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## MEMORANDUM

June 10, 2024

TO: TRIBAL HOUSING CLIENTS

FROM:  Ed Clay Goodman and Cari L. Baermann  
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RE: ***NCAI Mid-Year Convention – Housing Report***

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Last week, the National Congress of American Indians (NCAI) held its Mid-Year Convention and Marketplace in Cherokee, North Carolina. As a component of the Mid-Year Convention, the NCAI Housing Subcommittee met to discuss updates and issues related to transportation and infrastructure. In addition, the United States Department of Housing and Urban Development (HUD) presented a short update at the General Assembly. This report summarizes these sessions.

### ***Housing and Urban Development (HUD) Update***

Michelle Tinnin, Senior Native American Program Specialist at the HUD Office of Native American Programs (ONAP), delivered a very brief HUD update for the general assembly.

Ms. Tinnin discussed some of the projects recently completed with ONAP funds, including facilities at the Oglala Sioux Tribe and the Yakama Nation. On May 29, 2024, ONAP published a notice of opportunity for the Indian Housing Block Grant (IHBG) Competitive Grant Program, which has over \$150 million to distribute. The application deadline is August 29, 2024. You can find more information about the funding opportunity [here](#).

### ***Housing Subcommittee***

Patricia MacDonald, Co-Chair of the Housing Subcommittee, started the Housing Subcommittee meeting by introducing Ms. Tinnin to provide a more thorough update on the HUD and ONAP.

Ms. Tinnin shared that the IHBG program was funded at a record-breaking amount, receiving over \$1 billion that can be distributed to tribes and Tribally Designated Housing Entities (TDHEs). She noted that tribes should have received their final formula amount for fiscal year (FY) 2024 and their IHBG package should have arrived.

She also shared additional information on the Section 184 [final rule](#). HUD would like tribes to provide comments at every step of the process. Periodic updates and documentation can

be found [here](#). Ms. Tinnin also spoke to how tribes can use Section 184 loans to build housing for skilled workers in the community. Applicants will be able to obtain a Section 184 loan for the construction of rental housing for skilled workers. The application notice will be published on June 13, 2024 and the application deadline will close on July 15, 2024.

Neil Minish, Native American Program Specialist at ONAP, also joined the meeting to discuss the implications of the Build America, Buy America (BABA) Act, which requires tribal housing programs to use certain construction materials exclusively produced in the United States. Mr. Minish also spoke to HUD's efforts to implement [Executive Order 14112](#). In efforts to implement the directive to reform federal funding, HUD will be holding a tribal consultation on the HUD budget. More information regarding the consultation will be provided when it becomes available.

The Housing Subcommittee also approved an NCAI resolution related to BABA. Resolution NC-24-009 is titled "Calling on the Federal Government to Permanently Exempt All Tribal Housing Programs from the Build America, Buy America Act (BABA)." The Resolution calls on the Federal government to grant tribal housing programs the same sort of waiver (waiving the requirement to use American produced construction materials) given to sovereign foreign nations, public housing programs, and the Pacific Islands. In relevant part, the Resolution discusses the unique nature of tribal housing programs and roots the call for a Federal government waiver and their responsibility to do so.

### ***Conclusion***

If you have any questions about this memorandum or any of the topics discussed in this memorandum, please contact Ed Clay Goodman ([egoodman@hobbsstrauss.com](mailto:egoodman@hobbsstrauss.com)) or Cari Baermann ([cbaermann@hobbsstrauss.com](mailto:cbaermann@hobbsstrauss.com)). Both may also be reached at 503-242-1745.