



## MEMORANDUM

September 12, 2019

To: Housing Clients

From: HOBBS, STRAUS, DEAN & WALKER, LLP

Re: *NAIHC Legislative Committee Meeting; Update on HUD-VASH, the Continuum of Care bill, and NAHASDA*

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This memo reports on the monthly NAIHC Legislative Committee meeting, which was held on September 12, 2019 (by teleconference) and presided over by NAIHC Executive Director Mr. Tony Walters. Among the topics discussed were the ongoing House and Senate efforts this month to pass the FY 2020 appropriations, the HUD-VASH bill currently in front of the House, and an update on the NAHASDA reauthorization.

### 1. NAIHC Legislative Committee Meeting: Update on 116th Congress

#### a. FY 2020 Appropriations

Mr. Walters began with a discussion of the FY 2020 appropriations cycle, which is well under way. The House and Senate have returned, but other than that, there aren't any huge headlines to share. Mr. Walters remarked that lawmakers and the White House reached a universal agreement on spending levels for fiscal 2020. That accord was signed into law just before both chambers left town for the August recess. However, the Senate still has 12 spending bills that it needs to mark up before the end of the current fiscal year on September 30th. Mr. Walters commented that legislative actions in past years indicate that it is unlikely that the Senate will meet the September 30<sup>th</sup> deadline to pass these bills

As noted in the NAIHC Legislative Committee Update for July, the House has passed a Transportation-HUD appropriations bill. This bill includes funding for the Indian Housing Block Grant (IHBG) and Indian Community Development Block Grant (ICDBG) programs. Mr. Walters reiterated that the IHBG funding would likely be raised to \$670 million and the \$100 million in competitive IHBG funds would also be included. The bill also includes language that would increase ICDBG by \$5 million. As the Senate is currently in the midst of working on these bills, Mr. Walters did not have too much updated information to provide. However, he is continuing to reach out to Congress to push funding the IHBG and ICDBG programs forward.

#### b. HUD-VASH

Regarding the HUD-VASH bill that was passed out of the Senate in late June, NAIHC is continuing to reach out to the House Financial Services Committee to determine a strategy on how to move this bill through the House. As part of this effort,

Mr. Walters met with Missouri Representative William Lacy Clay, a proponent of the bill. Mr. Walters remarked that the HUD-VASH bill is a beneficial bill for Indian Country and for Indian veterans in particular. Mr. Walters encouraged all NAIHC members to reach out to Maxine Waters, Chairwoman of the house Financial Services Committee, to advocate for the bill to pass. NAIHC's new advocacy platform, Phone 2 Action, allows individuals to use their smartphones to send letters to their own congressmen to give their support for the HUD-VASH bill.

One of the callers inquired as to whether there was any follow-up on requests for comments on dispersing the rest of the FY2018 funds under HUD-VASH. Mr. Walters replied that HUD had not received many comments back in July, and that while the comment period is closed, HUD still welcomes additional comments. Mr. Walters encouraged people to send in their comments, as the Representatives might wait to disperse the funds until they receive more comments. Additionally, the FY19 funding amounts have not gone out yet. Mr. Walters will have more feedback in coming weeks.

Another caller asked whether there was any update on the income threshold for the HUD Section 184. Mr. Walters commented that there is currently no update. The formal comment period will not happen for some time, but HUD spent over one year collecting comments. Mr. Walters noted that he will update NAIHC members as he finds out more.

In response to an additional caller's questions, Mr. Walters remarked that the Senate Committee on Indian Affairs is holding a housing hearing in October that will likely focus on Section 184. Part of that focus will be regarding how interest on trust land will be part of the program.

#### c. Continuum of Care Bill

Mr. Walters went on to a discussion of the Continuum of Care bill, which was introduced by both the House and the Senate. The CoC Program is designed to promote communitywide commitment to the goal of ending homelessness; provide funding for efforts by nonprofit providers, and State and local governments to quickly rehouse homeless individuals and families while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness; promote access to and effect utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness. The bill would add tribes to the list of entities eligible for the Continuum of Care (CoC) Program and would encourage other entities to coordinate provision of services with tribes. Mr. Walters encouraged all members and individuals to reach out to their own congressmen to urge them to pass the bill.

#### d. NAHASDA Update

Mr. Walters then provided an update on the NAHASDA reauthorization. NAIHC is continuing to work with the House Financial Services Committee and House Representative Heck (D-WA) to see the bill passed. Representative Heck is also active on

other Indian bills and is actively supporting the NAHASDA reauthorization. The new bill includes the base provisions of old versions of NAHASDA, but also includes new housing resources that would be folded into the reauthorization. The new bill still has the authorization cap from the older draft of NAHASDA, but NAIHC is providing comments to the bill to encourage congressmen to use newer versions of the draft. NAIHC has received good comments from its members and is feeding those comments to the Committee. With regard to NAHASDA, the Senate is currently waiting for the House to take the lead on the bill.

NAIHC is also moving forward with the proposed larger “Indian Country Housing” bill that addresses a number of critical issues for tribal housing, and include NAHASDA reauthorization in that bill.

One of the tribal representatives on the call inquired as to whether there were any current discussions with the HUD office regarding the Native American direct loan program. Mr. Walters replied that NAIHC had sent Congress comments regarding this loan program, but such a program is not currently in any HUD draft. However, Mr. Walters commented that it’s not too late for Congress to include that, so NAIHC is continuing to encourage them to do so.

## **2. NAIHC using new advocacy software (Phone 2 Action)**

Mr. Walters next discussed NAIHC’s new advocacy software, the Phone 2 Action. As mentioned above, the Phone 2 Action platform allows individual to send letters to congressmen with a few taps of their phones. NAIHC sent out campaigns in July and August, and will be sending out one on the tribal HUD-VASH and the FY 2020 appropriations soon. Mr. Walters asked that individual let NAIHC know about any thoughts they have on the platform. It currently works and is generating a response from people on the Hill, and NAIHC is intent on increasing the use and efficacy of the platform. NAIHC will next be focusing on updating its advocacy page. It’s currently active and this week Mr. Walters will be adding a number of one-pagers with information on housing issues. Mr. Walters asked to let him know of any suggestions anyone has for the page.

## **3. Announcements**

### a. FY 2018/19 Grant Announcements

Mr. Walters briefly discussed grant announcements. The IHBG Competitive Grant applications were due August 8. HUD is currently review those and has not released a timeframe as to when awards will be given. However, Mr. Walters noted that past experience indicates that the awards will be given soon.

Regarding the 2019 ICDBG grants, HUD is trying to get those out soon and be more timely with the awards. NAIHC will provide updates moving forward on any deadlines or training material.

**b. HUD Asset Building Conference, September 17-18, Niagara, NY (Seneca)**

The HUD Asset Building Conference is now in its 4<sup>th</sup> year and well over 200 people are currently registered. The conference will cover interesting content, including issues relating to access to capital credit. Registration is free, so Mr. Walters encouraged everyone to register.

**c. NAIHC Legal Symposium, December 10-11, Bally's, Las Vegas, NV**

Regarding the NAIHC Legal Symposium, Monday, December 9<sup>th</sup> will cover the Legislative Committee Meeting (PM), while Tuesday and Wednesday of the Conference will focus on the bulk of the Conference material, with breakout sessions. Everyone is encouraged to attend.

**d. Next Legislative Committee calls:**

The next Legislative Committee calls will be:

- **Thursday, October 3<sup>rd</sup>**
- **Thursday, November 7<sup>th</sup>**

NAIHC will have more updates on legislation, as congress will have been in session and moving bills forward by then.

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