

# What's New on Codetalk

November 15, 2024

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## HUD/IHS Joint Tribal Consultation Comment Period Extension and Webinar

The US Department of Housing and Urban Development and the Department of Health and Human Services (HHS) Indian Health Service (IHS) have published a [Dear Tribal Leader letter](#), extending the Tribal Consultation period seeking Tribes' feedback and recommendations on how HUD and IHS programs can better address housing-related water and sewer infrastructure needs within Tribal communities.

### Comments

The deadline for submitting comments on the HUD/IHS Housing-related Infrastructure for Tribal Communities Tribal Consultation has been extended from Saturday, November 9, 2024, until **Wednesday, January 8, 2025**. Please email your comments and recommendations to [consultation@hud.gov](mailto:consultation@hud.gov) and [consultation@ihs.gov](mailto:consultation@ihs.gov). Use the SUBJECT LINE: HUD/IHS Housing-related Infrastructure for Tribal Communities.

Additionally, a virtual Tribal Consultation session will be held on Monday, [December 16, 2024](#) at 1 pm Eastern. Please register to attend [here](#), so that we can ensure you receive any advance consultation materials

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## [Dear Tribal Leader Letter](#) - Deadline for Submitting Indian Housing Block Grant (IHBG) Interim Funding Requests in the Grants Evaluation and Management System (GEMS)

The Office of Native American Programs (ONAP) is accepting IHBG Formula Interim Funding Requests via GEMS until **November 19<sup>th</sup>, 2024**. This deadline provides time to process awards prior to the December 24, 2024, expiration of the Continuing Resolution (CR) under which all Federal agencies are currently operating.

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## [OLG INFO 2024-22](#) - ONAP Provides Clarification on Accessory Dwelling Units for the Section 184 Indian Housing Loan Guarantee Program and Section 184A Native Hawaiian Housing Loan Guarantee Program

On October 18, 2024, the Office of Native American Programs (ONAP) issued [Dear Lender Letter 2024-09](#) (DLL) titled "Accessory Dwelling Units".

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## National Native Homeownership and Asset Building Summit - November 20-21, 2024

The [U.S. Department of Housing and Urban Development's Office of Native American Programs](#) (HUD ONAP), is hosting the HUD ONAP 2024 Native Homeownership & Asset Building Summit: A Pathways to Economic Self-Determination V at the Sheraton Oklahoma City Downtown Hotel on **November 20-21, 2024**.

Asset-building is the process of identifying, acquiring, controlling, leveraging, and preserving meaningful assets for the benefit of individuals, families, and communities. Over the course of two days, Tribal housing

professionals, Tribal leaders, and partners will convene to share their knowledge and expertise on expanding Tribal homeownership opportunities, providing financial education, and developing training curriculum targeting Native American families.

Use the link to take advantage of free registration, or go to: <https://cvent.me/x0ZVkg>.

The [Native Homeownership and Asset Building Summit](#) brings a wealth of information on homeownership and cultural assets for Tribal communities, partners, and developers. This event provides five breakout sessions on tracks that include families/youth, Tribe, Partners, Development, and Cultural Assets. This agenda is subject to change, up to the day of the event. Questions regarding breakout sessions should be directed to Erla Sagg, TTA Program Director at [esagg@naihc.net](mailto:esagg@naihc.net). To learn more about the agenda, go to <https://cvent.me/x0ZVkg>.

Attendees are recommended to make reservations by the Hotel Room-Block Deadline of **October 31, 2024**. To reserve your room, call **1-800-325-3535** and give the operator the group code: **ET8 Asset Building Conference**. You can also reserve a room by clicking the link below.

### [Sheraton Oklahoma City Downtown Hotel](#)

1 North Broadway Avenue Oklahoma City, Oklahoma, USA, 73102

We look forward to seeing you there!

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### **ONAP Hosts a Second BABA Training Session.**

Subject Matter Experts will be presenting on the Build America, Buy America Act (BABA) on Thursday, November 7<sup>th</sup> at 3:00 PM ET. The presentation will last about 45 minutes, leaving 45 minutes to ask questions. The session will be hosted over Webex, and a link to register is available here:

<https://intellor.webex.com/intellor/j.php?MTID=m0ffca2f86770b9f01c9ee1231a984bdb>. If you cannot join by computer, you may dial in by phone only at 1-202-735-3323 with access code 5010271#.

The session will be recorded and posted later for the convenience of those not able to attend. We look forward to seeing you there!

