

RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL - Second Year, 2016

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE,
AND NAABIK'ÍYÁTI' COMMITTEES; AUTHORIZING THE NAVAJO
HOUSING AUTHORITY AS THE TRIBALLY DESIGNATED HOUSING ENTITY
TO SUBMIT AN APPLICATION TO HUD UNDER THE RECENTLY
ANNOUNCED TRIBAL HUD-VASH DEMONSTRATION PROGRAM

Whereas:

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).
- B. The Navajo Nation Council shall establish standing committees of the Council and delegate such authority to such committees as it deems necessary and proper for such committees to execute the purposes or powers delegated. 2 N.N.C. §102(G).
- C. The Resources and Development Committee exercises oversight authority over housing to establish policies and legislation appropriate to the housing needs of the Navajo Nation and its People. 2 N.N.C. § 500(C)(3).
- D. The Budget and Finance Committee has the power to approve and accept agreement, including grants, between the Navajo Nation and any federal authority upon the recommendation of the standing committee which has oversight of the division, department or program which has applied for the agreement. 2 N.N.C. § 301(B)(15).
- E. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'íyáti' Committee to coordinate all federal programs, i.e. U.S. Department of Housing and Urban Development (HUD), with the Navajo Nation government to provide efficient services to Navajo members. 2 N.N.C. §§ 700 (A), 701 (A)(4), 701 (A)(6), 701 (A)(4).

- F. On October 21, 2015, HUD issued a notice (Notice) in the Federal Register for the administration of a supportive housing and rental demonstration program called the Tribal HUD-VA Supportive Housing program (Tribal HUD-VASH). The program will provide rental assistance and supportive services to Native American veterans who are homeless or at risk of homelessness living on or near a reservation or other Indian areas.
- G. HUD made available \$4 million in grant funding to Indian tribes and Tribally Designated Housing Entities (TDHEs) to fund this rental assistance and associated administrative fees.
- H. The HUD-VASH program combines Housing Choice Voucher program (HCV) rental assistance for homeless veterans with case management and clinical services provided by or through the VA through Veterans Administration Medical Centers (VAMC). Historically, this program has not reached Native American veterans in tribal communities due to legal impediments preventing tribes and TDHEs from participating in the HUD-VASH program.
- I. In the Consolidated and Further Continuing Appropriations Act 2015 (Pub. L. 113-235, approved December 16, 2014) (2015 Appropriations Act), Congress authorized funding for a demonstration program in order to expand the HUD-VASH program into Indian Country. The 2015 Appropriations Act directed HUD to coordinate with Indian Country, TDHEs, and other appropriate tribal organizations on the design of this program, and to ensure the effective delivery of housing assistance and supportive services to Native American veterans who are homeless or at risk of homelessness.
- J. Housing assistance under this program will be made available by grants to tribes and TDHEs that are eligible to receive Indian Housing Block Grant Program (IHBG) funding under the Native American Housing Assistance and Self Determination Act (NAHASDA). Tribes will be able to request Tenant-Based and/or Project-Based Rental Assistance by the number of bedrooms in a rental unit. Grants will be awarded based on the number of rental units (Tenant-Based and Project-Based Rental Assistance) approved by HUD.

- K. A few selected tribes/TDHEs in each Office of Native American Programs (ONAP) region were invited to apply for Tribal HUD-VASH demonstration program shortly after publication of the Notice. By letter dated October 29, 2015, HUD invited the Navajo Housing Authority (NHA) to participate in the demonstration program. To receive a grant, tribes/TDHEs are required to submit a Tribal HUD-VASH application that is due on December 2, 2015.
- L. As a part of the application process, HUD requires a tribal resolution if an application is submitted by a TDHE on behalf of an Indian tribe. The tribal resolution must be submitted in support of the application and must authorize the TDHE to submit the application under the Tribal HUD-VASH program. Because of the short turn-around time for the application submission, the tribal resolution can be submitted to HUD after the HUD application due date.
- M. The NHA Board of Commissioners recommended to the Navajo Nation to authorize the NHA to submit an application under the recently announced Tribal HUD-VASH program. Attached hereto as **Exhibit B** is a copy of NHA resolution number NHA 4567-2015 Recommending to the Navajo Nation to Approve and Authorize the NHA to Submit an Application to HUD for the new Tribal HUD-VASH Program.
- N. Based on the foregoing, it is in the best interest of the Navajo Nation to authorize the NHA to submit an application, **Exhibit A**, to HUD for the new Tribal HUD-VASH Program.

Therefore, Be It Resolved:

- A. The Navajo Nation hereby authorizes the Navajo Housing Authority as the Tribally Designated Housing Entity to submit an application, **Exhibit A**, to HUD under the recently announced Tribal HUD-VASH Demonstration Program.
- B. The Navajo Nation hereby authorizes the Navajo Housing Authority, in consultation with Navajo Nation Department of Veteran's Affairs, to implement the Tribal HUD VASH Demonstration program on behalf of Navajo veterans.

