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MANAGEMENT INITIATIVES FOR INDIAN HOUSING

It has come to my attention that some unexpected difficulties may have developed in recent efforts to enhance the effectiveness of HUD's overall delivery system for low income housing for Native Americans. The difficulties involve the implementation of the recently approved Management Initiatives for Indian Housing (MIFIH) program.

The purpose of the MIFIH program is to improve the management effectiveness, in both the short and long run, of key employees of approximately 132 Indian Housing Authorities (IHAs). Guidelines for the program were recently signed in mid-August with funding of \$3.5 million (including a \$500,000 carryover of TPP monies from FY 76) for a two-year program of management training and technical assistance. The appropriation requires that the \$3.5 million be obligated by 30 September 1976.

One of the most important issues involved in this legislation and indeed in all new Federal legislation, is how to best facilitate the implementation of self-determination by the Indian peoples and at the same time to maximize the efficient use of Federal training program funds. The current Assistant Secretary for Legislation and Consumer Affairs, Dr. Constance Newman, apparently considers her Office to be legally required to obligate, through the HUD Regional Offices, the \$3.5 million directly to the individual IHAs by 30 September 1976. The IHAs are then expected to individually contract (with Regional Office approval) with various individuals and/or organizations who appear to have the expertise to provide management training and technical assistance.

It appears to me that this approach to obligating the MIFIH monies is likely to lead to the following undesirable results over the next two years:

- (1) arbitrary allocations by formula and, not by true need, of funds being made to the regional offices and subsequently to the individual IHAs by 30 September of this year;
- (2) considerable unnecessary duplication of efforts and inefficient use of Federal resources caused by the IHAs contracting with a large number of trainers each of whom would need to develop training materials and programs of technical assistance;

- (3) minimal development of performance standards across HUD regions (or even perhaps in a single region) and thus a lack of clear identification of much needed role models which are culturally relevant to Native Americans as they attempt to improve the management of their own affairs in this very important area of housing;
- (4) setting in motion a highly ineffective and circular process of providing funds to the IHAs which they are expected to manage efficiently, when the very reason for the MIFIH program is to enhance the management skills of key personnel in the IHAs; and
- (5) raising expectations that self-determination will be enhanced for the Indian peoples when any reasonable independent evaluation is likely to conclude two years from now that the IHAs have not effectively managed the training monies and thus self-determination is not working so future allocation of monies are not warranted.

Given the nearness of the 30 September deadline, and the potential problems outlined above, it appears to me that immediate reasonable strategy might include the following elements:

- (1) request an interpretation from the HUD General Counsel regarding the necessity to obligate all monies directly to the IHAs;
- (2) if the interpretation by General Counsel is that all MIFIH monies are not required to be directly allocated by the deadline, seriously consider
 - (a) pre-qualifying one or more training organizations which could develop some common curriculum materials and schedule some group training (based for example on regional, cultural, and size similarities in IHA tribal units) activities to effect some economies of scale, and quality assurance of minimum standards.
 - (b) set aside some MIFIH funds for the materials in (a) above with input being provided from IHAs regarding the materials and the final selection of trainers from the pre-qualified list of organizations,
 - (c) obligate through the Regional Offices the remaining MIFIH funds ^{based on a ~~complete~~ Thorough Need Assessment} to be used to contract for their technical assistance and training needs.

THE WHITE HOUSE
WASHINGTON

Chukovitz

Victor Revire

837-4021

SBA Jones

Report of



S.D. Hansen Report -

SD-1-101

Price Index 50 units

303-837-2152

*have (some) must be made
Vlad Boba*

Al McKay

to Report City
Trees being purchased
there.

MEMORANDUM
OF CALL

TO:

Brad

YOU WERE CALLED BY— YOU WERE VISITED BY—

Violet LAVEAU

OF (Organization)

PLEASE CALL →

PHONE NO.
CODE/EXT. _____

WILL CALL AGAIN

IS WAITING TO SEE YOU

RETURNED YOUR CALL

WISHES AN APPOINTMENT

MESSAGE

(605)

342-7522

urgent

RECEIVED BY

DATE

TIME

THE WHITE HOUSE
WASHINGTON

Each IHA be allowed
to choose.

