities in the Continuum of Care Program under
9 subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et
10 seq.) or would expedite or facilitate the use of funds.

11 (l) Authorization of Appropriations.—There is authorized to be appropriated to carry out this
12 section—

13 (1) \$25,000,000 for fiscal year 2027; and

14 (2) such sums as may be necessary for each fiscal year thereafter.

15 SEC. 33. HUD TRIBAL INTERGOVERNMENTAL 16 ADVISORY COMMITTEE.

17 (a) Definitions.—In this section:

18 (1) COMMITTEE.—The term “Committee” means the Tribal Intergovernmental Advisory
19 Committee described in subsection (b).

20 (2) DEPARTMENT.—The term “Department” means the Department of Housing and
21 Urban Development.

22 (b) Establishment.—The Secretary shall maintain the Tribal Intergovernmental Advisory
23 Committee to facilitate a formal government-to-government advisory body composed of leaders
24 of Federally recognized tribes (or their designated employees with authority to act on their
25 behalf) to provide policy recommendations on programs and activities of the Department that
26 affect Indian and Alaska Native communities.

27 (c) Membership.—The Committee shall—

28 (1) be composed of—

29 (A) not more than 16 Tribal delegates, of whom, to the extent practicable—

30 (i) 2 members each should be from each of the regions of the Office of Native
31 American Programs of the Department;

32 (ii) not more than 3 members should be at-large members; and

33 (iii) 1 member shall be from the Department of Hawaiian Home Lands; and

34 (B) representatives of the Department, including the Secretary or a designee thereof
35 and relevant Assistant Secretaries; and

36 (2) include 2 Tribal co-chairs selected by and from among the delegates described in
37 paragraph (1)(A).

1 (d) Duties.—The Committee shall—

2 (1) advise the Department on housing priorities for American Indian, Alaska Native, and
3 Native Hawaiian communities;

4 (2) recommend policy, funding, and administrative improvements for programs of the
5 Department impacting Indian tribes;

6 (3) enhance intergovernmental communication and coordination on initiatives of the
7 Department;

8 (4) support region- and national-level Tribal consultation processes; and

9 (5) ensure timely Tribally-informed feedback in policy development.

10 (e) Operations.—The Committee shall—

11 (1) develop and follow internal bylaws or protocols;

12 (2) hold not less than 2 meetings per year, in-person or virtually;

13 (3) reimburse travel and participation costs; and

14 (4) notwithstanding subsection (c)(1)(A)(iii), be exempt from chapter 10 of title 5, United
15 States Code, pursuant to section 204(b) of the Unfunded Mandates Reform Act of 1995 (2
16 U.S.C. 1534(b)).

17 (f) Terms; Alternates.—

18 (1) TERMS.—Members described in subsection (c)(1)(A) shall serve staggered 2-year
19 terms, with initial staggering as determined by the Secretary.

20 (2) ALTERNATES.—Alternates may be designated by Indian tribes to serve on the
21 Committee in the absence of the primary delegate.

22 (g) Support.—The Secretary shall provide staff support, logistics, meeting facilities, and
23 administrative resources for the Committee, subject to the availability of appropriated funds.

24 SEC. 34. HOUSING SUPPLY CHAIN CHALLENGES.

25 The Secretary shall direct the Tribal Intergovernmental Advisory Committee of the
26 Department of Housing and Urban Development to, not later than 1 year after the date of
27 enactment of this Act, submit to the Committee on Banking, Housing, and Urban Affairs of the
28 Senate and the Committee on Financial Services of the House of Representatives, and make
29 publicly available, a report on—

30 (1) housing supply chain challenges in Tribal communities; and

31 (2) work with the Department of Hawaiian Home Lands on a report on housing
32 challenges impacting Native Hawaiian communities; and

33 (3) recommended actions for Congress and the Department of Housing and Urban
34 Development.

35 SEC. 35. REPORT ON HOUSING IN ALASKA.

36 The Secretary shall direct the Tribal Intergovernmental Advisory Committee of the

1 Department of Housing and Urban Development to, not later than 180 days after the date of
2 enactment of this Act—

3 (1) extract and compile all background, issues, recommendations, and other information
4 relevant for the State of Alaska and the State of Hawaii from reports of the Advisory
5 Committee; and

6 (2) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and
7 the Committee on Financial Services of the House of Representatives, and make publicly
8 available, a report entitled “The Alaska Housing Task Force Report”, and “The Native
9 Hawaiian Housing Task Force Report” which shall contain the information described in
10 paragraph (1).