C. The Navajo Nation hereby authorizes the Navajo Housing Authority to take all necessary action to effectuate this resolution.

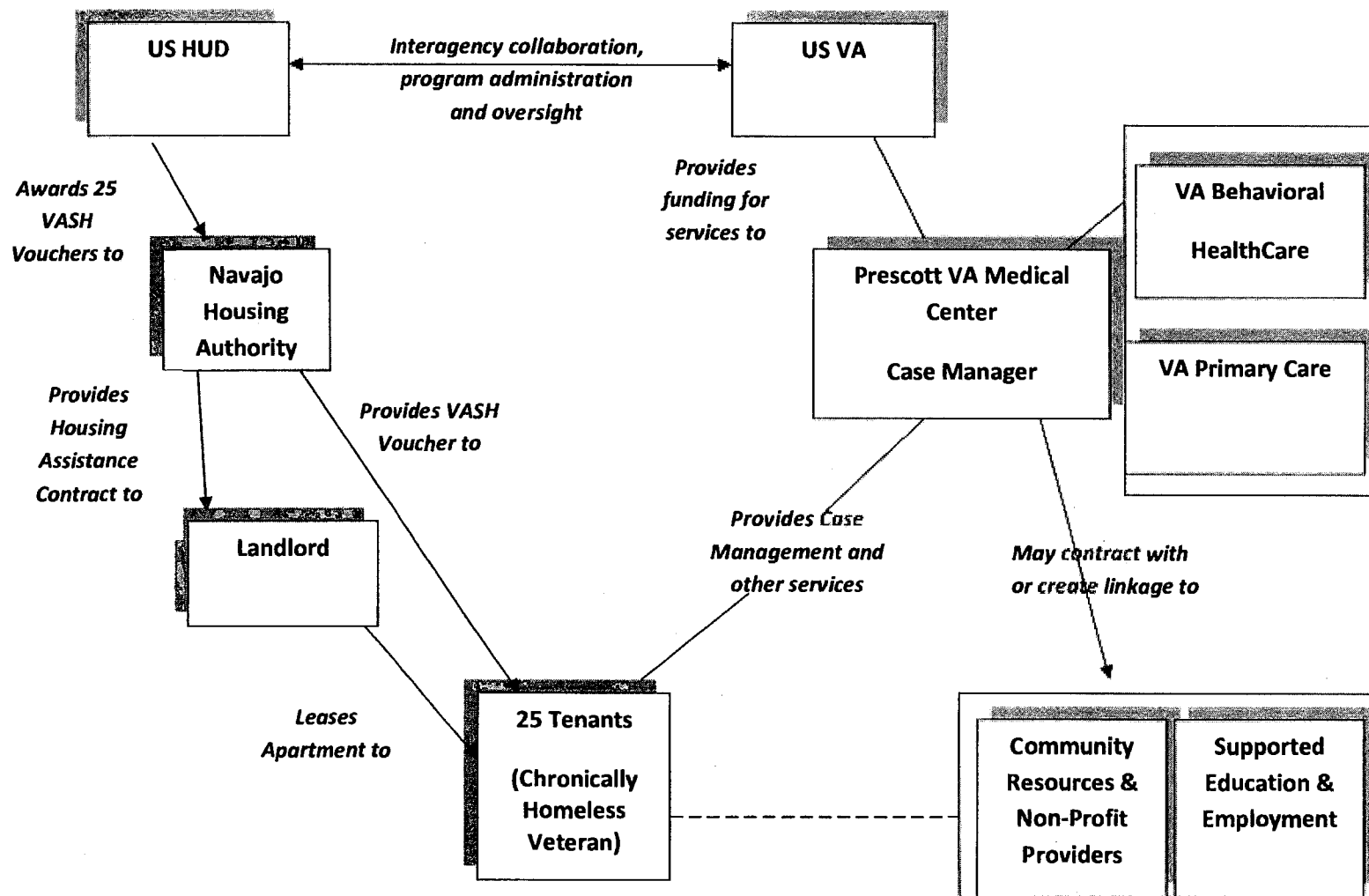
CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 14 in favor, 0 oppose, this 2nd day of March, 2016.

A handwritten signature in black ink, appearing to read 'LoRenzo Bates', with a large, stylized flourish at the end.

