

NATIVE AMERICAN, ALASKA NATIVE, AND NATIVE HAWAIIAN HOUSING PROGRAMS

By Blythe McWhirter and Karly Toledo, The National American Indian Housing Council

Housing is foundational. Across Indian Country, Tribal Nations and Tribally Designated Housing Entities (TDHEs) are at the forefront of developing innovative, culturally relevant, safe, and decent housing for their citizens in both rural and urban areas. Their mission is simple: to develop affordable housing options that reflect the needs and values of their community. Over the years, several federal housing programs were designed to provide support for housing services and housing development in Native communities throughout Indian Country. At the center is the “Native American Housing Assistance and Self-Determination Act of 1996” (NAHASDA). Passed by Congress in October 1996, NAHASDA is the primary federal statute designed to address Native American housing issues in Tribal communities. NAHASDA consists of two primary programs: the formula-funded Indian Housing Block Grant (IHBG) Program and the Title VI Tribal Housing Activities Loan Guarantee Program.

Enacted in 1996, NAHASDA provides annual formula funding to Tribal Nations to administer and develop their own housing programs to provide affordable housing-related opportunities for Tribal citizens both on and off their traditional homelands and reservations.

Prior to NAHASDA, housing assistance for Tribes and Alaska Natives was provided by several different programs through the U.S. Department of Housing & Urban Development under the “Housing Act of 1937.” Often, these programs were cumbersome to implement as they were not designed to function within the unique legal framework of Tribal Nations—including trust land restrictions, federal title holding, jurisdictional complexities, and culturally distinct housing needs. NAHASDA was revolutionary in that it recognized the unique political status of Tribal Nations and the principles of Tribal sovereignty and self-determination

by providing block grant funds directly to Tribes, which are operated pursuant to Tribally created Indian Housing Plans.

In 2000, Congress strengthened this framework by extending NAHASDA to include Native Hawaiian communities through the addition of Title VIII. This amendment created the Native Hawaiian Housing Block Grant (NHHBG) Program and the Section 184A Native Hawaiian Housing Loan Guarantee Program, both designed to expand access to safe, affordable housing and support Native Hawaiian self-determination in housing development.

In addition to NAHASDA’s core programs, Native American families can also access the Section 184 Native American Housing Loan Guarantee Program, established in 1992 to increase mortgage lending in Tribal communities. Though created before NAHASDA, Section 184 now works alongside its programs as a key tool for expanding homeownership opportunities in Indian Country. Congress also continues to support Tribal housing through the competitive Indian Community Development Block Grant (ICDBG) Program, and since 2018, a competitive Indian Housing Block Grant (IHBG-COMP) has further advanced new housing projects across Tribal Nations.

However, despite NAHASDA’s impact in assisting Tribes in developing their housing programs, the most recent reauthorization of the act expired in 2013, leaving the underlying programs vulnerable.

History and Purpose

The United States has a unique legal and political relationship with Tribal Nations that stems from treaties, federal statutes, court decisions, and executive agreements dating back to the ratification of the U.S. Constitution. With respect to Tribal lands, the federal government often serves as a trustee, holding certain

lands in trust for Tribes and individual Native Americans acting as beneficiaries. Today, federal Indian law and policy largely extends the trust responsibility to include the provision of health care, education, natural resources protection and development, and housing.

In 1961, Tribal Nations became eligible for assistance under programs operated by HUD, with regional HUD offices administering programs to Tribes in their area. By the mid-1970s, HUD established Offices of Indian Programs in Denver, Colorado and San Francisco, California to exclusively administer Indian housing programs. Finally, in 1992, legislation created the current administering entity at HUD headquarters, the Office of Native American Programs.

The enactment of NAHASDA in 1996 provided annual, dedicated funding to Tribal housing programs, but it also restricted Tribes from accessing many other HUD programs. Tribes were restricted from most other public housing grants and voucher programs. For example, Tribes were restricted from accessing tenant-based voucher programs, homeless assistance grants, and homebuyer counseling grants, among others. Originally, Tribes were also excluded from the HUD-VA Supportive Housing Program (HUD-VASH), but Congress created a Tribal HUD-VASH demonstration program in October 2015, enabling nearly 30 Tribes to provide rental vouchers and supportive services to Native American veterans in their communities. There have since been bills introduced in Congress to make Tribal HUD-VASH permanent and available to all Tribes.

The housing needs faced by Native American communities are as diverse as the communities served. Lack of investment into basic infrastructure has only contributed to issues of overcrowding or substandard housing on Tribal lands. According to an extensive [study \(https://www.huduser.gov/portal/publications/HNAIHousingNeeds.html\)](https://www.huduser.gov/portal/publications/HNAIHousingNeeds.html) of American Indian and Alaska Native (AIAN) housing conditions released by HUD in early 2017, 6% of AIAN homes located in Tribal areas had inadequate plumbing, 12% had heating deficiencies, and 16% were overcrowded, while nationwide only 1-2% of homes suffered each of these conditions. At the same time, 38% of AIAN households were cost burdened (paying more than 30% of income for housing), compared to 36% nationally.

Additionally, the study reaffirmed that homelessness in Tribal areas often appears as overcrowding, an indicator of the strong community networks that ensure people are not left without shelter even when the housing system falls short. Researchers estimated that 42,000 – 85,000 people in Native communities were staying with friends or relatives because they did not have access to a home of their own.

To address the systemic underinvestment that has contributed to overcrowded and aging housing, the HUD study estimated a need for 68,000 new units. Yet until recent years, limited federal funding meant Tribes were able to construct only 1,000 – 1,500 units annually.

