

119TH CONGRESS
2D SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Ms. MURKOWSKI (for herself, Mr. SCHATZ, Mr. DAINES, Mr. LUJÁN, Mr. SULLIVAN, Ms. HIRONO, and Mr. CRAPO) introduced the following bill; which was read twice and 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; 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. Definitions.

Sec. 3. Flexibility for community compass technical assistance.

- Sec. 4. Consolidation of environmental review requirements.
- Sec. 5. Authorization of appropriations.
- Sec. 6. Eligible families.
- Sec. 7. Student housing assistance.
- Sec. 8. Clarification of application of rent rule to units owned or operated by Indian tribe or tribally designated housing entity.
- Sec. 9. De minimis exemption for procurement of goods and services.
- Sec. 10. Procurement policies.
- Sec. 11. Total development cost maximum cost.
- Sec. 12. Homeownership or lease-to-own low-income requirement and income targeting.
- Sec. 13. Lease requirements and tenant selection.
- Sec. 14. Housing counseling certification exemption.
- Sec. 15. Statutory authority to suspend grant funds in emergencies.
- Sec. 16. Streamlining reporting requirements.
- Sec. 17. Reports to Congress.
- Sec. 18. 99-year leasehold interest in trust or restricted lands for housing purposes.
- Sec. 19. Innovative readiness training program coordination.
- Sec. 20. Amendments for block grants for affordable housing activities.
- Sec. 21. Reauthorization of housing assistance for Native Hawaiians.
- Sec. 22. Community-based development organizations and special activities by Indian tribes.
- Sec. 23. Eligibility for housing counseling grants.
- Sec. 24. Section 184 Indian Home Loan Guarantee program.
- Sec. 25. Loan guarantees for Native Hawaiian housing.
- Sec. 26. Rental assistance for homeless or at-risk Indian veterans.
- Sec. 27. Continuum of care.
- Sec. 28. Application of Build America, Buy America requirements.
- Sec. 29. Formula negotiated rulemaking.
- Sec. 30. Pilot program for housing assistance for homeless Native Americans and Alaska Natives.
- Sec. 31. Pilot program for housing assistance for homeless Native Hawaiians.
- Sec. 32. Tribal and rural continuum of care builds program.
- Sec. 33. HUD Tribal Intergovernmental Advisory Committee.
- Sec. 34. Housing supply chain challenges.
- Sec. 35. Report on housing in Alaska.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

- 3 (1) DEPARTMENT OF HAWAIIAN HOME
- 4 LANDS.—The term “Department of Hawaiian Home
- 5 Lands” has the meaning given the term in section
- 6 801 of the Native American Housing Assistance and
- 7 Self-Determination Act of 1996 (25 U.S.C. 4221).

1 (2) DOMESTIC VIOLENCE.—The term “domestic
2 violence” has the meaning given the term in section
3 40002(a) of the Violence Against Women Act of
4 1994 (34 U.S.C. 12291(a)).

5 (3) FEDERALLY RECOGNIZED TRIBE; INDIAN
6 AREA; INDIAN TRIBE; TRIBALLY DESIGNATED HOUS-
7 ING ENTITY.—The terms “Federally recognized
8 tribe”, “Indian area”, “Indian tribe”, and “tribally
9 designated housing entity” have the meanings given
10 those terms in section 4 of the Native American
11 Housing Assistance and Self-Determination Act of
12 1996 (25 U.S.C. 4103).

13 (4) HAWAIIAN HOME LANDS.—The term “Ha-
14 waiian Home Lands” means lands that—

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

19 (B) are acquired pursuant to that Act.

20 (5) HOMELESS YOUTH.—The term “homeless
21 youth” has the meaning given the term in section
22 387 of the Runaway and Homeless Youth Act (34
23 U.S.C. 11279).

24 (6) NATIVE HAWAIIAN.—The term “Native Ha-
25 waiian” means any individual who is—

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

2 (B) a descendant of the aboriginal people,
3 who, prior to 1778, occupied and exercised sov-
4 ereignty in the area that currently constitutes
5 the State of Hawaii, as evidenced by—

6 (i) genealogical records;

7 (ii) verification by kupuna (elders) or
8 kama’aina (long-term community resi-
9 dents); or

10 (iii) birth records of the State of Ha-
11 waii.

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

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

20 (9) TRIBAL ORGANIZATION.—The term “tribal
21 organization” has the meaning given the term in
22 section 4 of the Indian Self-Determination and Edu-
23 cation Assistance Act (25 U.S.C. 5304).

1 **SEC. 3. FLEXIBILITY FOR COMMUNITY COMPASS TECH-**
2 **NICAL ASSISTANCE.**

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

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

8 “(l) **TECHNICAL ASSISTANCE FLEXIBILITY.**—Not-
9 withstanding any requirement of the Community Compass
10 Technical Assistance and Capacity Building Program, in
11 approving technical assistance requests, the Secretary
12 shall grant an Indian tribe or a tribally designated housing
13 entity requesting such technical assistance maximum flexi-
14 bility and deference when determining the allowable uses
15 of such technical assistance funding.”; and

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

18 “(f) **TECHNICAL ASSISTANCE FLEXIBILITY.**—Not-
19 withstanding any requirement of the Community Compass
20 Technical Assistance and Capacity Building Program, in
21 approving technical assistance requests, the Secretary
22 shall grant the Department of Hawaiian Home Lands, or
23 its subrecipients under subsection (e)(2), requesting such
24 technical assistance maximum flexibility and deference
25 when determining the allowable uses of such technical as-
26 sistance funding.”.

1 **SEC. 4. 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 inserting “, or a
7 tribally designated housing entity official designated
8 by the tribe,” after “tribe”;

9 (2) in subsection (d)—

10 (A) by redesignating paragraphs (1)
11 through (4) as subparagraphs (A) through (D),
12 respectively, and adjusting the margins accord-
13 ingly;

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

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

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

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

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

22 “(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW
23 REQUIREMENTS.—

24 “(1) IN GENERAL.—With respect to a project
25 carried out using amounts provided under this Act,
26 including under title VIII of this Act or carried out

1 by an Indian tribe, or under a grant made to an In-
2 dian tribe under title I of the Housing and Commu-
3 nity Development Act of 1974 (42 U.S.C. 5301 et
4 seq.), the Indian tribe, recipient, or the Director of
5 the Department of Hawaiian Homelands, as applica-
6 ble, shall be deemed to be in compliance with the en-
7 vironmental review requirements under this section
8 or section 806 of this Act, under title I of the Hous-
9 ing and Community Development Act of 1974 (42
10 U.S.C. 5301 et seq.), and under the National Envi-
11 ronmental Policy Act of 1969 (42 U.S.C. 4321 et
12 seq.), and the Indian tribe or the Director of the De-
13 partment of Hawaiian Homelands, as applicable,
14 shall be discharged from any applicable environ-
15 mental review requirements that may apply to Fed-
16 eral agencies with respect to the use of additional
17 Federal funding sources for that project, if—

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

23 “(B) the sum of the other sources of Fed-
24 eral funds described in subparagraph (A) do

1 not exceed 49 percent of the Federal share of
2 the project cost; and

3 “(C) the recipient’s Indian tribe or the Di-
4 rector of the Department of Hawaiian Home-
5 lands, as applicable, has assumed all of the re-
6 sponsibilities for environmental review, decision-
7 making, and action pursuant to this section,
8 section 806 of this Act, or title I of the Hous-
9 ing and Community Development Act of 1974
10 (42 U.S.C. 5301 et seq.), as applicable.

11 “(2) EFFECT.—Upon completion of an environ-
12 mental review for a project described in paragraph
13 (1) in accordance with procedures established by the
14 Secretary, as applicable, no other Federal agency
15 providing additional Federal funds for the project
16 shall be required to conduct a separate or supple-
17 mental environmental review for purposes of compli-
18 ance with the National Environmental Policy Act of
19 1969 (42 U.S.C. 4321 et seq.) or any other provi-
20 sion of Federal law described in paragraph (1), ex-
21 cept to the extent that the project is materially
22 changed in a manner that was not analyzed in the
23 consolidated review.

