



215 SW Washington Street, Suite 200
Portland, OR 97204


T 503.242.1745
F 503.242.1072

HOBBSSTRAUS.COM

MEMORANDUM

February 2, 2024

TO: TRIBAL HOUSING CLIENTS

FROM: 
Edmund Clay Goodman
HOBBS, STRAUS, DEAN & WALKER, LLP

RE: *Housing Committee Meeting at the 2024 Affiliated Tribes of Northwest
Indians Winter Convention*

This memorandum reports on the Housing Committee breakout session at the 2024 Affiliated Tribes of Northwest Indians (ATNI) Winter Convention held on January 30, 2024, with the ATNI Housing Committee Chair, Shonn Leno overseeing. This meeting was led in conjunction with several U.S. Department of Housing and Urban Development (HUD) representatives: Jad Atallah, Director of Performance and Planning; Tom Carney, Administrator of the Northwest Office of Native American Programs; and Maria Danz, Grants Management Specialist. The purpose of this breakout session was to provide information on various HUD programs available to Tribes, as well as an opportunity for HUD to consult with Tribal representatives and members in hopes of obtaining input, comments, concerns, and questions on HUD programs, as well as potential areas lacking support and/or funding from the HUD's Office of Native American Programs (ONAP).

In addition to this consultation, the Director Jad Atallah welcomed feedback, questions, and critique on HUD programs and activities more generally. You can submit comments and questions to the following email: consultation@hud.gov. There is no deadline for comments and questions related to the betterment of HUD's Tribal programs. Please let us know if you would like assistance in drafting and submitting comments and questions.

Mr. Atallah began the meeting discussing the new [Executive Order 14112 Reforming Federal Funding and Support for Tribal Nations To Better Embrace Our Trust Responsibilities and Promote the Next Era of Tribal Self-Determination](#) signed on

December 6, 2023 by President Biden¹. Executive Order 14112 directs federal agencies to look at the underfunding issue in regards to Tribally Designated Housing Entities (TDHEs) and to rethink program structures to maximize flexibility and funding options for Indian Country.

Following the discussion on the new Executive Order, Mr. Atallah and Ms. Danz spoke about the Indian Housing Block Grant (IHBG) Competitive Grant Program (IHBG-Competitive). This competitive program allows for eligible Tribes and TDHEs to apply for grants to implement an assortment of housing programs and activities. Funds from this program can be utilized for development, maintenance, and the operation of affordable housing in Tribal communities for low-income Indian families. IHBG-Competitive gives priority to new construction and rehabilitation projects and economic development projects; however, Mr. Atallah also noted that applicants can use this grant for other needs that qualify under the Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA), such as land acquisition, community facilities, and more. It has been made available through Congressional appropriations for the past several years. The current year IHBG-Competitive is for one hundred million dollars' worth of funding annually to distribute amongst grantee recipients. **The application window for the current round of IHBG-Competitive grants is currently live through March 19, 2024 11:59:59 PM EST on www.grants.gov.** For more information, please contact the Northwest Office of Native American Programs (NWONAP) or email IHBGCompetitiveProgram@hud.gov.

HUD has also announced a relatively new program: the Section 184 Skilled Workers Demonstration Program. This is a program that allows Tribes and TDHEs to apply for funding to provide housing for "skilled workers". This is a service intended to promote economic development in Tribal communities by attracting more skilled workers into Tribal communities by providing housing opportunities in areas typically lacking such opportunities. The definition for "skilled workers" is very broad, so there is room for interpretation by the applicants. It is up to the Tribes' discretion on whether or not the skilled workers will be charged rent. There is an upfront fee of just \$1.00 and the normal fees associated with other HUD loans are waived to incentivize more participation.

In November 2023, HUD created the Youth Homelessness System Improvement (YHSI) Grants in hopes of mitigating the number of youths experiencing or at risk of experiencing homelessness systemically. The YHSI Grants are not intended for providing housing or services to youth, but rather are intended to fund the following categories: Planning and Partnerships, Data, Coordinated Entry, and Racial and Gender Equity. **Applications are due Thursday, February 15, 2024 via www.grants.gov.** Additional information, including two webinars on the YHSI Grants, is available on the [HUD website](#).

¹ Reforming Federal Funding and Support for Tribal Nations To Better Embrace Our Trust Responsibilities and Promote the Next Era of Tribal Self-Determination, 88 FR 86021 (Dec. 6, 2023).

The HUD presenters also discussed the Indian Community Development Block Grant (ICDBG) Imminent Threat program, which involves \$5 million dollars set aside for Imminent Threat (IT) grants. This funding is only intended to aid and address issues that have an immediate negative impact on the safety and/or public health of Tribal communities and residents. This is a reactive program, rather than a proactive/preventive one. There is no deadline to apply for IT grants and is non-competitive; rather, IT grants are distributed on a first come, first served basis. 24 C.F.R. Part 1003 outlines the rules, regulations, and requirements for IT grants. HUD is in the process of conducting consultation on amending this regulation, as it has not been updated in nearly two decades. At the session meeting, Mr. Atallah asked for input on whether or not the regulation should be updated and if so, what language should be included/removed. Many attendees at the session suggested that the language should be more inclusive of preventive safety and public health measures instead of only reacting to public emergencies. Mr. Atallah and Ms. Danz encouraged feedback, which can be emailed to consultation@hud.gov.

The HUD participants also announced that as of September 2023, the Energy and Performance Information Center (EPIC) is no longer used for ONAP programs. In its place, a new software system has been introduced: the Grants Evaluation and Management System (GEMS). The purpose of this software is to centralize and streamline submissions and communications to minimize burdens placed on applicants and ONAP staff. Grantees will be able to access and fill out key documents in GEMS, including: Indian Housing Plans (IHPs); Annual Performance Reports (APRs); Grant Agreements for the Indian Housing Block Grant (IHBG) formula program; and Federal Financial Report (SF-425s) for all ONAP programs. For questions and/or technical assistance in regards to GEMS, please reach out to Kirsten Franklin-Temple, NWONAP Administrator Advisor at 206-220-6415 or kirsten.u.franklin-temple@hud.gov.

Finally, the HUD participants announced that HUD is working on a new spending bill geared towards manufactured housing. The program, Preservation and Reinvestment Initiative for Community Enhancement (PRICE), will have a \$225 million dollar budget distributed over a five-year span as competitive grants. PRICE funds will be available for infrastructure projects, renovations, repairs, relocation assistance, and more. HUD has to prioritize applications that primarily benefit low to moderate income residents and communities. More information will be available soon.

Conclusion

If you have any questions about the topics and programs discussed, please do not hesitate to contact Ed Clay Goodman (egoodman@hobbsstrauss.com or 503-242-1745).