



National American Indian Housing Council

NAHASDA Modernization Act — House (H.R. 8092) and Senate (S. 5354) Comparison Chart

Updated September 18, 2026

House column reflects H.R. 8092 as introduced (Mar. 26, 2026). Senate column reflects S. 5354 as introduced (Aug. 6, 2026), which revised S. 4276 (the Senate bill used in the prior chart).

In House and Senate	In both – language or scope differs	House only	Senate only
Provision / topic	House "NAHASDA Modernization Act" (H.R. 8092)	Senate "NAHASDA Modernization Act" (S. 5354)	
Short title; table of contents	Sec. 1 Establishes the short title (Native American Housing Assistance and Self-Determination Modernization Act of 2026) and the table of contents.	Sec. 1 Same short title and table of contents.	
Definitions	None	Sec. 2 Adds bill-wide definitions, including Department of Hawaiian Home Lands, domestic violence, Hawaiian Home Lands, homeless youth, Native Hawaiian, Native Hawaiian organization, and tribal organization.	
Consolidation of environmental review requirements	Sec. 2 - Consolidates environmental review requirements and adds a 60-day deadline for HUD action on waiver requests. - Expressly covers NAHASDA title VIII / DHHL as well as IHBG and ICDBG. - Addresses radon, lead testing in remote areas, siting near explosive or flammable hazards, and wetlands.	Sec. 3 - Also consolidates review and adds the 60-day waiver deadline. - Allows one HUD environmental review to satisfy other federal requirements when other federal funds are 49% or less of the federal share and the tribe has assumed review responsibility. - Adds general exemptions (statutory-parity exemptions; projects with total development cost of \$250,000 or less; non-federal acquisitions; minor rehabilitation). - Excludes the Federal Flood Risk Management Standards; exempts certain properties from flood insurance requirements; adds fuel / storage-tank separation-distance exemptions; addresses radon, lead testing in remote areas, and wetlands.	
Authorization of appropriations (IHBG)	Sec. 3 Reauthorizes IHBG for FY 2026-2032.	Sec. 4 Reauthorizes IHBG for FY 2027-2033.	
Eligible families / income flexibility	None	Sec. 5 - Adds an "essential families" exception allowing a recipient to serve a family whose presence is essential to the well-being of Indian families and whose need cannot reasonably be met otherwise. - Allows homeownership assistance for families up to 120% of area median income, capped at 20% of the recipient's annual grant; includes a parallel provision for Native Hawaiian families.	

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Student housing assistance	Sec. 4 Clarifies that eligible assistance includes college housing assistance.	Sec. 6 Same clarification that IHBG activities may include college housing assistance.
Clarification of application of rent rule	Sec. 5 Clarifies that the rent rule applies only to units owned or operated by a recipient, and authorizes written, self-determined rent and homebuyer payment policies.	Sec. 7 Same core clarification for units owned or operated by a Tribe / TDHE, and authorizes written, publicly available rent and homebuyer payment policies (which may exceed 30% of adjusted income).
Procurement policies	None	Sec. 8 Authorizes recipients to adopt and follow their own written, publicly available procurement policies; otherwise federal tribal procurement standards (2 CFR 200.317) apply.
Total development cost / timing for exceeding TDC maximum	Sec. 6 - Requires HUD to approve or deny a request to exceed the TDC maximum within 60 days; if HUD does not act, the request is deemed approved. - Keeps the underlying trigger at requests to exceed the maximum by more than 10%.	Sec. 9 Raises the threshold so prior HUD approval is needed only when a project exceeds the TDC maximum by more than 20%.
Homeownership or lease-to-own low-income requirement and income targeting	Sec. 7 Allows current low-income rental families to purchase or lease-purchase converted units if they were low-income at the time of initial occupancy.	Sec. 10 Same core conversion flexibility (for both IHBG and Native Hawaiian programs); also adds a small-home-improvement exception (binding useful-life commitments do not apply to improvements costing 10% or less of the maximum TDC).
Lease requirements and tenant selection	Sec. 8 Applies the NAHASDA notice-of-termination period to projects and programs funded in part with NAHASDA amounts.	Sec. 11 Same clarification that the notice period applies to projects and programs funded in part by NAHASDA.
Housing counseling certification waiver / exemption	Sec. 14 Creates a waiver from HUD housing counseling certification requirements for Indian Tribes, tribal organizations, TDHEs, and DHHL.	Sec. 12 Exempts Tribes, tribal organizations, TDHEs, and DHHL carrying out housing counseling from HUD's certification requirements (new NAHASDA §211).
Statutory authority to suspend grant funds in emergencies	Sec. 9 Clarifies that HUD may immediately limit payments in emergencies and sets procedural rules for notice and hearings.	Sec. 13 Same immediate suspension authority, with notice, a hearing request within 30 days, and a 180-day backstop: the suspension ends if a requested hearing is not completed within 180 days.
Streamlining reporting requirements	Sec. 20 Directs HUD to allow interested Tribes and TDHEs to submit one consolidated annual performance report covering all HUD grant programs they receive.	Sec. 14 Same consolidated annual performance reporting concept for interested Tribes and TDHEs.
Reports to Congress	Sec. 10 Targets the annual reports to the relevant congressional committees and requires public availability.	Sec. 15 Same committee-specific reporting and public availability, and extends the reporting deadline from 90 to 180 days.
99-year leasehold interest in trust or restricted lands	Sec. 11	Sec. 16 Same 99-year leasehold authority for housing on trust or restricted lands.