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### **PIH Publishes BABA Implementation Guidance for Tribal Recipients**

On Friday, October 11<sup>th</sup>, 2024, PIH published [Notice PIH 2024-35](#): Implementation Guidance for Tribal Recipients on the Build America, Buy America Act (BABA). The Notice will remain in effect until amended, superseded, or rescinded. The Notice provides guidance to Tribes, Tribally Designated Housing Entities (TDHEs), Tribal entities, and the Department of Hawaiian Home Lands (DHHL) (collectively called “Tribal Recipients” in this Notice) on how to implement the “Buy America Preference” (BAP) imposed by BABA. It is intended to outline BABA requirements for all U.S. Department of Housing and Urban Development (HUD) Tribal Recipients when applying the BAP to covered programs and projects. It also clarifies which Office of Native American Programs (ONAP) grants are subject to BABA, how to determine if the BAP is applicable to a project, which HUD general waivers may apply to a project, how to document BAP compliance, and how to submit a specific waiver request for approval. BABA established BAP requirements for certain infrastructure projects funded with Federal awards, and HUD issued a waiver of these requirements for Tribal Recipients that expired after September 30, 2024. This Notice is effective upon publication and applies to any Federal Financial

Assistance (FFA) obligated by HUD to Tribal Recipients on or after October 1, 2024. The notice can be found at this link: [https://www.hud.gov/sites/dfiles/PIH/documents/PIH\\_2024-35.pdf](https://www.hud.gov/sites/dfiles/PIH/documents/PIH_2024-35.pdf)

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## **[OLG INFO Announcement 2024-21](#)– ONAP Extends Comment Period for Draft Sections of the Section 184 Indian Housing Loan Guarantee Program Policy Handbook**

On September 24, 2024, the Office of Native American Programs (ONAP) posted draft sections of the Section 184 Indian Housing Loan Guarantee Program Policy Handbook (Handbook) to the [Office of Loan Guarantee Drafting](#) Table web page. ONAP has received requests to extend the deadline given the size and importance of the guidance document. ONAP agrees with the requests. The deadline to submit feedback is now extended to **Tuesday, November 12, 2024, 5 p.m. Eastern Daylight Time.**

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## **[OLG INFO Announcement 2024-20](#)– Section 184, Section 184A and Title VI Programs Open for Fiscal Year 2025**

The financial closeout process is now complete. We are pleased to announce that on October 3, 2024, ONAP opened the Section 184, Section 184A and Title VI programs for FY 2025. ONAP has resumed issuing Cohort Numbers for these programs. Any requests for Cohort Numbers received during the financial closeout period was prioritized by the date of the request – with the oldest request being processed first.

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## **BABA Public Interest Waiver Expiring**

HUD issued a [waiver](#) of the Build America Buy America requirements for **Tribal Recipients** that expires after **September 30, 2024.**

Starting October 1, 2024, any **NEW** obligations made by HUD (grant agreements signed by HUD) will be subject to the Buy America Preference (BAP) requirements for infrastructure projects.

We anticipate that BABA requirements will not begin to impact Tribes and TDHEs until later this year when ONAP anticipates obligating new funding given that we are currently under a Continuing Resolution.

ONAP will provide more specific guidance in a forthcoming implementation notice that is intended to outline BABA requirements for all HUD Tribal Recipients when applying the BAP to covered programs and projects. It will also clarify which how to determine if the BAP is applicable to a project, which HUD general waivers may apply to a project, how to document BAP compliance, and how to submit a specific waiver request for approval.

The most current information can currently be found at HUD’s website [Build America, Buy America \(BABA\) | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\).](#)

## **General Applicability Waivers from BABA Requirements**

HUD has approved several general applicability waivers for specific public interest circumstances:

- **Small Grants/Projects:** Where a grant or project’s total cost is equal to or less than the current Simplified Acquisition Threshold of \$250,000.

- De Minimis Portion of a Project: Where the cumulative total of product purchases is no more than 5 percent of the total cost of the iron, steel, manufactured products, and construction materials, up to a maximum of \$1 million.
- Exigent Circumstances: Where there is an urgent need to immediately complete a project because of “exigent circumstances,” or a threat to life, safety, or property of residents and the community.

If your situation falls within any of the categories above, BABA waived. Tribes and TDHES do not have to submit anything to HUD to take advantage of these existing waivers. Tribes and TDHES simply must keep documentation demonstrating that the waiver applies.

ONAP appreciates all Tribal feedback that has been received from Tribal grantees to date on this topic and will be issuing additional guidance shortly. Thank you for your patience. More to come shortly.

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## **Dear Tribal Leader Letter- ONAP Seeks Tribal Feedback on Draft Sections of the Section 184 Indian Housing Loan Guarantee Policy Handbook**

On September 24, 2024, the Office of Native American Programs (ONAP) posted draft sections of the Section 184 Indian Housing Loan Guarantee Program Policy Handbook (Handbook) to the Office of Loan Guarantee Drafting Table web page. The draft sections discuss the Section 184 loan origination through final Direct Guarantee Underwriter approval process and requirements.

We encourage Tribes, Tribally Designated Housing Entities and Native Community Development Financial Institutions to submit comments. Comments must be submitted using the Draft Handbook Feedback Sheet and emailed to [Section184Comments@hud.gov](mailto:Section184Comments@hud.gov). The subject line of the email should read “Section 184 Handbook Comments”.

