

[DISCUSSION DRAFT]

119TH CONGRESS
1ST SESSION

H. R. _____

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

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.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Native American
5 Housing Assistance and Self-Determination Reauthoriza-
6 tion Act of 2026”.

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) by—

11 (A) striking the “Secretary may” and in-
12 serting “(1) The Secretary shall”;

13 (B) redesignating paragraphs (1) through
14 (4) as subparagraphs (A) through (D); and

15 (C) and adding after paragraph (4), the
16 following:

17 “(2) The Secretary shall act upon a waiver re-
18 quest submitted under this subsection within 60
19 days after receipt of such request.”;

20 (3) by adding at the end the following new sub-
21 sections:

22 “(e) **CONSOLIDATION OF ENVIRONMENTAL REVIEW**
23 **REQUIREMENTS.**—For assistance provided under this Act,
24 including under title VIII of this Act, and grants to Indian
25 Tribes issued under title I of the Housing and Community
26 Development Act of 1974 (42 U.S.C. 5301 et seq.), the

1 Indian Tribe shall be deemed to be in compliance with the
2 environmental review requirements under this section, title
3 1 of the Housing and Community Development Act of
4 1974, and the National Environmental Policy Act of 1969
5 (42 U.S.C. 4321 et seq.), with regard to such project and
6 to discharge any applicable environmental review require-
7 ments that might apply to Federal agencies with respect
8 to the use of additional Federal funding sources for that
9 project, if—

10 “(1) a recipient is using 1 or more sources of
11 Federal funds in addition to grant amounts under
12 this Act or in addition to a grant made to an Indian
13 Tribe under title I of the Housing and Community
14 Development Act of 1974;

15 “(2) such other sources of Federal funds do not
16 exceed 49 percent of the Federal share of the project
17 cost; and

18 “(3) the recipient’s Indian Tribe has assumed
19 all of the responsibilities for environmental review,
20 decision-making, and action pursuant to this section
21 or title 1 of the Housing and Community Develop-
22 ment Act of 1974.

23 “(f) ENVIRONMENTAL STREAMLINING.—For activi-
24 ties assisted under this Act, including title VIII of this
25 Act, or assisted with a grant to an Indian Tribe under

1 title I of the Housing and Community Development Act
2 (42 U.S.C. 5301 et seq.), each of the following apply:

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

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

9 “(B) the activity is an affordable housing
10 activity having a total cost of not more than
11 \$250,000;

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

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

17 “(i) the cost of the rehabilitation is
18 less than fifty percent of the market value
19 of the structure before rehabilitation; and

20 “(ii) the rehabilitation involves no
21 ground disturbance, footprint change, or
22 historic structure.

23 “(2) RADON EXEMPTION.—Notwithstanding
24 any other provision of law, the Secretary may not re-
25 quire recipients and Indian Tribes to consider or

1 test for radon in the environmental review. Nothing
2 in this provision shall be construed to limit the re-
3 cipient's authority to consider, test for, and mitigate
4 radon.

5 “(3) LEAD TESTING.—

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

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

19 “(ii) visual assessment for deterio-
20 rated paint and use of EPA-recognized
21 lead test kits in accordance with sections
22 402 or 404, as applicable, of the Toxic
23 Substances Control Act (15 U.S.C. 2682,
24 2684) on each building component that is
25 painted or coated and is to be disturbed.

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

2 “(i) REMOTE AREA.—The term ‘Re-
3 mote Area’ means as the area of a United
4 States Postal Service ZIP code that has a
5 level 1 Frontier and Remote Area code as
6 most recently posted on the website of the
7 Department of Agriculture.

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

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

18 “(A) IN GENERAL.—Recipients carrying
19 out activities under this Act or Indian Tribe
20 carrying out activities under title I of the Hous-
21 ing and Community Development Act shall be
22 exempt from the Secretary’s acceptable separa-
23 tion distance requirements and mitigation for
24 residential tanks when the tank—

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

3 “(ii) is intended to contain common
4 liquid fuels such as gasoline, fuel oil, ker-
5 osene, diesel, liquified petroleum gas (pro-
6 pane), or crude oil;

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

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

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

14 “(B) RULE OF CONSTRUCTION.—Nothing
15 in this provision shall be construed to limit the
16 recipient’s or Indian Tribe’s authority to con-
17 sider acceptable separation distance or imple-
18 ment mitigation measures.