24 “(f) ENVIRONMENTAL STREAMLINING.—With re-
25 spect to a project carried using amounts provided under

1 this Act, including under title VIII of this Act or grants
2 made to an Indian tribe under title I of the Housing and
3 Community Development Act of 1974 (42 U.S.C. 5301 et
4 seq.), each of the following applies:

5 “(1) GENERAL EXEMPTION.—Notwithstanding
6 any other provision of law, the following activities
7 are exempt from any environmental review require-
8 ments:

9 “(A) An activity for which a similar statu-
10 tory exemption applies to comparable activities
11 carried out by another Federal agency.

12 “(B) An affordable housing activity with a
13 total development cost of not more than
14 \$250,000.

15 “(C) An activity consisting solely of the ac-
16 quisition of real property or long-term equip-
17 ment using non-Federal funds.

18 “(D) An activity consisting of the rehabili-
19 tation of an existing structure, if—

20 “(i) the cost of such rehabilitation is
21 less than 50 percent of the market value of
22 the structure before rehabilitation; and

23 “(ii) the rehabilitation does not in-
24 volve ground disturbance, an expansion or
25 change in the footprint of the structure, or

1 any work affecting a structure that is list-
2 ed on the National Register of Historic
3 Places.

4 “(2) DETERMINATION BY TRIBE.—An Indian
5 tribe that has assumed responsibility for environ-
6 mental review, decisionmaking, and action pursuant
7 to procedures established by the Secretary pursuant
8 to subsection (e)(1)(C) shall make and document
9 any determination that an activity qualifies for an
10 exemption under this subsection, and such deter-
11 mination shall be deemed sufficient for purposes of
12 compliance by any other Federal agency providing fi-
13 nancial assistance for the activity.

14 “(3) RADON.—

15 “(A) IN GENERAL.—Notwithstanding any
16 other provision of law, the Secretary may not
17 require recipients, including Director of the De-
18 partment of Hawaiian Home Lands, and Indian
19 tribes to consider or test for radon as part of
20 the environmental review for the project.

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

25 “(4) LEAD TESTING.—

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

2 “(i) REMOTE AREA.—The term ‘re-
3 mote area’ means an area with 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’ means target housing, as
10 defined in section 1004 of the Residential
11 Lead-Based Paint Hazard Reduction Act
12 of 1992 (42 U.S.C. 4851b), that is as-
13 sisted under this Act.

14 “(B) TESTING.—Lead paint testing of tar-
15 get housing that is in a remote area, and that
16 is being rehabilitated, renovated, repaired, or
17 painted in a manner that will repair or disturb
18 building components that are painted or coated,
19 shall be conducted through—

20 “(i) paint chip testing, lead-based
21 paint inspection, visual assessment for de-
22 teriorated paint, or a lead risk assessment
23 for lead-based paint hazards, as applicable
24 in accordance with section 302 of the

1 Lead-Based Paint Poisoning Prevention
2 Act (42 U.S.C. 4822); or

3 “(ii) a visual assessment for deterior-
4 ated paint and use of lead test kits ap-
5 proved by the Environmental Protection
6 Agency in accordance with section 402 or
7 404, as applicable, of the Toxic Substances
8 Control Act (15 U.S.C. 2682, 2684) on
9 each building component that is painted or
10 coated and is to be disturbed.

11 “(5) FEDERAL FLOOD RISK MANAGEMENT
12 STANDARDS.—The project shall not be subject to the
13 Federal Flood Risk Management Standards, and the
14 Secretary shall revise regulations governing flood-
15 plain management and the protection of wetlands to
16 exclude the Federal Flood Risk Management Stand-
17 ards from applying to such projects.

18 “(6) EXEMPTION FROM FLOOD INSURANCE RE-
19 QUIREMENTS.—Notwithstanding any provision of
20 law, the Secretary may provide financial assistance
21 for acquisition or construction purposes to Indian
22 tribes and tribally designated housing entities under
23 any program administered by the Secretary for a
24 property that—

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

4 “(B) is—

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

6 “(ii) not located in a jurisdiction that
7 participates in the national flood insurance
8 program.

9 “(7) EXEMPTIONS FROM CERTAIN SEPARATION
10 DISTANCE REQUIREMENTS FOR PROJECTS FROM
11 STORAGE TANKS.—

12 “(A) RESIDENTIAL TANKS.—A recipient,
13 including the Director of the Department of
14 Hawaiian Home Lands, carrying out activities
15 under this Act or an Indian tribe carrying out
16 activities under title I of the Housing and Com-
17 munity Development Act of 1974 (42 U.S.C.
18 5301 et seq.) shall be exempt from the accept-
19 able separation distance and mitigation require-
20 ments of the Secretary for residential tanks
21 when the tank—

22 “(i) has a capacity of not more than
23 1,320 gallons;

24 “(ii) is intended to contain common
25 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 1- to 4-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 paragraph shall be construed to limit the
12 authority of a recipient, including the Director
13 of the Department of Hawaiian Home Lands,
14 or an Indian tribe to consider acceptable sepa-
15 ration distance or implementation mitigation
16 measures for residential tanks.

17 “(C) ABOVE GROUND STORAGE TANKS.—
18 The acceptable separation distance require-
19 ments of the Secretary between a residential
20 structure assisted by a recipient, including the
21 Director of the Department of Hawaiian Home
22 Lands, with funds under this Act (or assisted
23 with funds under a grant to an Indian tribe
24 under title I of the Housing and Community
25 Development Act of 1974 (42 U.S.C. 5301 et

1 seq.) and an above-ground storage tank used
2 to store hazardous substances, as defined in
3 subpart C of part 51 of title 24, Code of Fed-
4 eral Regulations, or any successor regulation,
5 including mitigation measures, shall not apply if
6 the recipient, including the Director of the De-
7 partment of Hawaiian Home Lands, or Indian
8 tribe determines that—

9 “(i) the application of the require-
10 ments would prevent or materially impede
11 the ability of the recipient or Indian tribe
12 to address its housing needs;

13 “(ii) the use of an alternative stand-
14 ard, or the absence of a standard, will not
15 present an unacceptable risk to the health
16 or safety of residents; and

17 “(iii) the recipient or Indian tribe
18 has—

19 “(I) provided notice and an op-
20 portunity for comment to residents of
21 the affected area regarding the pro-
22 posed inapplicability of the require-
23 ments; and

24 “(II) developed and adopted a
25 safety and response plan addressing

1 the potential risks associated with an
2 above ground storage tank.

3 “(D) RULE OF CONSTRUCTION.—Nothing
4 in this paragraph shall be construed to limit the
5 authority of a recipient, including the Director
6 of the Department of Hawaiian Home Lands,
7 or an Indian tribe to consider, adopt, or enforce
8 acceptable separation distance standards or im-
9 plement mitigation measures for risks associ-
10 ated with above ground storage tanks.

11 “(8) WETLAND REQUIREMENTS.—The Sec-
12 retary may not apply additional requirements involv-
13 ing protection of wetlands in instances where—

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

17 “(B) the recipient, including the Director
18 of the Department of Hawaiian Home Lands,
19 or Indian tribe complies with the conditions of
20 the permit.”.

21 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

22 Section 108 of the Native American Housing Assist-
23 ance and Self-Determination Act of 1996 (25 U.S.C.
24 4117) is amended, in the first sentence, by striking “2009
25 through 2013” and inserting “2027 through 2033”.

1 **SEC. 6. ELIGIBLE FAMILIES.**

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

5 (1) by amending section 201(b)(3) (25 U.S.C.
6 4131(b)(3)) to read as follows:

7 “(3) OTHER FAMILIES.—

8 “(A) ESSENTIAL FAMILIES.—Notwith-
9 standing paragraph (1), a recipient may provide
10 housing or housing assistance provided through
11 affordable housing activities assisted with grant
12 amounts under this Act for a family on an In-
13 dian reservation or other Indian area if the re-
14 cipient determines that—

15 “(i) the presence of the family on the
16 Indian reservation or other Indian area is
17 essential to the well-being of Indian fami-
18 lies; and

19 “(ii) the need for housing for the fam-
20 ily cannot reasonably be met without such
21 assistance.

