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MEMORANDUM

August 12, 2016

To: Housing Clients

From: Hobbs, Straus, Dean & Walker, LLP

Re: *NAIHC Legislative Committee Meeting*

This memo reports on the monthly NAIHC Legislative Committee meeting, which was held on August 11 (by teleconference). The meeting included updates on four areas.

1. NAIHC Legislative Priority Settings

Shawn Pensoneau, Director of the Office of Governmental Affairs at NAIHC, led a brainstorming session on legislative priorities for the 115th Congress and beyond. NAIHC is soliciting input from the various regional Indian housing associations on their ideas for legislative priorities. The goal is to have that input by October 2016, so that it can be organized and presented at the in-person meeting of the NAIHC Legislative Committee in conjunction with the Legal Symposium in Las Vegas to be held December 5-7, 2016. The Committee will review and finalize the priorities, and then develop white papers for use at the Legislative Conference in March 2017 in Washington, DC.

Colleen Dushkin, Administrator of the Alaska Association of Housing Authorities, raised four issues as legislative priorities. The first three were not discussed, as they are already included in NAIHC's legislative priorities: reauthorization of NAHASDA, increasing NAHASDA's block grant appropriation funding, and keeping the Indian Housing Block Grant (IHBG) training and technical assistance set-aside funding within ONAP.

Ms. Dushkin also discussed difficulties in the implementation of the Tribal HUD-VASH program in Alaska. The program contains a case management component in conjunction with the local area VA Medical Center. The VA is required to consult with tribes and the local IHS (if available) to determine the best way to provide the case management and supportive services. Until recently, the Alaska-area VA had not been providing case management services, even though the VA was providing case management services to non-tribal HUD-VASH participants. The VA recently said it will begin providing case management services and will hire staff for case-management positions. The case-management issue will continue to be monitored as a potential legislative priority. Additionally, Ms. Dushkin said that there should not be an evaluation

of Tribal HUD–VASH until the program has been operating for three years, because the evaluation will lead to delays in the new program.

Ed Brooks, legal counsel for the Lumbee Tribe and its housing program, stated that the Office of Native American Programs (ONAP) at HUD should institute an Indian preference hiring policy.

Jason Adams, Executive Director of the Salish and Kootenai Housing Authority, discussed a recent meeting of the United Native American Housing Association (UNAHA), and said that TDHEs must push for alternative federal funding for methamphetamine testing and remediation. TDHEs, especially across the UNAHA region, are facing methamphetamine-related issues in record and increasing numbers. The methamphetamine epidemic requires TDHEs to create new policies and procedures on their own, which is consuming a large portion of NAHASDA funding. Mr. Adams said the funding problem seems to be unnoticed on the federal level.

Shawn Pensoneau reminded all participants to bring up legislative priorities at their upcoming association meetings.

2. Budget and Appropriations Update

There were no new updates or discussions on the FY 2017 budget and appropriations since the Legislative Committee meeting held in July.

3. NCAI Transition Document for Next Administration

Shawn Pensoneau described that NCAI is in the process of drafting a document to be presented to the incoming administration on Indian Country priorities for that new Administration. The focus of the document will be on administrative priorities and not legislation. NCAI would like input from NAIHC on priorities for Indian Housing. NCAI would like to receive comments by the end of August. NCAI has provided NAIHC a draft of the document, which includes a section on actions and recommendations for housing. Mr. Pensoneau said the document seems very strong overall and should be implemented, but that it is dated, as some stated goals have already been achieved. He encouraged participants to volunteer to review and to improve the first draft of the document. He noted that NAIHC already has resolutions on some of the issues, and so the task will not be difficult. Mr. Pensoneau and Ms. Dushkin volunteered to review the first draft.

4. Comments Requested on HUD’s Indian Housing Needs Study

HUD finalized and issued a draft of its congressionally-mandated study on housing needs in Indian Country. HUD made a presentation of the study on July 20, which was coordinated through each of the regional ONAP offices. We provided a report on the needs study on July 25.

Tribes and TDHEs will have the opportunity to submit comments on the draft study. The comment process is open only to Tribal leaders, Indian housing professionals, and Institutional Review Boards. Comments are due by August 23, 2016. Written comments can be submitted through one of two methods:

By E-Mail:

Email written version of comments to: Housing_Needs_Report@hud.gov.

By U.S. Mail:

Elizabeth Rudd, Office of Policy Development and Research
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The next NAIHC Legislative Committee meeting will be held on September 8, 2016, 1:00 PM Eastern, 10:00 AM Pacific, by telephone.

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.