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## **Dear Tribal Leader Letter- Tribal Directory Assessment Tool (TDAT) Enhancement Project**

HUD will host listening sessions on **November 14th**, and **December 5th, 2024**. The sessions will include an overview of TDAT’s recent enhancements and an opportunity for Tribal comments and questions. Through these listening sessions, HUD hopes to advance its understanding of Tribal perspectives on the challenges, benefits, needs, and opportunities for using TDAT. HUD recognizes that Tribal input and continued collaboration throughout the project is vital for its success. Attached is a list of questions for you to consider in advance of these listening sessions. HUD looks forward to hearing your thoughts on TDAT and the ways it can be improved to support your Tribe.

Each listening sessions begins at **2 PM EASTERN TIME** on each date (you may join the conference 10 minutes prior). **Webex Support**: # (301) 250-7202.

To join the virtual listening session please follow the steps below:

**November 14, 2024**

*To join the conference, click:*

<https://intellor.webex.com/intellor/j.php?MTID=me3d4678c177645ee1719f774712a5d4e>

Join the Webex event and follow the prompts to connect audio by computer or telephone. If you cannot join by computer, you may dial in by phone only at 1-202-735-3323 with access code 7552482#.

**December 5, 2024**

To join the conference, click:

<https://intellor.webex.com/intellor/j.php?MTID=m0fc9a477f93c90ff6d80112dda9104a2>

Join the Webex event and follow the prompts to connect audio by computer or telephone. If you cannot join by computer, you may dial in by phone only at 1-202-735-3323 with access code 5121843#.

(We understand that some people may have difficulty logging into Webex. We recommend that you use the Google Chrome web browser to log in to the meeting.)

OEE welcomes your participation in any of these upcoming sessions.

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## **Tribal Homeless Network**

**What is the Tribal Homelessness Network (THN)?** A network of Tribes and TDHEs coming together online for group learning, peer-to-peer collaborative approaches to prevent and end homelessness, and to access technical assistance and support from the U.S. Department of Housing and Urban Development (HUD). THN members will identify topic areas and lead discussions based on issues and challenges facing their communities.

### **Tribal Homelessness Network**

<i>Session Description</i>	<i>Date</i>	<i>Registration Link</i>
<i>Training: What are the Challenges of Being a CoC-implementation?</i>	November 20, 2024, 1:00 – 2:00 pm ET	<a href="#"><u>Register Now</u></a>
<i>Quarterly THN – What Could a Tribally Developed CoC Look Like?</i>	December 11, 2024, 1:00 – 2:30 pm ET	<a href="#"><u>Register Now</u></a>

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## **[Dear Lender Letter 2024-07](#) – Extension of the COVID-19 Loss Mitigation Options**

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### **Funding Opportunity**

[Continuum of Care \(CoC\) Builds | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#)

Grants.gov Link- [CoC Builds](#)

The Continuum of Care Builds (CoCBUILDS) NOFO is a new grant funding opportunity. The program supports efforts within CoC geographic areas to create new units of permanent supportive housing (PSH) for people experiencing homelessness through new construction, acquisition, or rehabilitation.

- HUD expects to make approximately 25 awards from the funds available under this NOFO.

- Up to **3 awards** are set aside for the highest scoring project applications where the PSH units are located on **Tribal reservations or trust lands**.
  - **Applications due: November 21, 2024**

ONAP encourages all Tribes and TDHEs to review this funding opportunity. More information can be found here: [CoCBuilds Notice of Funding Opportunity | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#). You may send any questions you may have to: [CoCBuilds@HUD.gov](mailto:CoCBuilds@HUD.gov)

HUD plans on hosting a Tribal-specific webinar soon to share more information about this program. More information to come.

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## **[PIH Notice 2024-28](#)– Total Development Cost (TDC) for Affordable Housing Under the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA)**

This Notice transmits the updated schedule for the maximum amount of funds that may be used for affordable housing under NAHASDA based on Marshall Valuation Service, Marshall & Swift/Boeckh, LLC (M&S/B) and RSMMeans Residential Cost Data (RSMMeans) for 2024.

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## **[Dear Tribal Leader Letter– Simplified Environmental Review Process](#)**

ONAP is excited to share new processes that the U.S. Department of Housing and Urban Development (HUD) developed to simplify and streamline environmental reviews for certain activities funded by the Indian Housing Block Grant, Indian Community Development Block Grant, Title VI Loan Guarantee, Native Hawaiian Housing Block Grant, and Tribal HUD-Veterans Affairs Supportive Housing program.

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## **[Dear Tribal Leader Letter– 2026 Census Challenge](#)**

The purpose of this **Dear Tribal Leader letter** is to inform Tribes and TDHEs that HUD is extending the deadline for FY 2026 Indian Housing Block Grant (IHBG) Formula Census Challenges from March 30, 2025, to May 29, 2025. Additionally, this letter announces that Tribes and TDHEs are now able to access their FY 2026 IHBG Formula Needs Data online here: <https://ihbgformula.com/2026-needs-data/>.

The regulatory waiver that provides for the Census Challenge deadline extension is linked here: [https://www.hud.gov/sites/dfiles/PIH/documents/2026\\_Census\\_Challenge\\_Regulatory\\_Deadline.pdf](https://www.hud.gov/sites/dfiles/PIH/documents/2026_Census_Challenge_Regulatory_Deadline.pdf)