22 “(B) HOMEOWNERSHIP ASSISTANCE.—
23 Notwithstanding paragraph (1), a recipient may
24 provide assistance for homeownership activities
25 under section 202 or title VI of this Act with
26 grant amounts under this Act for Indian fami-

1 lies with a household income that does not ex-
2 ceed 120 percent of the median income for the
3 area, as determined by the Secretary, and such
4 housing shall be considered affordable housing
5 for purposes of this Act, provided a recipient
6 shall not use more than 50 percent of its an-
7 nual grant under this Act to serve such fami-
8 lies.”; and

9 (2) in section 809(a)(2) (25 U.S.C.
10 4228(a)(2)), by amending subparagraph (B) to read
11 as follows:

12 “(B) EXCEPTION TO LOW-INCOME RE-
13 QUIREMENT.—

14 “(i) IN GENERAL.—The Director may
15 provide assistance for homeownership ac-
16 tivities under—

17 “(I) section 810(b) for Native
18 Hawaiian families with a household
19 income that does not exceed 120 per-
20 cent of the median income for the
21 area, as determined by the Secretary,
22 and such housing shall be considered
23 affordable housing for purposes of
24 this title; or

1 “(II) loan guarantee activities
2 under section 184A of the Housing
3 and Community Development Act of
4 1992 (12 U.S.C. 1715z–13b) to Na-
5 tive Hawaiian families who are not
6 low-income families, to the extent that
7 the Secretary approves the activities
8 under that section to address a need
9 for housing for those families that
10 cannot be reasonably met without that
11 assistance.

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

16 **SEC. 7. STUDENT HOUSING ASSISTANCE.**

17 Section 202(3) of the Native American Housing As-
18 sistance and Self-Determination Act of 1996 (25 U.S.C.
19 4132(3)) is amended by inserting “including college hous-
20 ing assistance,” after “self-sufficiency and other serv-
21 ices,”.

1 **SEC. 8. CLARIFICATION OF APPLICATION OF RENT RULE**
2 **TO UNITS OWNED OR OPERATED BY INDIAN**
3 **TRIBE OR TRIBALLY DESIGNATED HOUSING**
4 **ENTITY.**

5 Section 203(a) of the Native American Housing As-
6 sistance and Self-Determination Act of 1996 (25 U.S.C.
7 4133(a)) is amended—

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

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

12 “(3) SELF-DETERMINATION.—Notwithstanding
13 paragraph (2), each recipient may establish its own
14 policies governing maximum and minimum rents and
15 homebuyer payments for dwelling units assisted
16 under this Act, including rents and homebuyer pay-
17 ments that exceed 30 percent of the monthly ad-
18 justed income, provided that the policies are written
19 and made publicly available.”.

20 **SEC. 9. DE MINIMIS EXEMPTION FOR PROCUREMENT OF**
21 **GOODS AND SERVICES.**

22 Section 203(g) of the Native American Housing As-
23 sistance and Self-Determination Act of 1996 (25 U.S.C.
24 4133(g)) is amended by striking “\$5,000” and inserting
25 “150 percent of the micro-purchase threshold set forth in

1 section 200.320 of title 2, Code of Federal Regulations,
2 or any successor regulation”.

3 **SEC. 10. PROCUREMENT POLICIES.**

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

7 “(h) TRIBAL PROCUREMENT POLICIES.—

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

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

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

17 “(B) follow those policies and procedures.

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

1 **SEC. 11. TOTAL DEVELOPMENT COST MAXIMUM COST.**

2 Section 203 of the Native American Housing Assist-
3 ance and Self-Determination Act of 1996 (25 U.S.C.
4 4133), as amended by this Act, is amended by adding at
5 the end the following:

6 “(i) **TOTAL DEVELOPMENT COST MAXIMUM COST.**—
7 Affordable housing that is developed, acquired, or assisted
8 under the block grant program established under section
9 101 shall not exceed by more than 20 percent, without
10 prior approval of the Secretary, the total development cost
11 maximum cost for all housing assisted under an affordable
12 housing activity, including development and model activi-
13 ties.”.

14 **SEC. 12. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-IN-**
15 **COME REQUIREMENT AND INCOME TAR-**
16 **GETING.**

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

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

21 (A) in subsection (a)(1)—

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

24 (ii) by adding at the end the fol-
25 lowing:

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

12 (B) in subsection (c)—

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

15 “(1) IN GENERAL.—The provisions”;

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

18 “(2) APPLICABILITY TO IMPROVEMENTS.—The
19 provisions of subsection (a)(2) regarding binding
20 commitments for the remaining useful life of prop-
21 erty shall not apply to improvements of privately
22 owned homes if the cost of the improvements do not
23 exceed 10 percent of the maximum total develop-
24 ment cost for the home.”;

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

1 (A) in paragraph (1)—

2 (i) in subparagraph (A), by striking

3 “and” at the end; and

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

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

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

18 “(3) APPLICABILITY TO IMPROVEMENTS.—The
19 provisions of subsection (a)(2) regarding binding
20 commitments for the remaining useful life of prop-
21 erty or other period as determined by the Secretary
22 shall not apply to improvements of privately owned
23 homes if the cost of the improvements do not exceed
24 10 percent of the maximum total development cost
25 for the home.”.

1 **SEC. 13. LEASE REQUIREMENTS AND TENANT SELECTION.**

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

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

9 **SEC. 14. HOUSING COUNSELING CERTIFICATION EXEMP-**
10 **TION.**

11 (a) IN GENERAL.—Subtitle A of title II of the Native
12 American Housing Assistance and Self-Determination Act
13 of 1996 (25 U.S.C. 4131 et seq.) is amended by adding
14 at the end the following:

15 **“SEC. 211. HOUSING COUNSELING CERTIFICATION EXEMP-**
16 **TION.**

17 “(a) IN GENERAL.—Notwithstanding section
18 106(g)(1) of the Housing and Urban Development Act of
19 1968 (12 U.S.C. 1701x(g)(1)), Indian tribes, Tribal orga-
20 nizations, tribally designated housing entities, and the De-
21 partment of Hawaiian Home Lands carrying out home-
22 ownership counseling or rental housing counseling under
23 section 105(a)(20) of the Housing and Community Devel-
24 opment Act of 1974 (42 U.S.C. 5305(a)(20)) or section
25 202(3) or 810(b)(2)(A) of this Act may not be required

1 to comply with any housing counseling certification re-
2 quirements established by the Secretary.

3 “(b) **RULE OF CONSTRUCTION.**—Nothing in this sec-
4 tion shall be construed to limit the ability of an entity de-
5 scribed in subsection (a) to obtain a housing counseling
6 certification from the Secretary.”.

7 (b) **TECHNICAL AND CONFORMING AMENDMENT.**—
8 The table of contents in section 1(b) of the Native Amer-
9 ican Housing Assistance and Self-Determination Act of
10 1996 (Public Law 104–330; 110 Stat. 4016) is amended
11 by inserting after the item relating to section 210 the fol-
12 lowing:

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

13 **SEC. 15. STATUTORY AUTHORITY TO SUSPEND GRANT**
14 **FUNDS IN EMERGENCIES.**

15 Section 401(a)(4) of the Native American Housing
16 Assistance and Self-Determination Act of 1996 (25 U.S.C.
17 4161(a)(4)) is amended—

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

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

24 “(B) **PROCEDURAL REQUIREMENTS.**—

1 “(i) IN GENERAL.—If the Secretary
2 takes an action described in subparagraph
3 (A), the Secretary shall provide notice to
4 the recipient at the time that the Secretary
5 takes that action.

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

12 “(iii) HEARING REQUIREMENTS.—A
13 hearing requested under clause (ii) shall be
14 conducted—

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

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

21 “(iv) FAILURE TO CONDUCT A HEAR-
22 ING.—If a hearing requested under clause
23 (ii) is not completed by the date that is
24 180 days after the date on which the re-
25 cipient requests the hearing, the action of

1 the Secretary to limit the availability of
2 payments shall no longer be effective.”.

