



March 5, 2020

To: Tribal Housing Clients
Fr: Hobbs, Straus, Dean & Walker, LLP
Re: **NAIHC Legislative Committee Meeting**

The National American Indian Housing Council (NAIHC) Legislative Committee held its monthly meeting by teleconference on March 5, 2020. The main purpose of the call was to follow up on the NAIHC Legislative Conference held last week, and provide status reports on pending legislation discussed at the Legislative Conference. NAIHC Executive Director Anthony Walters presided over the meeting.

Tribal HUD-VASH. The bill, which has passed the Senate, is still sitting in the House Financial Services Committee. NAIHC has been coordinating a push to get the Committee to move the bill out to a floor vote, which included sending 2000 letters to the Committee. Six co-sponsors have been added in the last week, bringing the total up to 26. The goal is to get it to 50. In response to a question about how NAIHC membership can help, Mr. Walters said that continued contacts to the Committee membership is helpful, particularly to those members who have tribes in their districts. Also, contacts to Committee Chair Maxine Waters would be helpful. NAIHC will do what it can to track the outreach, and Mr. Walters asked if folks who do make contact with Committee members let him know who and how it went.

NAHASDA Reauthorization. NAIHC is also advocating for this bill as well. The bill now has 34 co-sponsors, with four added in the last week. NAIHC is going to continue to seek more co-sponsors for this bill as well, and will be working on a letter-writing campaign. No companion bill has yet been introduced in the Senate, but Senate Committee on Indian Affairs staff are hard at work on such legislation. They have been in touch with NAIHC to discuss various ideas related to the 30% rule, title status reports, drug elimination funding, and other proposals that might wind up in the bill. One participant asked if NAIHC has spoken with Hill staffers, and did they express any concern about NAIHC members possibly taking inconsistent positions on reauthorization? Mr. Walters said he had been speaking with staffers, and had not heard any such concerns. He said that, given the uncertainty with what will be in the Senate bill, it is hard to develop a complete message at this time, but all he heard was positive feedback and strong support.

Veterans Administration – Native American Direct Loan (NADL) Program. The South Dakota Native Homeownership Coalition met with V.A. officials and Senate staff in an effort to seek improvements to the NADL program, which appears to involve some bureaucratic obstacles that have limited its effectiveness. There is legislation being

drafted to address these concerns, which is likely to be introduced this spring. The Coalition will reach out at that time for support among the NAIHC membership, particularly to contact their delegation to seek co-sponsors.

FEMA Flood Insurance – Tribal Exemption for Floodplain Mapping. Tribes in the Southwest have been pushing for changes for some time that would allow tribes the same kind of exemption that states have with regard to FEMA floodplain mapping, which will help in getting insurance for tribal riparian properties. Senator Udall is working on legislative language, and is taking two parallel approaches. The first is to get this language included in the Senate NAHASDA reauthorization bill. The second is to introduce it as standalone bill. His goal is to introduce the standalone version next week. He will be looking for co-sponsors.

HEARTH Act. Mr. Walters has been meeting with tribes and with the BIA over implementation of the HEARTH Act. Many tribes who are interested in taking on the lease approval authority under the HEARTH Act are concerned that Act has never had any funding attached to it. There may be an effort to obtain appropriations specific to carrying out such functions.

Tribal Access to Homeless Assistance Act. This bill would amend the McKinney-Vento Homeless Assistance Act to enable Indian Tribes and tribally designated housing entities to apply for, receive, and administer grants and subgrants under the Continuum of Care Program of the Department of Housing and Urban Development. The bill has passed the House and is currently sitting in the Senate Banking Committee. Currently the bill's advocates are looking for more co-sponsors, particularly Republican co-sponsors, so that it has a balanced slate of sponsors.

Drug-Elimination Program Funding. Many tribes have been discussing the need for legislation that would allow tribes to access this funding. The Senate Committee on Indian Affairs staff are looking at including language in the draft NAHASDA reauthorization bill that would authorize funding specific to tribes. The reason for addressing the issue this way is that there are some controversies on the public housing side that tribal advocates want to avoid.

Low Income Housing Tax Credits. Senator Maria Cantwell (D-WA) is continuing work on LIHTC legislation, which will include provisions to increase the allocation of LIHTC to tribal projects. She has been reaching out to NAIHC with questions about various proposals and scenarios.

Indian Housing Block Grant Competitive Funding. A number of tribes and TDHEs met with ONAP Deputy Assistant Secretary Heidi Frechette while in Washington DC last week. They expressed concerns about the ranking and scoring process used to allocate these funds. They would like more clarity in how that ranking and scoring is done.

NAIHC Annual Convention and Trade Show. AMERIND and NAIHC will host a combined annual event on May 05 – 07, 2020, located at the Westin Hotel, in Seattle, WA. Registration is now open. The joint Annual Convention features a two-day trade show as well as topical training sessions that provided up-to-date information on issues that impact tribal housing programs and that directly relate to administration of programs under NAHASDA. The Legislative Committee will also meet in person at the Convention. The Convention will also include NAIHC's annual business meeting. The NAIHC Chair will be up for election at the meeting. Mr. Walters also asked that resolutions for consideration at the annual meeting be forwarded to NAIHC by late April, so that they can be reviewed and coordinated, to avoid duplicative resolutions.

If you have any questions regarding this memorandum, please contact Ed Clay Goodman at egoodman@hobbsstrauss.com or by phone at (503) 242-1745.