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MEMORANDUM

December 21, 2016

To: Housing Clients

From: HOBBS, STRAUS, DEAN & WALKER, LLP

Re: ***HUD Establishes Tribal Intergovernmental Advisory Committee; Seeks Nominations***

On December 21, 2016, the Department of Housing and Urban Development (HUD) published a notice in the FEDERAL REGISTER establishing the Tribal Intergovernmental Advisory Committee (TIAC, or Committee) and soliciting nominations for tribal leaders (or their designees) to serve on the Committee. The purpose of the TIAC is to further communications between HUD and federally recognized Indian tribes on HUD programs, make recommendations to HUD regarding current program regulations, and provide advice in the development of HUD's American Indian and Alaska Native housing priorities. Nominations are due February 21, 2017. Further information on submitting nominations is in the attached FEDERAL REGISTER notice.

Role of the TIAC. The TIAC is intended to enhance the government-to-government relationships, communications, and mutual cooperation between HUD and tribal governments. HUD notes that several other federal agencies have established similar tribal advisory committees, including the Environmental Protection Agency, the Department of Health and Human Services, and the Department of the Treasury. As is the case with these other tribal advisory committees, the TIAC is not intended to take the place of tribal consultation and nor is it intended to be a body that negotiates any changes to regulations which are subject to negotiated rulemaking. The TIAC is not intended to and will not replace the negotiated rulemaking process for NAHASDA regulations

Structure of the TIAC. The TIAC will be composed of up to six HUD officials (including the Secretary and his or her designee, as well as the Assistant Secretaries for Public and Indian Housing; Policy Development and Research; and Community Planning and Development). The TIAC will be composed of up to fifteen tribal representatives. Up to two tribal members will represent each of the six HUD Office of Native American Programs (ONAP) Regions. Up to three tribal members will serve at-large. Only tribal leaders may serve as members of the TIAC; however, once selected, a tribal leader may designate an alternate who is a tribal employee and has the authority to act on their behalf. The TIAC will develop its own ruling charter and protocols and HUD will provide staff for the TIAC. Members will serve staggered terms of two years. The

Secretary will appoint the members of the TIAC from among the nominations received. Members will be selected based on proven experience and interest in American Indian and Alaska Native housing and community development matters. One of the tribal members will be selected by the TIAC to serve as the chairperson.

TIAC Meetings. Subject to the availability of federal funding, the TIAC will meet in-person at least once a year and may meet on a more frequent basis by conference call. HUD may pay for these meetings, including travel costs. The TIAC will convene after October 1, 2017.

Conclusion. Please let us know if you would like further information about the Department of Housing and Urban Development's Tribal Intergovernmental Advisory Committee or assistance submitting a nomination.

If you have any questions about the items in this memorandum, please do not hesitate to contact Edmund Clay Goodman at egoodman@hobbsstrauss.com or by phone at (503) 242-1745.