3 **SEC. 16. STREAMLINING REPORTING REQUIREMENTS.**

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

7 (1) by redesignating subsection (d) as sub-
8 section (e); and

9 (2) by inserting after subsection (c) the fol-
10 lowing:

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

20 **SEC. 17. REPORTS TO CONGRESS.**

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

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

1 (A) in subsection (a), in the matter pre-
2 ceding paragraph (1)—

3 (i) by striking “90” and inserting
4 “180”; and

5 (ii) by striking “Congress” and insert-
6 ing “Committee on Indian Affairs and the
7 Committee on Banking, Housing and
8 Urban Affairs of the Senate and the Com-
9 mittee on Financial Services of the House
10 of Representatives”; and

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

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

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

16 (A) in subsection (a), in the matter pre-
17 ceding paragraph (1)—

18 (i) by striking “90” and inserting
19 “180”; and

20 (ii) by striking “Congress” and insert-
21 ing “Committee on Indian Affairs and the
22 Committee on Banking, Housing and
23 Urban Affairs of the Senate and the Com-
24 mittee on Financial Services of the House
25 of Representatives”; and

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

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

5 **SEC. 18. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RE-**
6 **STRICTED LANDS FOR HOUSING PURPOSES.**

7 Section 702 of the Native American Housing Assist-
8 ance and Self-Determination Act of 1996 (25 U.S.C.
9 4211) is amended—

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

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

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

16 **SEC. 19. INNOVATIVE READINESS TRAINING PROGRAM CO-**
17 **ORDINATION.**

18 (a) IN GENERAL.—Title VII of the Native American
19 Housing Assistance and Self-Determination Act of 1996
20 (25 U.S.C. 4211 et seq.) is amended by adding at the end
21 the following:

22 **“SEC. 706. INNOVATIVE READINESS TRAINING PROGRAM**
23 **COORDINATION.**

24 “(a) COORDINATION REQUIREMENT.—The Secretary
25 shall coordinate with the Secretary of Defense, and with

1 Indian tribes and tribally designated housing entities that
2 are recipients of funds under this Act, to maximize the
3 benefit of the Department of Defense’s Innovative Readiness
4 Training Program (in this section referred to as the
5 ‘Program,’), when the Program conducts civil engineering
6 and construction activities in partnership with recipients
7 of formula and competitive block grant funds made available
8 under title I.

9 “(b) MAXIMIZING BENEFIT.—The coordination
10 under subsection (a) shall include—

11 “(1) the development of a joint Memorandum of
12 Understanding between the Department of Housing
13 and Urban Development and the Department of Defense
14 to streamline the identification of suitable construction
15 projects under this Act;

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

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

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—
2 The table of contents in section 1(b) of the Native Amer-
3 ican Housing Assistance and Self-Determination Act of
4 1996 (Public Law 104–330; 110 Stat. 4016) is amended
5 by inserting after the item relating to section 706 the fol-
6 lowing:

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

7 **SEC. 20. AMENDMENTS FOR BLOCK GRANTS FOR AFFORD-**
8 **ABLE HOUSING ACTIVITIES.**

9 Section 802(e) of the Native American Housing As-
10 sistance and Self-Determination Act of 1996 (25 U.S.C.
11 4222(e)) is amended—

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

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

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

16 “(2) SUBAWARDS.—Notwithstanding any other
17 provision of law, including provisions of State law
18 requiring competitive procurement, the Director may
19 make subawards to subrecipients, except for for-
20 profit entities, using amounts provided under this
21 title to carry out affordable housing activities upon
22 a determination by the Director that such subrecipi-
23 ents have adequate capacity to carry out activities in
24 accordance with this Act.”.

1 **SEC. 21. 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 “such sums as may be nec-
6 essary” and all that follows through the period at the end
7 and inserting “such sums as may be necessary for each
8 of fiscal years 2027 through 2033.”.

9 **SEC. 22. COMMUNITY-BASED DEVELOPMENT ORGANIZA-**
10 **TIONS AND SPECIAL ACTIVITIES BY INDIAN**
11 **TRIBES.**

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

15 “(i) SPECIAL ACTIVITIES BY INDIAN TRIBES.—

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

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

22 “(B) TRIBALLY DESIGNATED HOUSING EN-
23 TITY.—The term ‘tribally designated housing
24 entity’ has the meaning given the term in sec-
25 tion 4 of the Native American Housing Assist-

1 ance and Self-Determination Act of 1996 (25
2 U.S.C. 4103).

3 “(2) AUTHORIZATION.—An Indian tribe (or a
4 tribal organization or tribally designated housing en-
5 tity designated by the Indian tribe) receiving a grant
6 under section 106(a)(1)—

7 “(A) is authorized to directly carry out ac-
8 tivities described in section 106(a)(15), includ-
9 ing the new construction of affordable housing;
10 and

11 “(B) may not be subject to any limitation
12 on the percentage of the grant that may be
13 used to carry out the activities described in sub-
14 paragraph (A).”.

15 **SEC. 23. ELIGIBILITY FOR HOUSING COUNSELING GRANTS.**

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

19 (1) in subparagraph (A)—

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

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

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

4 (3) by redesignating subparagraph (F) as sub-
5 paragraph (G); and

6 (4) by inserting after subparagraph (E) the fol-
7 lowing:

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

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

16 (a) IN GENERAL.—Section 184 of the Housing and
17 Community Development Act of 1992 (12 U.S.C. 1715z–
18 13a) is amended—

19 (1) by amending subsection (a) to read as fol-
20 lows:

21 “(a) AUTHORITY.—To provide access to sources of
22 private financing to Indian families, Indian housing au-
23 thorities, and Indian tribes, who otherwise could not ac-
24 quire housing financing because of the unique legal status
25 of Indian lands and the unique nature of tribal economies,

1 and to expand homeownership opportunities to Indian
2 families, tribally designated housing entities, Indian hous-
3 ing authorities, and Indian tribes on fee simple lands, the
4 Secretary may guarantee not to exceed 100 percent of the
5 unpaid principal and interest due on any loan eligible
6 under subsection (b) made to an Indian family, tribally
7 designated housing entity, Indian housing authority, or
8 Indian tribe on trust land and fee simple land.”;

9 (2) in subsection (b)—

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

12 “(2) ELIGIBLE HOUSING.—The loan shall be
13 used to construct, acquire, refinance, or rehabilitate
14 1- to 4-family dwellings that are standard housing.”;

15 (B) in paragraph (4)—

16 (i) by redesignating subparagraphs
17 (A) through (D) as clauses (i) through
18 (iv), respectively, and adjusting the mar-
19 gins accordingly;

20 (ii) by striking “The loan” and insert-
21 ing the following:

22 “(A) IN GENERAL.—The loan”;

23 (iii) in subparagraph (A), as so des-
24 igned, by adding at the end the fol-
25 lowing:

1 “(v) 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 (iv) by adding at the end the fol-
12 lowing:

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

15 “(i) AUTHORIZATION.—The Secretary
16 may, dependent on the available systems
17 development and staffing resources, dele-
18 gate to eligible lenders the authority to di-
19 rectly endorse loans under this section.

20 “(ii) INDEMNIFICATION.—

21 “(I) IN GENERAL.—If the Sec-
22 retary determines that a loan guaran-
23 teed under this section was not origi-
24 nated in accordance with the require-
25 ments established by the Secretary,

1 the Secretary may require the lender
2 approved under this subparagraph to
3 indemnify the Secretary for the loss
4 or potential loss, irrespective of
5 whether the violation caused or will
6 cause the loan default.