IHC now giving
our tenant packages in Nevada.

Stirling Dentate
Rural Housing Allowance



MT to C/V
Rubini

124
2.5 M
3 checks out

THE WHITE HOUSE
WASHINGTON

Conni Newson
HUD

Joe Burstein - HUD 755-7093
Bob Elliott

Don MacDonald
Jim Beaghest

\$22 per person

SW area only
for residential units
Curriculum material - used
nationally.

Would add Indian
faculty members

Would have Indian
MBA program

HUD has not yet

THE WHITE HOUSE
WASHINGTON

Approved a list
of ~~proposed~~
approvals & instructions
for Reg. Office
action.

Debate Housing Authorities
have asked for OK
from Rapid. City for
No approval from Denver



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

DATE: 4/21/76

TO: Dr. Marris

FROM: Howard Bergstrom

Per our conversation.

Interesting points are

(1) This includes state
tribes.

(2) No mention of BIA.

See page 4, section 6(1).

That this Act may be cited as the "Energy Conservation and Weatherization in Buildings Act of 1976".

Energy Conservation and Weatherization in Buildings Act of 1976
Sent
10/27/76

TITLE I -- WEATHERIZATION ASSISTANCE FOR LOW-INCOME PERSONS

SHORT TITLE

Sec. 101. This title may be cited as the "Weatherization Assistance Act of 1976".

Sec. 102. The Congress finds and declares that --

(1) dwellings owned or occupied by low-income persons frequently are inadequately insulated, and such persons, particularly elderly and handicapped low-income persons, can least afford to make the modifications necessary to reduce their residential energy use;

(2) weatherization of such dwellings would lower utility expenses for such low-income owners or occupants as well as save thousands of barrels per day of needed petroleum;

(3) the States should be encouraged through Federal assistance to develop and support coordinated weatherization programs designed to ameliorate the adverse effects of high energy costs on such low-income persons, to supplement other Federal programs serving such persons, and to conserve energy; and

(4) such State programs should supplement and not supplant, and be fully coordinated with, the emergency energy conservation program carried out by community action agencies pursuant to section 222(a)(12) of the Economic Opportunity Act of 1964.

PURPOSE

7 Sec. 103. The purpose of this title is to develop and implement a supplementary weatherization assistance program to assist in achieving a prescribed level of insulation in the dwellings of low-income persons particularly elderly and handicapped low-income persons, in order both to aid those persons least able to afford higher utility costs and to conserve needed energy.

DEFINITIONS

Sec. 104. As used in this title the term --

(1) "Administrator" means the Administrator of the Federal Energy Administration;



(2) "Director" means the Director of the Community Services Administration;

(3) "elderly" means persons who are sixty years of age or older;

(4) "Governor" means the chief executive officer of a State (including the Mayor of the District of Columbia);

(5) "handicapped person" means an individual who meets the definition of a "handicapped individual as defined in section 7(6) of the Rehabilitation Act of 1973, as amended, or who is under a disability as defined in section 1614(3)(A) or 223(d)(1) of the Social Security Act or in section 102(7) of the Developmental Disabilities Services and Facilities Act of 1970, as amended, or who is receiving benefits under chapter 11 or 15 of title 38, United States Code;

(6) "Indian", "Indian tribe", and "tribal organization" mean "Indian", "Indian tribe", and "tribal organization" as those terms are defined in paragraphs (4), (5), and (6) of section 102 of the Older Americans Act of 1965, as amended; and

(7) "low-income" means that income in relation to family size which (A) is at or below the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget or (B) would qualify for cash assistance payments under titles IV and XV of the Social Security Act or applicable State or local law;

(8) "State" means the several States and the District of Columbia;

(9) "weatherization materials" means items primarily designed to improve the heating or cooling efficiency of a dwelling, including, but not limited to, ceiling, wall, floor, and duct insulation, storm windows and doors, and caulking and weatherstripping, but not including mechanical equipment valued in excess of \$50 per dwelling unit.

