



The Federal Monitor

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Current Affairs Affecting Tribes & Tribal Housing Programs

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The National American Indian Housing Council (NAIHC), a 501(c)(3) non-profit organization, assists tribes and tribally designated housing entities (TDHEs) in reaching their goal of providing culturally relevant, decent, safe, sanitary, quality, and affordable housing for native people in Indian communities, Alaska Native villages, and on Hawaiian Home Lands.

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NAIHC 36th Annual Convention, Legislative Committee Meeting

NAIHC held its 36th Annual Convention & Trade Show in Minneapolis, MN, May 25-27. On Monday, May 24, the Legislative Committee held a meeting that was attended by approximately 50 NAIHC members. An extensive PowerPoint presentation containing the information presented during the Legislative Committee meeting is available on the NAIHC website under "archives of training materials." The PowerPoint summarizes and expands on the information presented below.

Resolutions Passed by the NAIHC Membership

At the annual Members' Meeting in Minneapolis on Thursday, May 27, the NAIHC membership unanimously passed three resolutions.

Resolution 2010-01: This resolution requests that a policy that provides for Indian preference in opportunities for employment, vacancies, training, and promotions within the United States Department of Housing and Urban Development, Office of Native American Programs, be mandated through Executive Order or law. It further authorizes the NAIHC Office of Governmental Affairs to contact Executive branch officials and Congressional representatives in pursuance of such preference.

Resolution 2010-02: This resolution acknowledges and expresses gratitude for the strong, consistent, and effective leadership of Marty Shuravloff as Chairman of the Board of NAIHC over the past four years.

Resolution 2010-03: This resolution urges Congress to support increased funding for Indian housing programs and training and technical assistance (T&TA), including: funding for the Indian Housing Block Grant in the amount of \$875 million; funding for the Indian Community Development Block Grant in the amount of \$100 million; and funding for the NAIHC T&TA program in the amount of \$4.8 million.

HUD Rescinds IHP/APR Notice and Cancels Training

On Friday, May 21, 2010, HUD issued a Federal Register notice regarding the new IHP/APR forms and announcing two upcoming trainings on use of the form.

After further deliberation and numerous questions from tribes, particularly the members of the NAHASDA Negotiated Rulemaking Committee, Assistant Secretary Sandra B. Henriquez issued an apology and rescinded the notice on June 4, 2010. For further information: <http://www.naihc.net/NAIHC/files/ccLibraryFiles/Filename/00000002632/06-04-2010-IHP-APR-Rescission-Notice.pdf>

Negotiated Rulemaking (Neg Reg)

The process of negotiated rulemaking under NAHASDA continues. The Committee, composed of two HUD representatives and 25 tribal representatives, has held three of six scheduled meetings. Of 98 specifically enumerated issues, the Committee has reached consensus on 56.

The next two meetings will be held in Seattle, WA. The fourth will be held next week, June 8-10, at the Hyatt @ Olive 8 Hotel, and the fifth meeting will be held July 20-22 at the Crowne Plaza Hotel. Meetings begin at 8:00am and adjourn at 5:00pm daily. **Please note that all meetings are open to the public; you do not have to be on the Committee to participate in the Neg Reg process.** For further information: <http://www.naihc.net/NAIHC/files/ccLibraryFiles/Filename/00000002628/NegReg-4-5th-meetings-notice.pdf>

FY2011 Appropriations

Background: As the single largest source of Indian housing funds, Indian Housing Block Grant (IHBG) appropriations under NAHASDA continue to be at the top of NAIHC's legislative priority list. The President's Proposed FY2011 Budget Request includes devastating funding reductions -- a decrease of \$120 million (17 %) -- for the IHBG program, and it would eliminate the invaluable training and technical assistance (T/TA) provided by NAIHC.

Current Status: Last week at the NAIHC Annual Convention & Trade Show, the membership unanimously passed a resolution supporting: (i) an increase in IHBG funds to \$875 million to help meet the tremendous housing need in Indian Country; (ii) funding for the Indian Community Development Block Grant (ICDBG) in the amount of \$100 million; and (iii) restoration of funds in the amount of \$4.8 million for the valuable T/TA provided by NAIHC.

On April 26, 2010, the Senate announced a budget resolution that would essentially preserve the level of FY2010 funding for the IHBG program, \$700 million, for FY2011.

What You Can Do to Assist: NAIHC encourages your active participation in the appropriations process. A sample letter for use in corresponding with your legislative representatives is available on the NAIHC website. **Please contact your Senators and House Representatives to express your concern regarding FY2011 IHBG appropriations and to urge support for NAIHC's essential T/TA programs.**

Indian Veterans Housing Opportunity Act (H.R. 3553, S. 3246)

Background: This bill, originally introduced by Representative Kirkpatrick (D-AZ) on 9/10/2009, would amend NAHASDA to be consistent with the IRS Tax Code and other federal statutes and regulations by excluding income received by a veteran, or his or her family, for service-related disability, dependency, or indemnity, from the definition of "income" under NAHASDA. NAIHC Executive Director Mellor C. Willie testified at a Field Hearing in Window Rock, AZ on Saturday, April 10, in support of this important legislation, which has six co-sponsors. On Tuesday, April 20, the bill passed with overwhelming support on the House floor. On April 22, a Senate companion bill was introduced and promptly referred to the Senate Committee on Indian Affairs (SCIA).

Current Status: On Friday, March 26, Representative Kirkpatrick was given one minute to address the House. She called on the Senate to pass this legislation in honor of all Indian veterans in observance of the Memorial Day holiday. Further information can be found at page H3838 of the Congressional Record.

What You Can Do to Assist: **Contact your Congressional representatives and urge them to support this important legislation, which would right a wrong in NAHASDA immediately,** so that Indian veterans and their families are not financially penalized for their service to this country.

Helping Expedite and Advance Responsible Tribal Homeownership Act (“HEARTH,” H.R. 2523, S. 3235)

Background: The HEARTH Act would amend the Indian Long-Term Leasing Act of 1955 (25 U.S.C. § 415) by reforming federal leasing requirements and encouraging housing and community development in Native American communities. It would allow tribes to enter into certain leases without prior express approval of the Secretary of the Interior. The Bureau of Indian Affairs submitted written feedback to Representative Heinrich’s office and to the Senate Committee on Indian Affairs (SCIA) regarding the text of the bill, as did NAIHC.

Current Status: On April 20, 2010, a Senate companion bill was introduced, read twice, and referred to the SCIA. The Senate bill differs from the House bill in several important respects. It changes the definition of “Indian tribe” that will be utilized under HEARTH; strikes language from the proposed House bill regarding mineral leases; changes the environmental review process to be employed under HEARTH to a process “similar to the process established by the Department of the Interior under the National Environmental Policy Act of 1969” (NEPA); and changes the language in the proposed House bill regarding the Secretary’s trust responsibility to the tribes. NAIHC’s primary concern is ambiguous language in the bill regarding an environmental review process similar to NEPA. NAHASDA already establishes an environmental review process in the housing arena and NAIHC wants to ensure that the NAHASDA process remains intact.

NAIHC is preparing a letter requesting a formal mark-up of the HEARTH bill for submission to Representative Heinrich’s office.

What You Can Do to Assist: **Write to your Congressional representatives urging your support for this legislation and expressing any concerns that you have with the language in the bills.**