7 “(II) FRAUD OR MISREPRESENTATION.—If fraud or misrepresenta-
8 tion is involved in a loan guaranteed
9 under this section, the Secretary may
10 require the originating lender ap-
11 proved under this subparagraph to in-
12 demnify the Secretary for the loss re-
13 gardless of whether there was a pay-
14 ment made by the Secretary under the
15 guarantee.
16

17 “(III) IMPLEMENTATION.—The
18 Secretary may implement any require-
19 ment described in this subparagraph
20 by regulation, notice or Dear Lender
21 Letter.”;

22 (C) in paragraph (5)(A), by inserting be-
23 fore the semicolon at the end the following: “ex-
24 cept, as determined by the Secretary, when
25 there is a loan modification under subsection

1 (h)(1)(B), the term of the loan shall not exceed
2 40 years”; and

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

4 “(6) REVIEW OF LENDERS.—

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

9 “(B) REQUIREMENTS.—In conducting a
10 review under subparagraph (A), the Sec-
11 retary—

12 “(i) shall compare the lender with
13 other lenders originating or underwriting
14 loan guarantees for Indian housing based
15 on the rates of defaults and claims for
16 guaranteed loans originated, underwritten,
17 or serviced by that lender; and

18 “(ii) may compare the lender with
19 such other lenders based on underwriting
20 quality, geographic area served, or any
21 commonly used factors the Secretary deter-
22 mines necessary for comparing mortgage
23 default risk, provided that the comparison
24 is of factors that the Secretary would ex-

1 pect to affect the default risk of mortgage
2 loans guaranteed by the Secretary.”;

3 (3) in subsection (c)—

4 (A) in paragraph (1)—

5 (i) by striking “Before” and inserting
6 the following:

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

9 (ii) by adding at the end the fol-
10 lowing:

11 “(B) EXCEPTION.—Subparagraph (A)
12 shall not apply when the Secretary exercises its
13 discretion to delegate direct guarantee endorse-
14 ment authority to eligible lenders under sub-
15 section (b)(4)(B)(i).”;

16 (B) in paragraph (2)—

17 (i) by striking “The Secretary” and
18 inserting the following:

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

21 (ii) by adding at the end the fol-
22 lowing:

23 “(B) EXCEPTIONS.—When the Secretary
24 exercises its discretion to delegate direct guar-

1 antee endorsement authority to eligible lenders
2 under subsection (b)(4)(B)(i)—

3 “(i) subparagraph (A) shall not apply;

4 and

5 “(ii) the direct guarantee endorsement
6 lender may issue a certificate under this
7 paragraph as evidence of the guarantee in
8 accordance with requirements established
9 by the Secretary.”; and

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

14 (4) in subsection (l)—

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

18 (B) by inserting after paragraph (7) the
19 following:

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

24 (b) LOAN GUARANTEES FOR INDIAN HOUSING.—

25 Section 184(i)(5) of the Housing and Community Devel-

1 opment Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is
2 amended—

3 (1) in subparagraph (B), by inserting after the
4 first sentence the following: “There are authorized
5 to be appropriated for those costs such sums as may
6 be necessary for each of fiscal years 2027 through
7 2033.”; and

8 (2) in subparagraph (C), by striking “2008
9 through 2012” and inserting “2027 through 2033”.

10 **SEC. 25. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUS-**
11 **ING.**

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

14 (1) in subsection (b), by inserting “, and to ex-
15 pand homeownership opportunities to Native Hawai-
16 ian families who are eligible to receive a homestead
17 under the Hawaiian Homes Commission Act, 1920
18 (42 Stat. 108) on fee simple lands in the State of
19 Hawaii” after “markets”;

20 (2) in subsection (c)—

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

23 “(2) ELIGIBLE HOUSING.—The loan shall be
24 used to construct, acquire, refinance, or rehabilitate
25 1- to 4-family dwellings that are standard housing.”;

1 (B) in paragraph (4)—

2 (i) in subparagraph (B)—

3 (I) by redesignating clause (iv) as
4 clause (v); and

5 (II) by adding after clause (iii)
6 the following:

7 “(iv) Any other lender that is super-
8 vised, approved, regulated, or insured by
9 any agency of the Federal Government, in-
10 cluding any entity certified as a community
11 development financial institution by the
12 Community Development Financial Insti-
13 tutions Fund established under section
14 104(a) of the Riegle Community Develop-
15 ment and Regulatory Improvement Act of
16 1994 (12 U.S.C. 4703(a)).”; and

17 (ii) by adding at the end the fol-
18 lowing:

19 “(C) DIRECT GUARANTEE ENDORSEMENT
20 AND INDEMNIFICATION.—

21 “(i) IN GENERAL.—If the Secretary
22 determines that a loan guaranteed under
23 this section was not originated in accord-
24 ance with the requirements established by
25 the Secretary, the Secretary may require

1 the lender approved under this paragraph
2 to indemnify the Secretary for the loss or
3 potential loss, irrespective of whether the
4 violation caused or will cause the loan de-
5 fault.

6 “(ii) DIRECT GUARANTEE ENDORSE-
7 MENT.—The Secretary may, dependent on
8 the availability of systems development and
9 staffing resources, delegate to eligible lend-
10 ers the authority to directly endorse loans
11 under this section.

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

21 “(iv) IMPLEMENTATION.—The Sec-
22 retary may implement any requirements
23 described in this subparagraph by regula-
24 tion, notice, or Dear Lender Letter.”;

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”; and

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

8 “(6) REVIEW OF LENDERS.—

9 “(A) IN GENERAL.—The Secretary may
10 periodically review the lenders originating, un-
11 derwriting, or servicing single family mortgage
12 loans under this section.

13 “(B) REQUIREMENTS.—In conducting a
14 review under subparagraph (A), the Sec-
15 retary—

16 “(i) shall compare the lender with
17 other lenders originating or underwriting
18 loan guarantees for Indian housing and
19 Native Hawaiian housing based on the
20 rates of defaults and claims for guaranteed
21 loans originated, underwritten, or serviced
22 by that lender;

23 “(ii) may compare the lender with
24 such other lenders based on underwriting
25 quality, geographic area served, or any

1 commonly used factors the Secretary deter-
2 mines necessary for comparing mortgage
3 default risk, provided that the comparison
4 is of factors that the Secretary would ex-
5 pect to affect the default risk of mortgage
6 loans guaranteed by the Secretary;

7 “(iii) shall implement the comparisons
8 described in clauses (i) and (ii) by regula-
9 tion, notice, or Dear Lender Letter; and

10 “(iv) may terminate the approval of a
11 lender to originate, underwrite, or service
12 loan guarantees for housing under this sec-
13 tion if the Secretary determines that the
14 mortgage loans originated, underwritten,
15 or serviced by the lender present an unac-
16 ceptable risk to the Hawaiian Housing
17 Loan Guarantee Fund established under
18 subsection (j)—

19 “(I) based on a comparison of
20 any of the factors set forth in this
21 subparagraph; or

22 “(II) by a determination that the
23 lender engaged in fraud or misrepre-
24 sentation.”;

25 (3) in subsection (d)—

1 (A) in paragraph (1)—

2 (i) in subparagraph (A), by striking
3 “Before” and inserting “Except as pro-
4 vided in subsection (C), before”;

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

8 (iii) by adding at the end the fol-
9 lowing:

10 “(C) EXCEPTION.—When the Secretary
11 exercises its discretion to delegate direct guar-
12 antee endorsement authority pursuant to sub-
13 section (c)(4)(C)(ii), subparagraphs (A) and
14 (B) of this paragraph shall not apply.”;

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

17 “(2) STANDARD FOR APPROVAL.—

18 “(A) APPROVAL.—Except as provided in
19 subparagraph (B), the Secretary may approve a
20 loan for guarantee under this section and issue
21 a certificate under this subsection only if the
22 Secretary determines that there is a reasonable
23 prospect of repayment of the loan.

24 “(B) EXCEPTIONS.—When the Secretary
25 exercises its discretion to delegate direct guar-

1 antee endorsement authority pursuant to sub-
2 section (c)(4)(C)(ii)—

3 “(i) subparagraph (A) shall not apply;

4 and

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

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

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

18 **SEC. 26. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK**

19 **INDIAN VETERANS.**

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

22 (1) by redesignating subparagraph (D) as sub-
23 paragraph (E); and

24 (2) by inserting after subparagraph (C) the fol-
25 lowing:

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

3 “(i) DEFINITIONS.—In this subpara-
4 graph:

5 “(I) ELIGIBLE INDIAN VET-
6 ERAN.—The term ‘eligible Indian vet-
7 eran’ means an Indian veteran who
8 is—

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

11 “(bb) living—

12 “(AA) on or near a res-
13 ervation; or

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

16 “(II) ELIGIBLE RECIPIENT.—
17 The term ‘eligible recipient’ means a
18 recipient eligible to receive a grant
19 under section 101 of the Native
20 American Housing Assistance and
21 Self-Determination Act of 1996 (25
22 U.S.C. 4111).