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	Changes the maximum lease term for housing purposes from 50 years to 99 years.	
Innovative Readiness Training program coordination	None	Sec. 17 Directs HUD and DOD to coordinate through an MOU to maximize use of the Innovative Readiness Training Program for housing-related construction.
Block grants for affordable housing activities (Native Hawaiian subawards)	None	Sec. 18 Allows Native Hawaiian Housing Block Grant funds to be subawarded to subrecipients other than for-profit entities, giving title VIII parity with IHBG.
Reauthorization of housing assistance for Native Hawaiians	Sec. 12 Reauthorizes Native Hawaiian Housing Block Grants for FY 2026-2032.	Sec. 19 Reauthorizes Native Hawaiian housing assistance for FY 2027-2033.
Community-based development organizations and special activities by Indian Tribes	Sec. 13 Treats Tribes, TDHEs, and tribal organizations as community-based development organizations for new construction and related special activities under ICDBG.	Sec. 20 Same parity for Tribes, TDHEs, and tribal organizations under ICDBG special activities, including new construction, with no percentage cap on grant funds used.
Eligibility for housing counseling grants	Sec. 15 Adds Indian Tribes and TDHEs to eligible recipients for HUD housing counseling grants, with conforming definitions.	Sec. 21 Same eligibility expansion for housing counseling grants.
Section 184 Indian Home Loan Guarantee program	Sec. 16 Modernizes section 184, including coverage on trust and fee-simple land, lender eligibility, and related loan administration changes.	Sec. 22 Also modernizes and reauthorizes (FY 2027-2033) section 184, including nationwide fee-simple use, CDFI lender eligibility, direct guarantee endorsement and indemnification, up to 40-year loan-modification terms, and periodic lender review.
Loan guarantees for Native Hawaiian housing (Section 184A)	Sec. 17 Modernizes section 184A, including eligible use, lender eligibility, and related loan administration changes.	Sec. 23 Same core modernization for section 184A, including expanded fee-simple use in Hawaii, CDFI lender eligibility, direct endorsement and indemnification, 40-year loan-modification terms, lender review and termination authority, and reauthorization (FY 2027-2033).
Rental assistance for homeless or at-risk Indian veterans	Sec. 18 Codifies the Tribal HUD-VASH / Indian Veterans Housing Rental Assistance framework for homeless or at-risk Indian veterans.	Sec. 24 Same core Tribal HUD-VASH framework, including a 5%-minimum funding set-aside, renewal grants, reporting, and protection of the unit count in the IHBG allocation formula.
Continuum of care	Sec. 19 Makes changes to facilitate Tribal and TDHE participation in the Continuum of Care program.	Sec. 25 Also facilitates Tribal and TDHE participation, and adds civil-rights exemptions for tribal projects, certification of consistency with an approved Indian housing plan, a consolidated-plan exemption, waiver authority, and special environmental-review treatment.
Application of Build America, Buy America requirements	Sec. 21	None This exemption appeared in S. 4276 but is not included in S. 5354 as introduced.

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	Exempts housing activities carried out using any federal financial assistance for Tribes, TDHEs, tribal organizations, other tribal entities, and DHHL from Build America, Buy America requirements.	
Housing assistance for homeless American Indians and Alaska Natives	None	Sec. 26 Establishes a permanent competitive Tribal Homeless Housing Assistance Grant Program (administered with HHS) providing rental assistance and supportive services to American Indians and Alaska Natives who are homeless or at risk, prioritizing homeless youth, families with children, and survivors of domestic violence; funded from a McKinney-Vento Continuum of Care set-aside.
Housing assistance for homeless Native Hawaiians	None	Sec. 27 Establishes a parallel competitive grant program (administered with the Department of the Interior) for Native Hawaiians who are homeless or at risk of homelessness.
Tribal Continuum of Care Participation Grant Program	None	Sec. 28 Creates a Tribal Continuum of Care Participation Grant Program; eligibility is limited to Indian Tribes and TDHEs.

Notable changes in S. 5354 (introduced Aug. 6, 2026) vs. S. 4276 (the earlier Senate bill in the March 2026 chart)

- Dropped entirely (in neither bill now): Community Compass technical-assistance flexibility; the de minimis procurement exemption (\$5,000 threshold replaced by 150% of the micro-purchase threshold); formula negotiated rulemaking; codification of the HUD Tribal Intergovernmental Advisory Committee; the housing supply-chain challenges report; and the separate Alaska and Hawaii housing reports.
- Restructured: the homeless "pilot / demonstration" programs for Native Americans and Alaska Natives and for Native Hawaiians are now permanent competitive grant programs; the earlier "Tribal and rural continuum of care builds program" (75% tribal / 25% rural set-aside) is now the Tribal Continuum of Care Participation Grant Program, with eligibility limited to Tribes and TDHEs.
- Changed: the homeownership income-flexibility cap moved from "less than half of grant funds" to "not more than 20% of the annual grant," and an "essential families" exception was added.
- Build America, Buy America: the exemption was in S. 4276 (Sec. 28) but is not in S. 5354; it now appears in the House bill only (H.R. 8092, Sec. 21).

Sources: H.R. 8092 as introduced (Mar. 26, 2026); S. 5354 as introduced (Aug. 6, 2026). This is a plain-language summary for comparison and advocacy use, not a substitute for the bill text.