



# The Federal Monitor

*News of Issues Affecting Tribes and Tribal Housing Programs*

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NATIONAL  
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## **National American Indian Housing Council**

NAIHC is a non-profit organization, which effectively and efficiently promotes and supports American Indians, Alaska Natives and native Hawaiians in their self-determined goals to provide culturally relevant and quality affordable housing for native people.

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## **MAJOR LEGISLATION IS ON THE MOVE**

### **ECONOMIC RECOVERY ACT – DAVIS-BACON EXEMPTED**

Section 1606 of the *American Recovery and Reinvestment Act* (ARRA) imposes Davis-Bacon Act wage requirements upon all funding, including the formula and competitive components of the Indian Housing Block Grant (IHBG), and also on the Indian Community Development Block Grant (ICDBG). On May 29, 2009 NAIHC Chairman Marty Shuravloff sent a letter to the HUD Secretary stating that Section 4114(b) of NAHASDA applies to the ARRA. NAHASDA authorizes tribes to pre-empt the Davis-Bacon Act based on tribal prevailing wage ordinances.

[See letter – PDF: 49KB](#)

(<http://www.naihc.net/NAIHC/files/ccLibraryFiles/Filename/000000002317/05-29-09-Donovan-letter.pdf>)

Section 1205 of the Supplemental Appropriations bill (Pub. L. 111-32) now makes NAHASDA applicable to ARRA.

[Click here for Section 1205 – 26KB](#)

(<http://www.naihc.net/NAIHC/files/ccLibraryFiles/Filename/000000002324/Section-1205.pdf>)

The President signed this bill into law on June 24, 2009. **Therefore, tribes that have enacted their own prevailing wage ordinances pursuant to NAHASDA, may use the tribally determined wages for IHBG and ICDBG projects funded with ARRA monies.**

[Get HUD's FAQs – PDF: 244KB](#)

(<http://www.naihc.net/NAIHC/files/ccLibraryFiles/Filename/000000002323/Revised-6-11-FAQ.pdf>)

## **LAND LEASING BILL INTRODUCED**

On May 20, 2009 Rep. Martin Heinrich (D-NM) introduced the “Helping Expedite and Advance Responsible Tribal Homeownership Act” (“HEARTH”) (H.R. 2523) to reform Federal leasing requirements and encourage housing and community development in Native American communities. This legislation, based upon a Navajo model, will streamline the Department of Interior’s (BIA) approval process by allowing tribes to use their own procedures approved by the Secretary of the Interior. This will help spur much needed development of housing and related infrastructure development in Indian Country.

[Write to your House Representative – MS Word: 26KB](#)

(<http://www.naihc.net/NAIHC/files/ccLibraryFiles/Filename/000000002331/HEARTH-Template-Letter.doc>)

[Get the bill – PDF: 163KB](#)

(<http://www.naihc.net/NAIHC/files/ccLibraryFiles/Filename/000000002237/HEARTH%20Act-May-21-2009.pdf>)

[Read the White Paper – PDF: 34KB](#)

(<http://www.naihc.net/NAIHC/files/ccLibraryFiles/Filename/000000002328/1955-ACT-Background-Memo.pdf>)

## **SENATOR JOHNSON INTRODUCES DRUG ELIMINATION BILL**

On June 23, 2009 Senator Tim Johnson (D-SD) introduced the “Public and Indian Housing Crime and Drug Elimination Program Reauthorization Act of 2009” (S.1327) to provide much needed resources for activities to combat crime and drugs in Native American communities. The bill would reauthorize Drug Elimination Programs under the U.S. Department of Housing and Urban Development. Originally part of the *Anti-Drug Abuse Act of 1988*, program funds can be used for security personnel, youth sports activities, employing crime investigators, training and equipping voluntary tenant patrols, and funding resident organizations to develop security and drug-abuse prevention programs.

[Click here to write to your Senators – MS Word: 26KB](#)

<http://www.naihc.net/NAIHC/files/ccLibraryFiles/Filename/000000002330/PIHDEP-Template-Letter.doc>

[Get the bill – PDF: 34KB](#)

(<http://www.naihc.net/NAIHC/files/ccLibraryFiles/Filename/000000002320/PIHDEP-Reauthorization-Act-of-2009.pdf>)

[Read the White Paper – PDF: 11KB](#)

(<http://www.naihc.net/NAIHC/files/ccLibraryFiles/Filename/000000002325/PIHDEP-White-Paper.pdf>)