23 “(III) INDIAN; INDIAN AREA.—
24 The terms ‘Indian’ and ‘Indian area’
25 have the meanings given those terms

1 in section 4 of the Native American
2 Housing Assistance and Self-Deter-
3 mination Act of 1996 (25 U.S.C.
4 4103).

5 “(IV) INDIAN VETERAN.—The
6 term ‘Indian veteran’ means an In-
7 dian who is a veteran.

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

11 “(VI) TRIBAL ORGANIZATION.—
12 The term ‘tribal organization’ has the
13 meaning given the term in section 4
14 of the Indian Self-Determination and
15 Education Assistance Act (25 U.S.C.
16 5304).

17 “(ii) PROGRAM SPECIFICATIONS.—
18 The Secretary may not use less than 5 per-
19 cent of the amounts made available for
20 rental assistance under this paragraph to
21 carry out a rental assistance and sup-
22 ported housing program, to be known as
23 the ‘Tribal HUD–VASH program’, in con-
24 junction with the Secretary of Veterans Af-

1 fairs, by awarding grants for the benefit of
2 eligible Indian veterans.

3 “(iii) MODEL.—

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

13 “(II) EXCEPTIONS.—

14 “(aa) SECRETARY OF HOUS-
15 ING AND URBAN DEVELOP-
16 MENT.—After consultation with
17 Indian tribes, eligible recipients,
18 and any other appropriate tribal
19 organizations, the Secretary may
20 make necessary and appropriate
21 modifications to facilitate the use
22 of the Program by eligible recipi-
23 ents to serve eligible Indian vet-
24 erans.

1 after consulting with the Secretary of
2 Veterans Affairs.

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

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

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

19 “(vii) CONSULTATION.—

20 “(I) GRANT RECIPIENTS; TRIBAL
21 ORGANIZATIONS.—The Secretary, in
22 coordination with the Secretary of
23 Veterans Affairs, shall consult with el-
24 igible recipients and any other appro-
25 priate tribal organization on the de-

1 sign of the Program to ensure the ef-
2 fective delivery of rental assistance
3 and supportive services to eligible In-
4 dian veterans under the Program.

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

11 “(viii) WAIVER.—

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

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

7 “(ix) RENEWAL GRANTS.—The Sec-
8 retary may—

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

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

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

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

12 “(II) submit a report describing
13 the results of the review under sub-
14 clause (II) to—

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

22 “(bb) the Subcommittee on
23 Indian and Insular Affairs of the
24 Committee on Natural Resources,
25 the Committee on Financial

1 Services, the Committee on Vet-
2 erans' Affairs, and the Com-
3 mittee on Appropriations of the
4 House of Representatives.

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

21 **SEC. 27. CONTINUUM OF CARE.**

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

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

1 (A) by redesignating paragraphs (32)
2 through (35) as paragraphs (33) through (36)
3 respectively; and

4 (B) by inserting after paragraph (31) the
5 following:

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

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

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

15 (A) by striking “Notwithstanding” and in-
16 serting “(a) ELIGIBLE ENTITIES.—Notwith-
17 standing”;

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

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

23 “(b) CIVIL RIGHTS EXEMPTIONS.—

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

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

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

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

15 “(A) projects to be carried out—

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

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

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

23 “(c) CERTIFICATION.—Notwithstanding section 106
24 of the Cranston-Gonzalez National Affordable Housing
25 Act (42 U.S.C. 12706) and section 403 of this Act, with

1 respect to applications for projects to be carried out on
2 reservations or trust land using grants awarded under this
3 subtitle—

4 “(1) the applications shall contain a certifi-
5 cation of consistency with an approved Indian hous-
6 ing plan developed under section 102 of the Native
7 American Housing Assistance and Self-Determina-
8 tion Act of 1996 (25 U.S.C. 4112); and

9 “(2) Indian tribes and tribally designated hous-
10 ing entities that are recipients of awards for projects
11 on reservations or trust land from such funds shall
12 certify that they are following an approved housing
13 plan developed under section 102 of the Native
14 American Housing Assistance and Self-Determina-
15 tion Act of 1996 (25 U.S.C. 4112).

16 “(d) CONSOLIDATED PLAN EXEMPTION.—A collabo-
17 rative applicant for a continuum of care whose geographic
18 area includes only reservation or trust land is not required
19 to meet the requirement described in section 402(f)(2).

20 “(e) WAIVER AUTHORITY FOR TRIBAL PARTICIPA-
21 TION.—In administering the amounts made available
22 under this subtitle, the Secretary may waive, or specify
23 alternative requirements for, any provision of any statute
24 or regulation that the Secretary administers in connection
25 with the obligation by the Secretary or the use by the re-

1 cipient of these amounts (except for requirements related
2 to labor standards and the environment), if the Secretary
3 finds that—

4 “(1) good cause exists for the waiver or alter-
5 native requirement; and

6 “(2) such waiver or alternative requirement—

7 “(A) is necessary to modify any require-
8 ments preventing the participation of Indian
9 tribes or tribally designated housing entities in
10 the program under this subtitle; or

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

13 “(f) ENVIRONMENTAL REVIEW.—Projects under this
14 title shall be treated as assistance for special projects that
15 are subject to section 305(c) of the Multifamily Housing
16 Property Disposition Reform Act of 1994 (42 U.S.C.
17 3547), and subject to the regulations issued by the Sec-
18 retary to implement such section, and with respect to
19 projects under this title, an Indian tribe shall be consid-
20 ered a State for purposes of section 305(c) of such Act.”.

21 **SEC. 28. APPLICATION OF BUILD AMERICA, BUY AMERICA**
22 **REQUIREMENTS.**

23 The requirements under the Build America, Buy
24 America Act (41 U.S.C. 8301 note) and any implementing
25 regulations or guidance do not apply to any programs,

1 projects, or activities assisted in whole or in part with Fed-
2 eral financial assistance provided by the Secretary to In-
3 dian tribes, tribally designated housing entities, tribal or-
4 ganizations, or the Department of Hawaiian Home Lands
5 under any program administered by the Secretary.

6 **SEC. 29. FORMULA NEGOTIATED RULEMAKING.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, the negotiated rulemaking that is initiated by
9 the Secretary pursuant to subsection (b)(2)(C) of section
10 106 of the Native American Housing Assistance and Self-
11 Determination Act of 1996 (25 U.S.C. 4116) immediately
12 following the date of enactment of this Act shall not in-
13 clude any changes to the regulations governing the alloca-
14 tion formula under section 302 of such Act (25 U.S.C.
15 4152).

16 (b) RULE OF CONSTRUCTION.—Nothing in sub-
17 section (a) shall be construed as limiting the authority of
18 the Secretary to revise such regulations governing the allo-
19 cation formula under such section 302 other than as de-
20 scribed in subsection (a).

21 **SEC. 30. PILOT PROGRAM FOR HOUSING ASSISTANCE FOR**
22 **HOMELESS NATIVE AMERICANS AND ALASKA**
23 **NATIVES.**

24 (a) DEFINITIONS.—In this section:

1 (1) ELIGIBLE AMERICAN INDIAN AND ALASKA
2 NATIVE.—The term “eligible American Indian and
3 Alaska Native” means a member of an Indian Tribe
4 who is homeless or at risk of homelessness, as de-
5 fined in sections 103 and 401 of the McKinney-
6 Vento Homeless Assistance Act (42 U.S.C. 11302,
7 11360).

8 (2) ELIGIBLE RECIPIENT.—The term “eligible
9 recipient” means an Indian tribe, or a tribally des-
10 ignated housing entity or tribal organization des-
11 ignated by such Indian tribe to apply for a grant on
12 its behalf under this section.

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

15 (b) ESTABLISHMENT.—The Secretary may use not
16 more than 5 percent of the amounts made available for
17 grants under title IV of the McKinney-Vento Homeless
18 Assistance Act (42 U.S.C. 11360 et seq.) each fiscal year
19 to carry out a housing and supportive services program,
20 to be known as the “Tribal Homeless Assistance pro-
21 gram”, by awarding grants to eligible recipients for the
22 benefit of eligible American Indians and Alaska Natives.

