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MEMORANDUM

September 6, 2018

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 September 6, 2018 (by teleconference). NAIHC Executive Director Tony Walters presided over the call. There are two new co-chairs for the Legislative Committee: Ray DePerry (Tule River Housing Authority) and Sami Jo Difuntorum (Siletz Tribal Housing Department). Mr. DePerry was on the call.

I. Congressional Update

a. Appropriations.

The House and Senate just returned from August recess, and while back in session they have a lot of business and still have some days off in September. The Senate has passed most if not all of its appropriations bills, but the House is still working on appropriations. So far, the outlook for IHBG funding looks good. While it still has not kept pace with inflation, the funding looks like it will match last year's.

NAIHC expects to see a stopgap funding bill or a continuing resolution before the end of September. There is some possibility that there will be "mini-bus" appropriations bills (which funds some major components of the government, but not all, in contrast to an "omnibus" bill) passed prior to the end of the current fiscal year.

The Senate has already passed a mini-bus appropriations bill that included the Transportation-HUD bill. The numbers are pretty much in line with what Congress passed for FY 2018: a \$655 million IHBG block grant, a \$100 million competitive grant, \$65 million for the Indian Community Development Block Grant and \$5 million for HUD-VASH. The Section 184 program was again funded at only \$1 million. The House appropriations committee has passed a bill out with similar numbers, but no vote on the floor has yet been scheduled. While NAIHC is happy to see that the funding has remained at the FY 2018 levels (including the additional \$100 million in competitive grants), NAIHC is going to keep pushing for more funding, so that the appropriations

actually bring the IHBG in line with the original NAHASDA appropriations, adjusted for inflation.

b. NAHASDA Reauthorization

Mr. Walters stated that there is nothing new to report on NAHASDA reauthorization.

The House bill (H.R. 3864), sponsored by Representative Pearce, has been moved out of Committee, but there has been no word yet on when it will come to the floor for a vote. H.R. 3864 includes a \$650 million appropriations cap and does not include Native Hawaiian provisions. Those items are “non-starters” for NAIHC.

The likelihood of NAHASDA reauthorization happening this year is very slim. NAIHC plans to begin gathering suggestions from its membership, culminating at the Legal Symposium in Las Vegas, to develop a new bill to present for the next Congressional session. One idea is to build in some elements that will give it more momentum, including provisions beneficial to Indian veterans.

Mr. Walters is soliciting comments from tribes and tribal housing programs on elements that they would like to see included in a new draft of a NAHASDA reauthorization bill.

The Senate Committee on Indian Affairs held a field hearing in Alaska last month, focused on overcrowded housing and its impacts on Alaska Natives. Written comments to supplement the Committee’s record are due on September 8. Testimony will be posted on the Committee website.

c. Tribal HUD-VASH Legislation:

There are two bi-partisan efforts to authorize the Tribal HUD-VASH program moving forward with support in the House and Senate. The Senate version is the Tribal HUD-VASH Act (S.1333), introduced by Senator Tester (D-MT). S.1333 has been passed out of the Senate by unanimous consent. The Senate bill does not address the issue of allowing HUD-VASH vouchers to be used to make payments on FCAS units.

The House version is part of Representative Pearce’s NAHASDA reauthorization bill (H.R. 3864), but will likely move separately due to a lack of movement on NAHASDA. The Tribal HUD-VASH authorization within the bill has broad support. NAIHC is meeting with its allies in the House, including folks interested in veterans’ issues, in order to create pressure to get this bill passed in the current session.

The House Financial Services Committee is still sitting on this legislation. NAIHC is going to move forward with a letter writing campaign from its members to the

House leadership and relevant committee heads. That information will be sent out in the next week or so. NAIHC is hopeful that this bill can pass out of Committee soon.

II. NCAI Annual Convention, Hyatt Regency, Denver, October 21-26

NAIHC is working with NCAI leadership to get housing issues in front of tribal leaders. The main focus at this point is on tribal member homeownership issues, but the idea is to elevate housing concerns at NCAI. There will be several panels addressed to tribal housing issues throughout the convention.

III. NAIHC Legal Symposium, Venetian Hotel, Las Vegas, December 10-12

NAIHC is working on getting out more detail on the Legal Symposium over the next couple of weeks. But registration is open, as well as a block of NAIHC special-rate rooms are available at the Venetian.

IV. Conclusion

The next Legislative Committee meeting will be held by teleconference on Thursday, October 4, at 1:30 EST.

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.