In addition to the unmet needs highlighted above, it is critical to note that HUD’s study simultaneously found that NAHASDA’s block grant program is effective, and enables Tribes to use federal funds to implement self-determined, culturally relevant solutions. Even so, funding for these crucial programs subsequently remained relatively stagnant until 2024. It is critical to note that “flat funding” is effectively reduced funding each year due to the detrimental effects of inflation. Beginning in FY23, it took three successive years to inflation adjust funding for these programs to zero. Combined with a booming birthrate, this trend has only exacerbated poor housing conditions and a growing need for funding. Additionally, in 2000, the IHBG represented roughly 2.5% of HUD’s total budget, closely mirroring the Native American share of the U.S. population. By 2020, Native Americans made up about 4% of the population, yet IHBG had diminished to just over 1% of HUD’s budget—illustrating a widening gap between community need and federal investment.

Program Summary

NAHASDA continues to be foundational to Tribal Housing programs across Indian Country by enhancing Tribal capacity to address substandard housing and infrastructure conditions in Tribal communities. NAHASDA encourages greater self-management of housing programs and private sector financing to complement limited IHBG dollars. Annual IHBG formula allocations are based on a formula that considers the need and the amount of existing housing stock. The

grants are awarded to eligible Tribes or their Tribally Designated Housing Entities (TDHEs) for a range of affordable housing activities on reservations or in other areas.

Activities eligible to be funded with NAHASDA assistance include new construction, rehabilitation, acquisition, infrastructure, and various support services. Housing assisted with these funds may be either rental or homeowner units. NAHASDA funds can also be used for certain types of community facilities if the facilities serve eligible low-income Indigenous families who reside in affordable housing. Generally, only families whose income does not exceed 80% of the area's median income are eligible for assistance.

NAHASDA's Title VI loan guarantee program provides Tribes and TDHEs better access to capital to develop larger housing projects. The Title VI program provides lenders a guarantee for amounts up to five years' worth of a Tribe's annual funding levels. For individual home purchases or construction, Section 184 loan guarantees can support in securing mortgages for individual homebuyers or Tribes, TDHEs, and Indian Housing Authorities.

Native Hawaiians

In 2000, Congress strengthened NAHASDA's framework by creating a dedicated title to support the housing and community development priorities of Native Hawaiian families. Title VIII, "Housing Assistance for Native Hawaiians," established the Native Hawaiian Housing Block Grant (NHHBG) Program and the Section 184A Native Hawaiian Housing Loan Guarantee Program. Through the NHHBG program, eligible low-income Native Hawaiian households gain access to culturally grounded, affordable housing opportunities on Hawaiian homelands. Although Title VIII has not been formally reauthorized since 2005, Congress has continued to fund the NHHBG in most years, allowing these essential housing services to move forward.

The Department of Hawaiian Home Lands (DHHL), the sole recipient of NHHBG funds, puts these resources

to work by developing new homes, rehabilitating existing units, acquiring properties, and investing in infrastructure that strengthens Native Hawaiian communities. These efforts support both rental or homeownership pathways and, in certain cases, community facilities that serve residents of affordable housing. In addition, DHHL provides homeownership counseling and technical assistance to help families prepare for long-term housing stability and ownership.

Why NAHASDA Reauthorization is Urgently Needed

Although NAHASDA continues to receive annual appropriations, the statute itself expired in 2013. The absence of reauthorization for more than a decade prevents Congress from implementing essential updates that Tribal housing entities increasingly need to mitigate modern challenges to housing and community development.

Without authorization, Tribes must operate under outdated statutory language that does not reflect current realities, including the need for streamlined environmental reviews, improved coordination with the Indian Health Service on water and sanitation infrastructure, more efficient processing of federal loan guarantees, and permanent authorization of the Tribal HUD-VASH program. These updates are widely supported by Tribal Nations and enjoy ongoing bipartisan interest and support in Congress. However, they cannot be fully implemented until NAHASDA is reauthorized.

The urgent need for reauthorization will only intensify in coming years as Tribes confront rising construction costs, insurance market instability, labor shortages, infrastructure challenges, and changing climates that place further pressure on IHBG and ICDBG resources. Modernizing NAHASDA is essential to ensure that Tribal Nations can continue to meet growing housing needs with the tools and flexibility required in today's environment.

What to Say to Legislators

Funding for Tribal housing is the lifeblood of community development in Native American, Alaska Native, and Native Hawaiian communities. For many years, funding has leveled off, failing to keep pace with inflation and the ever-increasing costs of energy, materials, and construction. We ask that both Tribal and housing advocates urge Congress to fully fund Tribal housing and Tribal housing-related programs, including the Indian Housing Block Grant (IHBG) program; the Indian Community Development Block Grant (ICDBG) program; the Native Hawaiian Housing Block Grant (NHHBG) program; and the Section 184, 184A, and Title VI Loan Guarantee Programs. Other federal housing programs, such as the USDA Rural Housing programs, the Department of the Interior Housing Improvement Program, the Department of Treasury Native American CDFI Assistance (NACA) program, and others could all be enhanced to deliver greater housing opportunities to Tribal communities as well. Further, the nation's largest supported permanent housing initiative combines HUD Housing Choice Vouchers with U.S. Department of Veterans Affairs case management services that promote and maintain recovery and housing stability.

For More Information

National American Indian Housing Council,
www.naihc.net

Housing Assistance Council, www.ruralhome.org

HUD Office of Native American Programs,
https://www.hud.gov/program_offices/public_indian_housing/ih

DHHL, <http://hawaii.gov/dhhl>