23 (c) MODEL; CONSULTATION.—The Secretary, in co-
24 ordination with the Director of the Indian Health Service,
25 shall—

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

8 (2) consult with eligible recipients to ensure ef-
9 fective delivery of grants under the Program.

10 (d) APPLICATION.—Each eligible recipient applying
11 for a grant under the Program shall submit to the Sec-
12 retary an application that describes how the partnership
13 of the eligible recipient with an Indian tribe, tribal organi-
14 zation, nonprofit organization, or the Indian Health Serv-
15 ice will provide 2 years of mandatory case management
16 services to a beneficiary of housing assistance provided
17 under the Program, including in partnership with other
18 qualified organizations, when appropriate.

19 (e) PRIORITY.—An eligible recipient that receives a
20 grant under the Program shall prioritize providing assist-
21 ance to homeless youth, families with children, and sur-
22 vivors of domestic violence.

23 (f) FUNDING CRITERIA.—Grants awarded under the
24 Program shall be based on need, administrative capacity,

1 and other criteria established by the Secretary in consulta-
2 tion with the Indian Health Service and eligible recipients.

3 (g) ADMINISTRATION AND WAIVER AUTHORITY.—

4 The Program shall be administered in accordance with the
5 requirements under the Native American Housing and
6 Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.),
7 provided that the Secretary shall be authorized to waive,
8 or specify alternative requirements for, any provision of
9 any statute or regulation that the Secretary administers
10 in connection with the use of funds made available under
11 the Program (except for requirements related to fair hous-
12 ing, nondiscrimination, and labor standards), upon a find-
13 ing by the Secretary that any such waiver or alternative
14 requirement is necessary for the effective delivery and ad-
15 ministration of such assistance.

16 (h) RENEWAL GRANTS.—The Secretary may set
17 aside amounts made available under subsection (b) for re-
18 newal grants under the Program and define renewal cri-
19 teria, including data reporting.

20 (i) STUDY ON BARRIERS TO IMPLEMENTATION.—Not
21 later than 2 years after the date of enactment of this Act,
22 and every 5 years thereafter, the Secretary, in coordina-
23 tion with the Director of the Indian Health Service, shall
24 review and submit to Congress a report on the implemen-

1 tation of the Program, including any barriers to imple-
2 mentation.

3 **SEC. 31. PILOT PROGRAM FOR HOUSING ASSISTANCE FOR**
4 **HOMELESS NATIVE HAWAIIANS.**

5 (a) DEFINITIONS.—In this section:

6 (1) ELIGIBLE NATIVE HAWAIIAN.—The term
7 “eligible Native Hawaiian” means a Native Hawai-
8 ian who is homeless or at risk of homelessness, as
9 defined in sections 103 and 401 of the McKinney-
10 Vento Homeless Assistance Act (42 U.S.C. 11302,
11 11360).

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

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

18 (b) ESTABLISHMENT.—The Secretary may use up to
19 1 percent of the amounts made available for grants under
20 title IV of the McKinney-Vento Homeless Assistance Act
21 (42 U.S.C. 11360 et seq.) each fiscal year to carry out
22 a housing and supportive services program, to be known
23 as the “Native Hawaiian Homeless Assistance program”,
24 by awarding grants to eligible recipients for the benefit
25 of eligible Native Hawaiians in the state of Hawaii.

1 (c) MODEL; CONSULTATION.—The Secretary, in co-
2 ordination with the Director of the Office of Native Ha-
3 waiian Relations in the Department of the Interior,
4 shall—

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

12 (2) consult with eligible recipients to ensure ef-
13 fective delivery of grants under the Program.

14 (d) APPLICATION.—Each eligible recipient applying
15 for a grant under the Program shall submit to the Sec-
16 retary an application that describes how the partnership
17 of the eligible recipient with a Native Hawaiian Organiza-
18 tion or a nonprofit organization will provide 2 years of
19 mandatory case management services to a beneficiary of
20 housing assistance provided under the Program, including
21 in partnership with other qualified organizations, when ap-
22 propriate.

23 (e) PRIORITY.—An eligible recipient that receives a
24 grant under the Program shall prioritize providing assist-

1 ance to homeless youth, families with children, and sur-
2 vivors of domestic violence.

3 (f) FUNDING CRITERIA.—Grants awarded under the
4 Program shall be based on need, administrative capacity,
5 and other criteria established by the Secretary in consulta-
6 tion with the Office of Native Hawaiian Relations in the
7 Department of the Interior and eligible recipients.

8 (g) ADMINISTRATION AND WAIVER AUTHORITY.—
9 The Program shall be administered in accordance with the
10 requirements under the Native American Housing and
11 Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.),
12 provided that the Secretary shall be authorized to waive,
13 or specify alternative requirements for, any provision of
14 any statute or regulation that the Secretary administers
15 in connection with the use of funds made available under
16 the Program (except for requirements related to fair hous-
17 ing, nondiscrimination, labor standards, and the environ-
18 ment), upon a finding by the Secretary that any such
19 waivers or alternative requirements are necessary for the
20 effective delivery and administration of such assistance;
21 and provided that the Secretary may by regulation provide
22 for the release of funds for specific projects to eligible re-
23 cipients under this section if the Department of Hawaiian
24 Home Lands assumes all of the responsibilities for envi-
25 ronmental review, decisionmaking, and action pursuant to

1 section 806(a)(1)(B) of the Native American Housing and
2 Self-Determination Act of 1996.

3 (h) RENEWAL GRANTS.—The Secretary may set
4 aside amounts made available under subsection (b) for re-
5 newal grants under the Program and define renewal cri-
6 teria, including data reporting.

7 (i) STUDY ON BARRIERS TO IMPLEMENTATION.—Not
8 later than 2 years after the date of enactment of this Act,
9 and every 5 years thereafter, the Secretary, in coordina-
10 tion with the Director of the Office of Native Hawaiian
11 Relations in the Department of the Interior, shall review
12 and submit to Congress a report on the implementation
13 of the Program, including any barriers to implementation.

14 **SEC. 32. TRIBAL AND RURAL CONTINUUM OF CARE BUILDS**
15 **PROGRAM.**

16 (a) DEFINITIONS.—In this section:

17 (1) ELIGIBLE ENTITY.—The term “eligible enti-
18 ty” means an Indian tribe, a tribally designated
19 housing entity, a Tribal organization, the Depart-
20 ment of Hawaiian Home Lands, a Native Hawaiian
21 organization, and a Native Hawaiian community-
22 based organization.

23 (2) FORMULA AREA.—The term “formula area”
24 has the meaning given the term in section 1000.302

1 of title 24, Code of Federal Regulations, or any suc-
2 cessor regulation.

3 (3) TRIBAL PROJECT.—The term “Tribal
4 project” means a project in which amounts provided
5 under this section shall be used specifically to ben-
6 efit Tribal communities or Tribal members.

7 (b) AUTHORIZATION.—The Secretary is authorized to
8 establish and carry out a program, to be known as the
9 “Tribal and Rural Continuum of Care Builds Program,”
10 to provide competitive grants under the subtitle C of title
11 IV of the McKinney–Vento Homeless Assistance Act (42
12 U.S.C. 11381 et seq.) for the construction, acquisition, or
13 rehabilitation of permanent supportive housing for individ-
14 uals and families experiencing homelessness or over-
15 crowded living conditions.

16 (c) ELIGIBLE ACTIVITIES.—Of amounts made avail-
17 able to a recipient of a grant under this section—

18 (1) the eligible entity may use grant funds for
19 capital costs, including new construction, acquisition,
20 and rehabilitation of housing units, and any other el-
21 igible activities specified by the Secretary;

22 (2) not more than 20 percent of total grant
23 funds may be used for eligible supportive services,
24 operating costs, rental assistance, or other eligible
25 activities as described in section 423 of the McKin-

1 ney-Vento Homeless Assistance Act (42 U.S.C.
2 11383); and

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

5 (d) TRIBAL PRIORITY.—Not less than 75 percent of
6 amounts made available under this section shall be re-
7 served for projects that benefit Indian tribes, Tribal orga-
8 nizations, the Department of Hawaiian Home Lands, Na-
9 tive Hawaiian organizations, Native Hawaiian community-
10 based organizations, nonprofit organizations serving In-
11 dian tribes or Native Hawaiians, or projects that take
12 place in Indian areas.

