

HELP HOUSE NATIVE AMERICAN VETERANS
PERMIT USE OF TRIBAL HUD-VASH VOUCHERS FOR ALL HOUSING UNITS ON INDIAN LANDS

What is Tribal HUD-VASH and Why is it Needed? Ending homelessness among Veterans—including Native American Veterans—is a national priority. In 2015, the VA and HUD initiated a demonstration program that brings this mission to tribal communities. The Tribal HUD-VASH awarded 26 tribes \$5.9 million in funding for rental assistance and support for Native Veterans who are homeless or at risk of homelessness living on a reservation or within an authorized service area.

Historically, legal rules prevented tribes and tribally designated housing entities (TDHEs) from participating in the HUD-VASH program on Indian lands. Congress, through the appropriations process in December 2014 authorized and provided funding for VA and HUD to initiate the Tribal HUD-VASH, which targets supportive housing services to American Indian or Alaska Native Veterans.

Tribal HUD-VASH differs from the standard HUD-VASH program by bringing in elements of the Indian Housing Block Grant (IHBG) program rather than elements of the Housing Choice Voucher Program. Tribes distribute grant funds to program-eligible Native Veterans in the form of tenant-based or project-based rental assistance. Tribal HUD-VASH is administered as rental assistance under the IHBG.

HUD Regulations Limit HUD-VASH On-Reservation Housing. Tribes/TDHEs participating in this program must house Native American Veterans either on or near reservations, or within NAHASDA-authorized Indian areas. *Housing assistance provided by the Tribal HUD-VASH program may not be provided to Native American Veterans who will reside in a housing unit that qualifies as Formula Current Assisted Stock (F-CAS) under the IHBG program.* The Formula Current Assisted Stock is housing developed under the U.S. Housing Act (predecessor of the IHBG program), which is owned and/or operated by the IHBG recipient and provides funds for ongoing operation of the housing. **HUD's F-CAS limitation prevents many tribes from providing Native Veterans housing on Indian lands. Eligible non-F-CAS housing stock does not exist—while available F-CAS units are ineligible.**

HUD's F-CAS limitation is unnecessary, ignores Native housing needs and the purpose of NAHASDA. CAS unit count was a universal part of the negotiated formula for the award of Indian Housing Block Grants. There is no requirement that tribes spend NAHASDA funding on CAS formula money in support of CAS units. If the tribe chooses to charge adequate allowable rents and properly maintain the units, the Act has no requirement as to what NAHASDA funding can be spent on beyond eligible activities with eligible Indian families. If a tribe chose to establish its own Veterans supportive housing program, it could do so without HUD approval. Yet, HUD has interpreted the law in a way that limits a tribes' use of NAHASDA funding in cooperation with the HUD-VASH initiative.

Recent NAHASDA Reauthorizations introduced in Congress would correct HUD's misguided regulation by permanently authorizing the Tribal HUD-VASH program and permitting the use of the VASH subsidy for F-CAS units on Indian lands. **We urge the Appropriations Committee to correct this oversight in the FY18 and FY19 THUD Bills, as Congress continues to work towards final reauthorization of NAHASDA.** This no cost regulatory fix will provide needed flexibility to enable tribal governments and TDHEs to better support Native American Veterans in finding a home in Indian Country.

The following draft language should be added to the FY18 and FY19 THUD bills within the "Public and Indian Housing—Tenant-Based Rental Assistance" provision that appropriates funding for the Tribal HUD-VA Supportive Housing program:

"Provided further, That grant recipients may use funds to house veterans in dwelling units that are owned or operated by a recipient of Native American Housing Block Grant funds or that are assisted or supported by Indian Housing Block Grant funds, as authorized under title I of the Native American Housing and Self-Determination Act."