19 “(C) APPLICATION.—The Secretary’s ac-
20 ceptable separation distance requirements be-
21 tween a residential structure assisted with
22 funds under this Act (or assisted with funds
23 under a grant to an Indian Tribe under title 1
24 of the Housing and Community Development
25 Act) and an above-ground storage tank used to

1 store hazardous substances as defined in 24
2 CFR Part 51 Subpart C or successor regula-
3 tion, including mitigation measures, do not
4 apply if the Indian Tribe or recipient deter-
5 mines that—

6 “(i) inapplicability of the requirements
7 is necessary to address the housing needs
8 of the Indian Tribe or recipient;

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

13 “(iii) the Indian Tribe or recipient has
14 provided notice and an opportunity for
15 comment to residents of the affected area
16 regarding the inapplicability of the require-
17 ments, and has developed a safety and re-
18 sponse 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 US
23 Army Corps of Engineers General, Regional, or indi-
24 vidual permit and the Indian Tribe or recipient com-
25 plies with permit conditions.”.

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

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

6 **SEC. 4. STUDENT HOUSING ASSISTANCE.**

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

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

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

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

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

23 “(3) SELF-DETERMINATION.—Notwithstanding
24 paragraph (2), recipients may establish their own
25 policies governing maximums and minimum rents
26 and homebuyer payments for dwelling units assisted

1 under this Act, provided such policies are written
2 and made publicly available.”.

3 **SEC. 6. DEADLINE FOR ACTION ON REQUEST FOR AP-**
4 **PROVAL REGARDING EXCEEDING TDC MAX-**
5 **IMUM COST FOR PROJECT.**

6 (a) APPROVAL.—Section 103 of the Native American
7 Housing Assistance and Self-Determination Act of 1996
8 (25 U.S.C. 4113) is amended by adding at the end the
9 following new subsection:

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

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

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

22 (b) DEFINITION.—Section 4 of the Native American
23 Housing Assistance and Self-Determination Act of 1996
24 (25 U.S.C. 4103) is amended—

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

3 (2) by inserting after paragraph (21) the fol-
4 lowing new paragraph:

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

19 **SEC. 7. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME**
20 **REQUIREMENT AND INCOME TARGETING.**

21 Section 205 of the Native American Housing Assist-
22 ance and Self-Determination Act of 1996 (25 U.S.C.
23 4135) is amended—

24 (1) in subsection (a)(1)—

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

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

4 “(E) notwithstanding any other provision
5 of this paragraph, in the case of rental housing
6 that is made available to a current rental family
7 for conversion to a homebuyer or a lease-pur-
8 chase unit, that the current rental family can
9 purchase through a contract of sale, lease-pur-
10 chase agreement, or any other sales agreement,
11 is made available for purchase only by the cur-
12 rent rental family, if the rental family was a
13 low-income family at the time of their initial oc-
14 cupancy of such unit; and”;

15 (2) in subsection (c)—

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

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

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

20 “(2) APPLICABILITY TO IMPROVEMENTS.—The
21 provisions of subsection (a)(2) regarding binding
22 commitments for the remaining useful life of prop-
23 erty shall not apply to improvements of privately
24 owned homes if the cost of the improvements do not

1 exceed 10 percent of the maximum total develop-
2 ment cost for the home.”.

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

4 Section 207 of the Native American Housing Assist-
5 ance and Self-Determination Act of 1996 (25 U.S.C.
6 4137) is amended by adding at the end the following:

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

11 **SEC. 9. STATUTORY AUTHORITY TO SUSPEND GRANT**
12 **FUNDS IN EMERGENCIES.**

13 Section 401(a)(4) of the Native American Housing
14 Assistance and Self-Determination Act of 1996 (25 U.S.C.
15 4161(a)(4)) is amended—

16 (1) in subparagraph (A), by striking “may take
17 an action described in paragraph (1)(C)” and insert-
18 ing “may immediately take an action described in
19 paragraph (1)(C)”; and

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

22 “(B) PROCEDURAL REQUIREMENTS.—

23 “(i) IN GENERAL.—If the Secretary
24 takes an action described in subparagraph
25 (A), the Secretary shall provide notice to

1 the recipient at the time that the Secretary
2 takes that action.

3 “(ii) NOTICE REQUIREMENTS.—The
4 notice under clause (i) shall inform the re-
5 cipient that the recipient may request a
6 hearing by not later than 30 days after the
7 date on which the Secretary provides the
8 notice.

9 “(iii) HEARING REQUIREMENTS.—A
10 hearing requested under clause (ii) shall be
11 conducted—

12 “(I) in accordance with subpart
13 A of part 26 of title 24, Code of Fed-
14 eral Regulations (or successor regula-
15 tions); and

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

18 “(iv) FAILURE TO CONDUCT A HEAR-
19 ING.—If a hearing requested under clause
20 (ii) is not completed by the date that is
21 180 days after the date on which the re-
22 cipient requests the hearing, the action of
23 the Secretary to limit the availability of
24 payments shall no longer be effective.”.