13 (e) SET-ASIDE FOR SMALL STATES.—Not less than
14 25 percent of amounts made available under this section
15 shall be reserved for eligible entities located in States with
16 populations of less than 2,500,000, except that if the Sec-
17 retary receives insufficient applications from such areas,
18 remaining amounts may be reallocated to other eligible en-
19 tities of grants under this section.

20 (f) COORDINATION REQUIREMENTS.—Eligible recipi-
21 ents seeking a grant under this section shall demonstrate
22 coordination with Tribes, Tribal organizations, tribally
23 designated housing entities, the Department of Hawaiian
24 Home Lands, Native Hawaiian organizations, Native Ha-

1 waiian community-based organizations, healthcare pro-
2 viders, social service agencies, or housing partners.

3 (g) PROGRAM REQUIREMENTS.—Except as modified
4 under this section, grants under this section shall be ad-
5 ministered in accordance with the requirements of part
6 578 of title 24, Code of Federal Regulations, or any suc-
7 cessor regulation, provided that—

8 (1) for purposes of environmental review,
9 projects under this section shall be treated as assist-
10 ance for special projects that are subject to section
11 305(c) of the Multifamily Housing Property Disposi-
12 tion Reform Act of 1994 (42 U.S.C. 3547); and

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

18 (h) CIVIL RIGHTS EXEMPTIONS.—With respect to
19 grants awarded to carry out eligible activities under this
20 section, title VI of the Civil Rights Act of 1964 (42 U.S.C.
21 2000d et seq.) and title VIII of the Civil Rights Act of
22 1968 (42 U.S.C. 3601 et seq.) shall not apply to applica-
23 tions or awards for—

24 (1) projects to be carried out—

1 (A) on or off reservation or trust lands for
2 awards made to Indian tribes or tribally des-
3 ignated housing entities; or

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

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

8 (i) CERTIFICATION.—Notwithstanding section 106 of
9 the Cranston-Gonzalez National Affordable Housing Act
10 (42 U.S.C. 12706) and subsection (g) of this section with
11 respect to applications for projects to be carried out on
12 reservations or trust land using grants awarded under this
13 section—

14 (1) the applications shall contain a certification
15 that the applicant consulted with the recipient(s) re-
16 quired to submit an Indian housing plan developed
17 under section 102 of the Native American Housing
18 Assistance and Self-Determination Act (25 U.S.C.
19 4112); and

20 (2) Indian tribes and tribally designated hous-
21 ing entities that are recipients of awards for projects
22 on reservations or trust land from such funds shall
23 certify that they have consulted with the recipients
24 required to submit an Indian housing plan developed
25 under section 102 of the Native American Housing

1 Assistance and Self-Determination Act of 1996 (25
2 U.S.C. 4112).

3 (j) CONSOLIDATED PLAN EXEMPTION.—A collabo-
4 rative applicant for a Continuum of Care whose geo-
5 graphic area includes reservation or trust land is not re-
6 quired to meet the requirement described in section
7 402(f)(2) of the McKinney-Vento Homeless Assistance
8 Act (42 U.S.C. 11360a(f)(2)) in order to be eligible for
9 assistance under the Continuum of Care program under
10 title IV of the McKinney-Vento Homeless Assistance Act
11 (42 U.S.C. 11360 et seq.).

12 (k) WAIVER AUTHORITY FOR TRIBAL PARTICIPA-
13 TION.—In administering the amounts made available
14 under this section, the Secretary may waive, or specify al-
15 ternative requirements for, any provision of any statute
16 or regulation that the Secretary administers in connection
17 with the obligation by the Secretary or the use by the re-
18 cipient of these amounts (except for requirements related
19 to labor standards and the environment), if the Secretary
20 finds that—

21 (1) good cause exists for the waiver or alter-
22 native requirement; and

23 (2) such waiver or alternative requirement is
24 necessary to modify any requirements preventing the
25 participation of eligible entities in the Continuum of

1 Care Program under subtitle C of title IV of the
2 McKinney-Vento Homeless Assistance Act (42
3 U.S.C. 11381 et seq.) or would expedite or facilitate
4 the use of funds.

5 (l) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to carry out this section—

7 (1) \$25,000,000 for fiscal year 2027; and

8 (2) such sums as may be necessary for each fis-
9 cal year thereafter.

10 **SEC. 33. HUD TRIBAL INTERGOVERNMENTAL ADVISORY**
11 **COMMITTEE.**

12 (a) DEFINITIONS.—In this section:

13 (1) COMMITTEE.—The term “Committee”
14 means the Tribal Intergovernmental Advisory Com-
15 mittee described in subsection (b).

16 (2) DEPARTMENT.—The term “Department”
17 means the Department of Housing and Urban De-
18 velopment.

19 (b) ESTABLISHMENT.—The Secretary shall maintain
20 the Tribal Intergovernmental Advisory Committee to fa-
21 cilitate a formal government-to-government advisory body
22 composed of leaders of Federally recognized tribes (or
23 their designated employees with authority to act on their
24 behalf) to provide policy recommendations on programs

1 and activities of the Department that affect Indian and
2 Alaska Native communities.

3 (c) MEMBERSHIP.—The Committee shall—

4 (1) be composed of—

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

7 (i) 2 members each should be from
8 each of the regions of the Office of Native
9 American Programs of the Department;
10 and

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

13 (B) representatives of the Department, in-
14 cluding the Secretary or a designee thereof and
15 relevant Assistant Secretaries; and

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

19 (d) DUTIES.—The Committee shall—

20 (1) advise the Department on housing priorities
21 for American Indian, Alaska Native, and Native Ha-
22 waiian communities;

23 (2) recommend policy, funding, and administra-
24 tive improvements for programs of the Department
25 impacting Indian tribes;

1 (3) enhance intergovernmental communication
2 and coordination on initiatives of the Department;

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

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

7 (e) OPERATIONS.—The Committee shall—

8 (1) develop and follow internal bylaws or proto-
9 cols;

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

12 (3) reimburse travel and participation costs;
13 and

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

18 (f) TERMS; ALTERNATES.—

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

22 (2) ALTERNATES.—Alternates may be des-
23 ignated by Indian tribes to serve on the Committee
24 in the absence of the primary delegate.

1 (g) SUPPORT.—The Secretary shall provide staff sup-
2 port, logistics, meeting facilities, and administrative re-
3 sources for the Committee, subject to the availability of
4 appropriated funds.

5 **SEC. 34. HOUSING SUPPLY CHAIN CHALLENGES.**

6 The Secretary shall direct the Tribal Intergovern-
7 mental Advisory Committee of the Department of Housing
8 and Urban Development to, not later than 1 year after
9 the date of enactment of this Act, submit to the Com-
10 mittee on Banking, Housing, and Urban Affairs of the
11 Senate and the Committee on Financial Services of the
12 House of Representatives, and make publicly available, a
13 report on—

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

16 (2) work with the Department of Hawaiian
17 Home Lands on a report on housing challenges im-
18 pacting Native Hawaiian communities; and

19 (3) recommended actions for Congress and the
20 Department of Housing and Urban Development.

21 **SEC. 35. REPORT ON HOUSING IN ALASKA.**

22 The Secretary shall direct the Tribal Intergovern-
23 mental Advisory Committee of the Department of Housing
24 and Urban Development to, not later than 180 days after
25 the date of enactment of this Act—

1 (1) extract and compile all background, issues,
2 recommendations, and other information relevant for
3 the State of Alaska and the State of Hawaii from
4 reports of the Advisory Committee; and
5 (2) submit to the Committee on Banking,
6 Housing, and Urban Affairs of the Senate and the
7 Committee on Financial Services of the House of
8 Representatives, and make publicly available, a re-
9 port entitled “The Alaska Housing Task Force Re-
10 port”, and “The Native Hawaiian Housing Task
11 Force Report” which shall contain the information
12 described in paragraph (1).