LoRenzo Bates, Chairperson
Naabik'iyáti' Committee

Motion: Honorable Mel R. Begay
Second: Honorable Seth Damon



HUD – VASH PROGRAM STRUCTURE

"Housing First"

NHA Hooghan—Center of Family Growth, Strength and Beauty **NAVAJO HOUSING AUTHORITY**

RESOLUTION NHA-4567-2015

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE NAVAJO HOUSING AUTHORITY

Recommending to the Navajo Nation to Approve and Authorize the Navajo Housing Authority to Submit an Application to HUD for the new Tribal HUD-VASH Program



WHEREAS:

1. Public Law 104-330, the Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA), was enacted to provide housing assistance that recognizes the rights of Indian Self-determination and Self-governance through a program known as Indian Housing Block Grant (IHBG); and

2. The Navajo Housing Authority (NHA) (a) was created and established as a public body of the Navajo Nation under the laws of the Navajo Nation at 6 N.N.C. § 601 and its Plan of Operation is codified thereunder; (b) pursuant to 24 CFR 1000.206 of the NAHASDA regulations, is the Tribally Designated Housing Entity (TDHE) for the Navajo Nation and is an eligible recipient of IHBG pursuant to Navajo Nation Council (NNC) Resolution CD-82-03; and (c) is otherwise regulated by HUD NAHASDA program requirements set forth in the Code of Federal Regulations, Title 24 Housing and Urban Development, Parts 85 and 1000; and

3. Pursuant to 6 N.N.C., Sections 605 and 616(b)(3), the Board of Commissioners of the Navajo Housing Authority (NHA) is empowered with the authority to manage the affairs of the NHA with the power to do all things necessary or desirable to secure the financial aid or cooperation of the federal government in the undertaking of providing safe, decent and sanitary housing; and

4. On October 21, 2015, the U.S. Department of Housing and Urban Development (HUD) issued a notice (Notice) in the Federal Register for the administration of a supportive housing and rental demonstration program called the Tribal HUD-VA Supportive Housing program (Tribal HUD-VASH). The program will provide rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas; and

5. HUD is making available \$4 million in grant funding to Indian tribes and tribally designated housing entities (TDHEs) to fund this rental assistance and associated administrative fees; and

6. The HUD-VASH program combines Housing Choice Voucher (HCV) program rental assistance for Homeless veterans with Case Management and clinical services provided by or through the VA through Veterans Administration Medical Centers (VAMC). Historically, this

program has not reached Native American veterans in tribal communities due to legal impediments preventing tribes and TDHEs from participating in the HUD-VASH program; and

7. In the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235, approved December 16, 2014) ("2015 Appropriations Act"), Congress authorized funding for a demonstration program in order to expand the HUD-VASH program into Indian Country. The 2015 Appropriations Act directed HUD to coordinate with Indian tribes, TDHEs, and other appropriate tribal organizations on the design of this program, and to ensure the effective delivery of housing assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness; and

8. Housing assistance under this program will be made available by grants to tribes and TDHEs that are eligible to receive IHBG funding under NAHASDA. Tribes will be able to request Tenant-Based and/or Project-Based Rental Assistance by the number of bedrooms in a rental unit. Grants will be awarded based on the number of rental units (Tenant-Based and Project-Based Rental Assistance) approved by HUD; and

9. A few selected Tribes/TDHEs in each ONAP region were invited to apply for Tribal HUD-VASH demonstration program shortly after publication of the Notice. By letter dated October 29, 2015, HUD invited the NHA to participate in the demonstration program. To receive a grant, tribes/TDHEs are required to submit a Tribal HUD-VASH application that is due on December 2, 2015. Attached hereto as Exhibit "A" is a diagram of the HUD-VASH Program Structure showing the various components and interaction of the different programs for the Tribal HUD-VASH demonstration program; and

10. As a part of the application process, HUD requires a Tribal Resolution if an application is submitted by a TDHE on behalf of an Indian tribe. The tribal resolution must be submitted authorizing the TDHE to submit the application under the Tribal HUD-VASH program. Because of the short turn-around time for the application submission, the tribal resolution can be submitted to HUD after the HUD application due date; and

11. Based on the foregoing, the NHA Board of Commissioners recommends to the Navajo Nation to authorize NHA to submit an application under the recently announced Tribal HUD-VASH program; and

12. The NHA Board of Commissioners believes it is in the best interest of NHA and the Navajo Nation to approve this resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Commissioners of the Navajo Housing Authority hereby recommends to the Navajo Nation to approve a tribal resolution authorizing the Navajo Housing Authority as the Tribally Designated Housing Entity to submit an application to HUD under the newly announced Tribal HUD-VASH program.

2. The Board of Commissioners of the Navajo Housing Authority hereby authorizes and directs the Chief Executive Officer to take all other necessary action to effectuate this resolution.

CERTIFICATION

Commissioner Marvin Murphy, moved that the foregoing Resolution NHA-4567-2015 be adopted and this was seconded by Commissioner Ben Johnson.

Same was passed by the following vote:

AYES: 7 NAYS: 0 ABSTAINED: 0

The Secretary, thereupon, declared said motion carried and said Resolution NHA-4567-2015 was adopted this 20th day of November, 2015.



Ervin Chavez, Chairperson
NHA BOARD OF COMMISSIONERS

ATTEST:



Christina Lewis, Secretary/Treasurer
NHA BOARD OF COMMISSIONERS

RESPECTIVE CHIEF: 

LEGAL REVIEW: 

CHIEF EXECUTIVE OFFICER: 