WEATHERIZATION PROGRAM

Sec. 105. (a) The Administrator is authorized, in accordance with the provisions of this title and regulations prescribed hereunder, to make grants to (1) States, and (2) in accordance with the provisions of subsection (d) of this section, to Indian tribal/organizations to serve Native Americans, to provide financial assistance to assist in carrying out projects designed to provide for the weatherization of dwellings, particularly those where elderly and handicapped low-income persons reside, in which the head of household is a low-income person.

(b)(1) The Administrator, after consultation with the Secretary of Housing and Urban Development, the Secretary of Health, Education, and Welfare, the Secretary of Labor, the Director of the ACTION Agency, and the heads of such other Federal departments and agencies as he deems appropriate, shall develop and publish in the Federal Register for public comment, not later than forty-five days after the date of enactment of this title, proposed regulations to carry out the provisions of this title. He shall take into consideration comments submitted regarding such proposed regulations, and shall publish such final regulations not later than seventy-five days after the date of such enactment. The development of regulations under this title shall be fully coordinated with the Director.

concurrency is dropped

(2) The regulations prescribed pursuant to this section shall include provisions --

(A) prescribing, in coordination with the Secretary of Housing and Urban Development, the Secretary of Health, Education, and Welfare, and the Director of the National Bureau of Standards in the Department of Commerce, for use in various climatic, structural, and human need settings, standards for weatherization materials, energy conservation techniques, and balanced combination thereof, designed to achieve a balance of a healthful dwelling environment and maximum energy conservation; and

(B) designed to insure that (i) the benefits of weatherization assistance in connection with leased dwelling units will accrue primarily to low-income tenants; (ii) the rents on such dwelling units will not be raised because of any increase in the value thereof due solely to weatherization assistance provided under this title; and (iii) no undue or excessive enhancement will occur to the value of such dwelling units.

(c) In the event that a State does not, within ninety days after the date on which final regulations are published under this section, submit an application meeting the requirements set forth in section

*known to be a
business
NBS approval
simplified
or*

a unit of general purpose government of sufficient size as determined by the Administrator, or a community action agency carrying out program under title II of the Economic Opportunity Act of 1964, as amended, may, in lieu of such State, submit an application (meeting such requirements and subject to all other provisions of this title) for carrying out projects under this title within the geographical area under the jurisdiction of such government, or served by such agency under that Act, as the case may be. In the event of any such application by a unit of general purpose government proposing that the allocation requirement and priority for an applicable community action agency, established under section 107(b)(2)(B), be determined to be no longer applicable, the Administrator, as part of the notice and public hearing procedure carried out under section 110 with respect to such application, shall be responsible for making the necessary determination under the provisions in section 107(b)(2)(B).

Indians (d)(1) Notwithstanding any other provision of this title, in any State in which the Administrator determines (after having taken into account the amount of funds made available to the State to carry out the purposes of this title) that the low-income members of an Indian tribe are not receiving benefits under this title that are equivalent to assistance provided to other low-income persons in such State, and if he further determines that the members of such tribe would be better served by means of a grant made directly to provide such assistance, he shall reserve from sums that would otherwise be allocated to such State under this title not less than 100 per centum nor more than 150 per centum of an amount which bears the same ratio to the State's allocation for the fiscal year involved as the population of all low-income Indians for whom a determination under this subsection has been made bears to the population of all low-income persons in such State.

(2) The sums reserved by the Administrator on the basis of his determination under this subsection shall be granted to the tribal organization serving the individuals for whom such a determination has been made, or, where there is no tribal organization, to such other entity as he determines has the capacity to provide services pursuant to this title.

(3) In order for a tribal organization or other entity to be eligible for a grant for a fiscal year under this subsection, it shall submit to the Administrator an application meeting the requirements set

(c) Notwithstanding any other provision of law, the Administrator is authorized to transfer to the Director sums appropriated under this title to be utilized in order to carry out programs under section 222(a)(12) of the Economic Opportunity Act of 1964, as amended, in furtherance of the purpose of this title.

