

Section-by-Section of the Native American Housing Assistance and Self-Determination Modernization Act of 2026

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Section 1 – Short Title and Table of Contents: Native American Housing Assistance and Self-Determination Modernization Act of 2026

Section 2 – Consolidation of Environmental Reviews: When a tribe is using funds from one or more sources of federal funds in addition to NAHASDA or Indian Community Development Block (ICDBG) grants, the HUD environmental review will satisfy the environmental reviews of other federal agencies for a project, provided that the other federal funding sources do not exceed 49% of the federal funds used in the project and the tribe has assumed responsibility for the environmental review.

Section 3 – Authorization of Appropriations: Reauthorizes the Indian Housing Block Grant (IHBG) for seven years (through 2032).

Section 4 – Student Housing Assistance: Clarifies that IHBG funds can go towards tribal college housing assistance (such as rental assistance).

Section 5 – Clarification of Application of Rent Rule Only to Units Owned or Operated by Indian Tribe or Tribally Designated Housing Entity: Provides that the current maximum rent rule (30% rule) only applies to units owned or operated by a NAHASDA recipient (tribe or TDHE). Allows recipients to establish their own maximum rent policies, provided such policies are written and made publicly available, to promote self-determination.

Section 6 – Deadline for Action on Request for Approval Regarding Exceeding TDC Maximum Cost for Project: Requires HUD to approve or deny tribal requests to exceed total development cost (TDC) maximums within 60 days. Currently, tribes may exceed the TDC maximum, which HUD sets, by up to 10% if they adopt their own TDC maximum.

Section 7 – Homeownership or lease-to-own Low-Income Requirement and Income Targeting: Allows families that are currently residing in NAHASDA-assisted rental units to purchase those units if they are made available for purchase or as a rent-to-own property, so long as they were low-income at the time of their initial occupancy.

Section 8 – Lease Requirements and Tenant Selection: Applies the NAHASDA requirements for providing adequate written notice when terminating a lease to projects funded in part using NAHASDA funds. Adequate written notice under NAHASDA is the period of time required under state, local, or tribal law.

Section 9 – Statutory Authority to Suspend Grant Funds in Emergencies: Under current law, HUD can suspend NAHASDA grants if HUD finds a tribe is not in compliance with the law. This provision makes certain changes related to hearing requirements when HUD takes actions to suspend NAHASDA grant funds under specified circumstances and prohibits HUD from continuing to withhold funds if HUD fails to complete a hearing within 180 days of a tribe’s request.

Section 10 – Reports to Congress: Clarifies that HUD’s annual report to Congress on NAHASDA should go to certain Committees and be made publicly available

Section 11 – 99-Year Leasehold Interest Trust or Restricted Lands for Housing Purposes: Current law only permits maximum 50-year leases for trust land. This provision would change the maximum lease to 99 years to provide stability.

Section 12 – Reauthorization of Native Hawaiian Homeownership Provisions: Reauthorizes the Native Hawaiian Block Grant program for seven years (through 2032)

Section 13 – Community-Based Development Organizations and Special Activities by Indian Tribes: Allows tribes, TDHEs, and tribal organizations to use Indian Community Development Block Grant funding for new housing construction without being separately approved as a community-based development organization.

Section 14 – Housing Counseling Certification Exemption: Exempts tribes and TDHE’s from housing counselor certification requirements when carrying out counseling under ICDBG or NAHASDA.

Section 15 – Eligibility for Housing Counseling Grants: Allows tribes and TDHEs to be eligible for HUD housing counseling grants without separately being approved as a HUD-approved housing counseling agency (similar to state housing finance agencies).

Section 16 – Section 184 Indian Home Loan Guarantee Program: Reauthorizes the Section 184 Indian Loan Home Guarantee Program and makes improvements to promote private lending. Section 184 is a program through which HUD guarantees home mortgages that private lenders make to individual tribal members living in approved tribal areas.

- Reauthorizes the Section 184 program
- Expands areas where Section 184 loans can be used so that they are no longer required to be used only in approved tribal areas
- Clarifies that CDFIs are approved lenders (like other agency approved lenders)
- Creates direct guarantee lenders. Lenders with a good track record will not need to go to HUD prior to issuing loans with the HUD-guarantee.
 - For fraudulent loans or loans that did not meet HUD requirements, HUD may require lender to repay HUD.
- Expands HUD’s oversight/review of lenders in Section 184 program.
- Allows for 40-year loan terms for loan modifications. (FHA did this already for its loan modification options).

Section 17 – Loan Guarantees for Native Hawaiian Housing: Substantially similar to Section 16, but for the Native Hawaiian Loan Guarantee (184A) program.

- Reauthorizes the Section 184A program.
- Expands program to cover anywhere in Hawaii, not just native Hawaiian homelands.
- Creates direct guarantee lenders.
 - For fraudulent loans or loans that did not meet HUD requirements, HUD may require lender to repay HUD.
- Expands HUD's oversight/review of lenders in Section 184 program.
- Allows for 40-year loan terms for loan modifications.

Section 18 – Rental Assistance for Homeless or At-Risk Indian Veterans: Authorizes the existing Tribal HUD-Veterans Affairs Supportive Housing (VASH) program, which directs the Secretary to use at least 5% of HUD-VASH funds to serve homeless or at-risk Indian veterans.

Section 19 – Continuum of Care: Makes changes to facilitate tribal participation in the Continuum of Care (CoC) program. The CoC program is the largest federal grant program specifically targeted to assist people experiencing homelessness. Tribes were made eligible to participate in the CoC program in the Consolidated Appropriations Act of 2021. Provides for a civil rights exemption to promote tribal sovereignty, as exists under NAHASDA.

Section 20 – Streamlining Reporting Requirements: Directs the HUD Secretary to develop policies that allow tribes to submit only one performance report to HUD for its HUD grant funding.

Section 21 – Application of Build America, Buy America Requirements: Exempts federally-funded tribal housing projects from Build America, Buy America requirements.