

U.S. Department of Housing and Urban Development
Tribal Consultation Plan of Actions
Annual Report
2022

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 reaffirms Executive Order 13175 of November 6, 2000, and the Presidential Memorandum of November 5, 2009, which require each Federal agency to draft a detailed plan of actions it will take to implement the policies and directives of the Executive Order and prior Presidential Memorandum and submit an annual report to the Office of Management and Budget (OMB). This document is the second annual report to OMB.¹

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 outlined 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.

¹ HUD’s 2021 Tribal Consultation Plan of Actions Annual Report:
<https://www.hud.gov/sites/dfiles/PIH/documents/HUD%20Tribal%20Consultation%20Plan%20of%20Actions%20Annual%20Report%20to%20OMB%202021.pdf>

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: In 2022, HUD published two Federal Register Notices to request Tribal feedback on the TIAC structure and to solicit nominations for TIAC membership. HUD is in the process of reviewing the nominations and plans to formally announce the TIAC at the 2022 White House Tribal Nations Summit.</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>Ongoing: Due to the COVID-19 pandemic, this action was postponed. During 2022, ONAP staff were permitted to travel for limited essential purposes only. HUD hopes to facilitate a National Tribal consultation in 2023.</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 for HUD staff. In 2021 and 2022, HUD offered Working with Tribal Governments training for staff and political appointees.</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"> • Hosting national and regional roundtables with Tribal leaders and Tribal housing practitioners in all regions

Action	Status
	<ul style="list-style-type: none"> • Developing action plans to follow up on recommendations stemming from the national and regional roundtable sessions • Providing regular Dear Tribal Leader letters • Facilitating Tribal consultation sessions • Hosting weekly Tribal Housing Industry meetings • Collaborating 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 • HUD leadership addressing the National Congress of American Indians at their annual conference • Senior leadership participating in site visits in Indian Country • Senior leadership participating in the White House Tribal Nations Summit in 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>Complete</p> <p>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 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 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 that 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 Agriculture, Commerce, Energy, Health and Human Services, the Interior, and Transportation.</p> <p>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 2022, THRIITF finalized an Implementation Plan that describes and prioritizes specific deliverables to develop a coordinated environmental review. In addition, HUD has developed and delivered a Tribal environmental webinar series. THRIITF continues to meet on a regular basis to map out each agency’s categorical exclusions to help provide more consistencies across the Federal Government.</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

Action	Status
	<ul style="list-style-type: none"> • Participating in the Tribal Drinking Water Working Group • Promoting COVID-19 Vaccine Awareness • Continuum of Care • 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 • Collaborating with the U.S. Department of Health and Human Service’s Administration for Native American Affairs to host a webinar on Partnerships Serving Homeless American Indian and Alaska Native Youth featuring Dena’Ina House • Collaborated with Administration for Native Americans, Department of the Interior’s Office of Economic Development, and the Department of Commerce’s Economic Development Administration. • ONAP Joint Webinar on Federal Resources for Tribal Economic Development
<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>	<ul style="list-style-type: none"> • The Office of Public and Indian Housing is actively working to identify resources to support HUD’s TIAC and other Tribal Consultation initiatives.