

U.S. Department of Housing and Urban Development
Tribal Consultation Plan of Actions
Annual Report

October 2021

Purpose

On January 26, 2021, President Biden issued a [Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships](#). The memorandum states that it is an Administration priority “to make respect for Tribal sovereignty and self-governance, commitment to fulfilling Federal trust and treaty responsibilities to Tribal Nations, and regular, meaningful, and robust consultation with Tribal Nations cornerstones of Federal Indian policy.” Furthermore, the memorandum requires each Federal agency to draft a detailed plan of actions the agency will take to implement the policies and directives of the memorandum and submit an annual report to the Office of Management and Budget (OMB). This document is the first annual report to OMB.

Plan of Actions

After engaging in Tribal consultation prior to developing a Plan of Actions, the U.S. Department of Housing and Urban Development (HUD) designed a three-phased approach to implement the directives of Executive Order 13175 and President Biden’s Memorandum. In Phase I, HUD outlines the steps taken to develop its plan of actions. In Phase II, HUD described the recommendations Tribes provided and HUD’s planned actions. In Phase III, HUD described steps it will take to ensure that planned actions are carried out.

During HUD’s initial Tribal consultation sessions, Tribal leaders provided over 100 individual comments representing 40 different Tribes and Tribally Designated Housing Entities (TDHEs.). HUD carefully reviewed and considered all comments while developing the actions listed below. HUD grouped all comments into main themes to inform HUD’s Plan of Actions. These themes included:

- Develop a standing Tribal advisory committee
- Create a one-stop shop webpage for Tribal consultation
- Host an annual HUD-wide Tribal consultation
- Assign a political staff member as a point of contact for Tribal consultation
- Require “Working with Tribal Governments” training for all HUD staff
- Consult with Tribes on eliminating duplicative environmental requirements
- Other themes included: broadband, training, and technology

The table below captures HUD’s planned actions and the status for each component.

Status of Planned Actions

Action	Status
<p>HUD Point of Contact: The Secretary or the Secretary’s designee will serve as HUD’s senior point of contact for Tribal consultation.</p>	<p>Complete: The Deputy Assistant Secretary for HUD’s Office of Native American Programs will serve as HUD’s designee for Tribal consultation.</p>
<p>Tribal Intergovernmental Advisory Council (TIAC): HUD will closely examine options for establishing a TIAC to provide consistent, meaningful, and robust consultation on programs and policy.</p>	<p>Ongoing: HUD has drafted a Federal Register Notice to solicit Tribal feedback on how to structure HUD’s TIAC. HUD will finalize the Notice after Departmental Clearance and send it to the <i>Federal Register</i> for publication.</p>
<p>National HUD Tribal Consultation: HUD will host an annual HUD-wide Tribal consultation that will include representatives from HUD Senior Leadership across program offices.</p>	<p>On hold: Due to the COVID-19 pandemic, this action is on hold until HUD updates its guidance on staff travel and conferences. Currently, staff are permitted to travel for limited essential purposes only. HUD is planning to facilitate a National Tribal consultation in FY 2022, if doing so is consistent with public health guidelines.</p>
<p>Staff Training: HUD will explore options for providing all HUD staff with cultural sensitivity, government-to-government relations, and history of Federal Indian policy trainings.</p>	<p>Ongoing: HUD is actively working to provide increased opportunities for Tribally focused staff trainings. HUD has contracted a vendor to provide <i>Essentials of Indian Law</i> courses to staff across the Department in September and October. Additionally, HUD is actively exploring future on demand digital training options as well.</p>
<p>Tribal Engagement: HUD will maintain consistent and clear communication through multiple formats including Dear Tribal Leader letters, Tribal consultation updates, email updates, website updates, social media, guidance, webinars, and regular meetings with Tribal housing industry leaders.</p>	<p>Ongoing: Since President Biden issued the Presidential Memorandum on Tribal consultation, HUD has designed and implemented a thorough plan for delivering consistent and clear communication to Tribes. HUD’s approach includes:</p> <ul style="list-style-type: none"> • Secretary Fudge, joined by Deputy Secretary Todman, facilitated a National roundtable with Tribal leaders