FINANCIAL ASSISTANCE

Sec. 106. (a) The Administrator shall provide financial assistance from sums appropriated for any fiscal year under this title only upon annual application therefor describing the estimated number and characteristics of the low-income persons and the number of dwellings to be assisted and containing such other information (including information needed for evaluation purposes) and assurances as may be required (1) in the regulations prescribed pursuant to section 105 and (2) to carry out this section. In providing such financial assistance, the Administrator shall allocate funds on the basis of the relative need for weatherization assistance among low-income persons throughout the States, taking into account the following factors:

(1) the number of dwellings to be weatherized;

(2) the climatic conditions in the State respecting energy conservation, which may include consideration of annual degree days;

(3) the type of weatherization work to be done in the various settings; and

(4) such other factors as the Administrator may determine necessary in order to carry out the purpose and provisions of this title.

(b) The Administrator shall not provide financial assistance under this title unless the applicant has provided reasonable assurances that it has --

(1) established a policy advisory council which has special qualifications and sensitivity with respect to solving the problems of low-income persons (including the weatherization and energy-conservation problems of such persons) and is broadly representative of organizations and agencies which are providing services to such persons in the State or geographical area in question in order to advise the responsible official or agency administering the allocation of financial assistance in such State or area with re-

to the development and implementation of the weatherization assistance program

(2) established priorities to govern the provision of weatherization assistance to low-income persons, including methods to provide priority to elderly and handicapped low-income persons and the extent to which priority will be given to single-family or other high-energy-consuming dwellings; and

Sup?
(3) established policies and procedures designed to assure that financial assistance provided under this title will be used so as not to supplant State or local funds, but to supplement and, to the extent practicable, to increase the amounts of such funds that would in the absence of such Federal funds be made available for carrying out the purpose of this title, including plans and procedures (A) for securing, to the maximum extent feasible, the services of volunteers and manpower training participants and public service employment workers, pursuant to the Comprehensive Employment and Training Act of 1973, as amended, to work under the supervision of qualified supervisors and foremen, and (B) for complying with the limitations set forth in section 107.

LIMITATIONS

Sec. 107. (a) Financial assistance provided under this title shall, to the maximum extent feasible as determined by the Administrator be used for the purchase of weatherization materials, except that not to exceed 10 per centum of any grant under this title may be used for the administration of weatherization projects under this title.

(b) The Administrator shall insure that financial assistance provided under this title will --

(1) be allocated within the State or area in accordance with a published State or area plan, determined after notice and a public hearing, describing the proposed funding distributions and recipients;

(2) be allocated, pursuant to such plan, to community action agencies carrying out programs under title II of the Economic Opportunity Act of 1964, as amended, or other appropriate qualified public or nonprofit entities in the State or area so that --

(A) funds will be allocated on the basis of the relative need for weatherization assistance among the low-income persons within the State or area, taking into account appropriate climatic and energy conservation factors;

X

(B)(i) funds to be allocated for carrying out weatherization projects under this title in the geographical area served by the emergency energy conservation program carried out by a community action agency under section 222(a)(12) of the Economic Opportunity Act of 1964, as amended, will be allocated to such agency, and (ii) priority in the allocation of such funds for carrying out such projects under this title will be given such a community action agency in so much of the geographical area served by it which is not served by the emergency energy conservation program it is carrying out: Provided, That such allocation requirement and such priority shall no longer apply in the event that the Governor of a State preparing an application for financial assistance under this title makes a determination, on the basis of the public hearing required by clause (1) of this subsection, or the Administrator, as provided in section 105(c) makes a determination, that the emergency energy conservation program carried out by such agency has been ineffective in meeting the purpose of this title or is clearly not of sufficient size, and cannot in timely fashion develop the capacity, to support the scope of the project to be carried out in such area with funds under this title; and

(C) due consideration will be given to the results of periodic evaluations of the projects carried out under this title in the light of information regarding current and anticipated energy and weatherization needs of low-income persons within the State; and

(3) be terminated or discontinued during the application period only in accordance with policies and procedures consistent with the policies and procedures set forth in section 110.