1 **SEC. 10. REPORTS TO CONGRESS.**

2 Section 407 of the Native American Housing Assist-
3 ance and Self-Determination Act of 1996 (25 U.S.C.
4 4167) is amended—

5 (1) in subsection (a), by striking “Congress”
6 and inserting “Committee on Indian Affairs and the
7 Committee on Banking, Housing and Urban Affairs
8 of the Senate and the Committee on Financial Serv-
9 ices of the House of Representatives”; and

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

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

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

16 Section 702 of the Native American Housing Assist-
17 ance and Self-Determination Act of 1996 (25 U.S.C.
18 4211) is amended—

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

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

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

1 **SEC. 12. REAUTHORIZATION OF HOUSING ASSISTANCE FOR**
2 **NATIVE HAWAIIANS.**

3 Section 824 of the Native American Housing Assist-
4 ance and Self-Determination Act of 1996 (25 U.S.C.
5 4243) is amended by striking “for each of fiscal years
6 2001, 2002, 2003, 2004, and 2005” and inserting “each
7 of fiscal years 2026 through 2032.”.

8 **SEC. 13. COMMUNITY-BASED DEVELOPMENT ORGANIZA-**
9 **TIONS AND SPECIAL ACTIVITIES BY INDIAN**
10 **TRIBES.**

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

14 “(i) INDIAN TRIBES, TRIBALLY DESIGNATED HOUS-
15 ING ENTITIES, AND TRIBAL ORGANIZATIONS AS COMMU-
16 NITY-BASED DEVELOPMENT ORGANIZATIONS.—

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

18 “(A) TRIBALLY DESIGNATED HOUSING EN-
19 TITY.—The term ‘tribally designated housing
20 entity’ has the meaning given the term in sec-
21 tion 4 of the Native American Housing Assist-
22 ance and Self-Determination Act of 1996 (25
23 U.S.C. 4103).

24 “(B) TRIBAL ORGANIZATION.—The term
25 ‘Tribal organization’ has the meaning the term
26 in section 4 of the Indian Self-Determination

1 and Education Assistance Act (25 U.S.C.
2 5304).

3 “(2) QUALIFICATION.—An Indian Tribe, a trib-
4 ally designated housing entity, or a Tribal organiza-
5 tion shall qualify as a community-based development
6 organization for purposes of carrying out new hous-
7 ing construction under this subsection under a grant
8 made under section 106(a)(1).

9 “(j) SPECIAL ACTIVITIES BY INDIAN TRIBES.—An
10 Indian Tribe (or a Tribal organization or Tribally des-
11 ignated housing entity designated by such Indian Tribe)
12 receiving a grant under section 106(a)(1) shall be author-
13 ized to directly carry out activities described in section
14 105(a)(15).”.

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

16 Subtitle A of title II of the Native American Housing
17 Assistance and Self-Determination Act of 1996 (25 U.S.C.
18 4131 et. seq.) is amended by adding at the end the fol-
19 lowing new section:

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

2 **Notwithstanding section 106(g)(1) of the Housing**
3 **and Urban Development Act of 1968 (12 U.S.C.**
4 **1701x(g)(1)), Indian Tribes, Tribal organizations,**
5 **tribally designated housing entities and the De-**
6 **partment of Hawaiian Homelands carrying out**
7 **homeownership counseling or rental housing**
8 **counseling under section 105(a)(20) of the Hous-**
9 **ing and Community Development Act of 1974 (42**
10 **U.S.C. 5305(a)(20)) and sections 202(3) and**
11 **810(b)(2)(A) of the Native American Housing and**
12 **Self-Determination Act of 1996 (25 U.S.C. 4132(3),**
13 **4229(b)(2)(A)), may not be required to comply**
14 **with any housing counseling certification re-**
15 **quirements established by the Secretary. Nothing**
16 **in this provision shall be construed as limiting**
17 **such recipients’ ability to obtain a housing coun-**
18 **seling 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 des-
2 ignated, by adding at the end the fol-
3 lowing:

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 fol-
11 lowing:

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;

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 subsection (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.”;

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 its
7 discretion to delegate direct guarantee endorse-
8 ment authority to eligible lenders under sub-
9 section (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 “notwithstanding” and in-
20 serting the following:

21 “(a) ELIGIBLE ENTITIES.—Notwithstanding”;

22 (B) in subsection (a), as so designated, by
23 striking “(as defined in section 4 of the Native
24 American Housing Assistance and Self-Deter-
25 mination Act of 1996 (25 U.S.C. 4103))”;

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);

13 (2) adding after subsection (c) the following:

14 “(d) CONSOLIDATED REPORTING.—Notwithstanding
15 any other provision of law, the Secretary shall develop
16 policies and procedures that authorize interested Indian
17 Tribes and tribally designated housing entities receiving
18 grant amounts under this Act to submit to the Secretary,
19 at their discretion, one consolidated annual performance
20 report covering all grants the Indian Tribe or tribally des-
21 ignated housing entity receives from other grant programs
22 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 do not apply to any housing activi-
6 ties carried out using any Federal financial assistance pro-
7 vided to Indian tribes, tribally designated housing entities,
8 tribal organizations, and other Tribal entities under any
9 Federal program.