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	<ul style="list-style-type: none"> • Deputy Secretary Todman is facilitating regional roundtables with Tribal leaders and Tribal housing practitioners in 6 ONAP regions • Providing regular Dear Tribal Leader letters • Facilitating Tribal consultation sessions • Collaborated with partner agencies and organizations to implement and promote a variety of relevant training and informational events • Updating HUD’s Tribal consultation website • Conducting debrief meetings for grantees • Facilitating best practice webinars • Facilitating Child tax credit webinars • Presenting at the Tribal Broadband Summit • Secretary Fudge addressing the National Congress of American Indians at the annual conference • Senior leadership participating in Indian Country site visits • Senior leadership planning to participate in the White House Tribal Nations Summit scheduled for November 2021
<p>Codetalk Website: HUD will update the Department’s Tribal consultation website to ensure that it reflects HUD-wide updates on Tribal consultation and serves as a “one-stop shop” for Tribes.</p>	<p>Ongoing: In response to Tribal consultation feedback from Tribal leadership, HUD has revamped its Tribal Consultation website to include all Departmental consultation sessions with an explanation for the consultation, deadline for comments, Dear Tribal Leader notification letters, supporting documentation, and recordings, slides, and transcripts for all consultation sessions. HUD will continue to ensure that the Tribal Consultation webpage is updated and includes all relevant materials in one easily accessible webpage.</p>

Action	Status
<p>Coordinating and streamlining Environmental Reviews: HUD will continue to convene and report on environmental review activities for the Tribal Housing and Related Infrastructure Interagency Task Force (THRIITF).</p>	<p>Ongoing: HUD serves as the lead department in an interagency effort working to coordinate and streamline the environmental review process. More specifically, the THRIITF is tasked with “addressing and implementing the working group’s recommendations to continue the review of related environmental laws and authorities to identify opportunities for greater efficiencies; explore whether environmental reviews could be expedited if agencies which fund similar types of projects developed aligned categorical exclusions; and identify specific regulatory and policy improvements.” Federal members include HUD (lead department/agency), the Council on Environmental Quality, the U.S. Environmental Protection Agency, and the U.S. Departments of Health and Human Services, Interior, Transportation, Agriculture, Commerce, and Energy. Tribal members include Huslia, Tlingit and Haida, Association Village Council Regional Housing Authority, Sault Saint Marie Chippewa, Choctaw of Oklahoma, Cherokee Nation and Northern Arapaho.</p> <p>In 2021, HUD conducted three Tribal consultation sessions on the Coordinated Environmental Review Process Implementation Plan.</p>
<p>HUD Collaboration: HUD will explore opportunities to further support Tribal communities by collaborating with HUD program offices and with other Federal agencies.</p>	<p>Ongoing: HUD continues to actively lead and participate in several interagency efforts including:</p> <ul style="list-style-type: none"> • White House Council on Native American Affairs (WHCNA): Health/ Veterans’ Homelessness Initiative, Treaty Right MOU signatory • Leading the THRIITF • Tribal Drinking Water Working Group • Promoting COVID-19 Vaccine Awareness • Operation Lady Justice • Continuum of Care

Action	Status
	<ul style="list-style-type: none"> • U.S. Department of the Treasury: Emergency Rental Assistance Program and Child tax credit promotion • Collaborating with the U.S. Department of Veterans Affairs on the Tribal HUD-VASH program • Partnered with the Consumer Financial Protection Bureau to host a three-part training series on Your Money, Your Goals
<p>Resources: HUD recognizes the need for sufficient resources to implement the Plan of Actions and will work to identify the need for additional resources as necessary, in consultation with OMB.</p>	<p>No updates as of October 2021</p>