MONITORING, TECHNICAL ASSISTANCE, AND EVALUATION

Sec. 108. The Administrator, in coordination with the Director, shall monitor and evaluate the operation of projects receiving financial assistance under this title through reports provided for in section 109(a) or through onsite inspections, or otherwise, in order to assure the effective provision of weatherization assistance for the dwellings of low-income persons, and shall carry out periodic evaluations of the program authorized by this title and projects receiving financial assistance hereunder. The Administrator may provide technical assistance to any such project, directly and through persons and entities with a demonstrated capacity in developing and implementing appropriate technology for enhancing the effectiveness of the provision of weatherization assistance to the dwellings of low-income persons, utilizing in any fiscal year not to exceed 10 per centum of the sums appropriated for such year under this title.

ADMINISTRATIVE PROVISIONS

Sec. 109. (a) The Administrator, in consultation with the Director, by general or special orders, may require any recipient of financial assistance under this title to provide, in such form as he may prescribe, such reports or answers in writing to specific questions, surveys, or questionnaires as may be necessary to enable the Administrator and the Director to carry out their functions under this title.

(b) Each person responsible for the administration of a weatherization assistance project receiving financial assistance under this title shall keep such records as the Administrator may prescribe in order to assure an effective audit of the disposition of the funds provided under this title.

(c) The Administrator, the Director (with respect to community action agencies), and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents,

papers, information, and records of any project receiving financial assistance under this title that are pertinent to the financial assistance received under this title.

(d) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

APPROVAL OF APPLICATIONS AND ADMINISTRATION OF STATE PROGRAMS

Sec. 110. (a) The Administrator shall not finally disapprove any application submitted under this title, or any modification thereof, without first affording the State (or general purpose local government or community action agency under section 105(c), as appropriate) in question, as well as other interested parties, reasonable notice and opportunity for a public hearing. The Administrator may consolidate into a single hearing the consideration of more than one such application for a particular fiscal year to carry out projects within a particular State. Whenever the Administrator, after reasonable notice and opportunity for a public hearing, finds that in the administration of the program within the State or geographical area there is a failure to comply substantially with the provisions of this title and regulations prescribed hereunder, he shall notify such agency or institution and other interested parties that the State (or government or agency, as appropriate) will not be regarded as eligible to participate in the program under this title until the Administrator is satisfied that there is no longer any such failure to comply.

(b) Reasonable notice under this section shall include a written notice of intention to act adversely (including a statement of the reasons therefor) and a reasonable period of time to submit corrective amendments to the application, or to propose corrective action.

JUDICIAL REVIEW

Sec. 111. (a) If any applicant is dissatisfied with the Administrator's final action with respect to the approval of its application submitted under section 106 or with the final action under section 110, such applicant may, within sixty days after notice of such action, file with the United States court of

circuit, in which the State in question is located

a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Administrator. The Administrator thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2113 of title 28, United States Code.

(b) The findings of fact by the Administrator, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Administrator to take further evidence, and the Administrator may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Administrator or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

NONDISCRIMINATION

Sec. 112. (a) No person in the United States shall on the ground of race, color, national origin, or sex, or on the ground of any other factor specified in any Federal law prohibiting discrimination, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, project, or activity supported in whole or in part with financial assistance under this title.

(b) Whenever the Administrator determines that a recipient of financial assistance under this title has failed to comply with subsection (a) or an applicable regulation, he shall notify the recipient to secure compliance. If within a reasonable period of time the recipient fails to secure compliance, the Administrator shall (1) refer the matter to the Attorney General with a recommendation that an appropriate civil action be instituted; (2) exercise the power and functions provided by title VI of the Civil Rights Act of 1964

(4) U.S.C. 2000d et seq.) and any other applicable Federal non-discrimination law; or (3) take such other action as may be provided by law.

REPORT TO CONGRESS

Sec. 113. The Administrator and (with respect to the operation and effectiveness of activities carried out through community action agencies) the Director shall each submit, on or before March 31, 1977, and annually thereafter through 1979, a report to the Congress and the President describing the weatherization assistance program carried out under this title or any other provision of law, including the results of periodic evaluations and monitoring activities required by section 108.

AUTHORIZATION OF APPROPRIATIONS

Sec. 114. There are authorized to be appropriated to carry out the weatherization program under this title, \$55,000,000 for each of fiscal years 1976, 1977, 1978, to remain available until expended.

J. MITCHELL
D. MC GURK
B. PATTERSON ✓
B. KILBERG
DOM COUNCIL

THE WHITE HOUSE OFFICE

REFERRAL

To: Department of the Interior

Date: June 10, 1976

ACTION REQUESTED

- Draft reply for:
- President's signature.
- Undersigned's signature.
- Memorandum for use as enclosure to reply.
- Direct reply.
- Furnish information copy.
- Suitable acknowledgment or other appropriate handling.
- Furnish copy of reply, if any.
- For your information.
- For comment.



NOTE

Prompt action is essential.

If more than 72 hours' delay is encountered, please telephone the undersigned immediately, Code 1450.

Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

REMARKS:

For direct response, copy to the Undersigned.

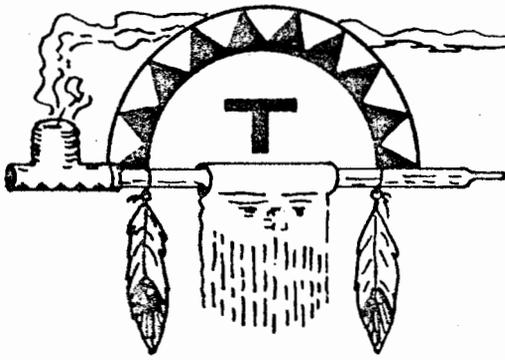
Description:

Letter: _____ Telegram: Other:

To: President Gerald Ford
From: William J. Woods
Date: 5-26-76
Subject: Indian Reservation Housing Requirements

By direction of the President:

Theodore C. Marrs
Special Assistant to the President



TE-MOAK BANDS OF WESTERN SHOSHONE

Elko, Nevada 89801

ELKO INDIAN COLONY

May 26, 1976

The Honorable Gerald Ford
President of the United States
1600 Pennsylvania Avenue
Washington, D.C. 20024

ATTN: Dr. Ted Morris

Dear President Ford,

A very serious problem now exists on the Elko Indian Colony and the other Indian Reservations and Colonies in the eastern part of the State of Nevada. We are in dire need of housing. The Department of Housing and Urban Development recognized this about three years ago in the Elko Colony's case and authorized the building of 15 new homes. HUD also authorized housing on other reservations in the area under jurisdiction of the Eastern Nevada Indian Agency. The initial joy and pride we all felt in having these houses authorized is slowly slipping away as time passes on and no construction starts.

We do not have these houses because there is no HOUSING OFFICER stationed here in the Eastern Nevada Agency in Elko, Nevada, to do the paperwork and the administration that is necessary to get the houses built and occupied. It is particularly sad and ironic that we do not have a Housing Officer here because there is a slot for such an officer in the Eastern Nevada Indian Agency of the Bureau of Indian Affairs and there has even been a person chosen for the slot, a Patrick E. Flynn now living in the state of Wisconsin. The only thing keeping Mr. Flynn from coming here is the freeze on filling Civil Service Commission Classification Series 301 positions within the Department of Interior.

We realize the need for economy in the government, but feel that by not sending Mr. Flynn here the Department of Interior has shown an insensitive lack of knowledge or disrespect for near emergency need of housing. Please see what can be done to get us a Housing Officer in Elko, Nevada, in the short run, and also see what can be done to get us an additional personnel policy for the Bureau of Indian Affairs Agency in Elko in the long run. Part of the Indian-Self Determination Act (P. L. 93-638) was that the Indian people would be provided adequate B.I.A. service. The E.N.A. agency in order to provide the minimum services to us, need an additional ten more permanent



employment slots. Approximately half the employees are on temporary status now. These are local Indian people who are desirous of making a career in the Federal Service and serving their people. As to the implementation of a more effective personnel policy, we do not believe that decisions about what personnel are needed in the Nevada Agencies can be made in Washington, D.C. We strongly believe that the Phoenix Area Office of the Bureau of Indian Affairs is capable of allotting slots and assigning personnel and could perform these functions more efficiently and with better results than the Bureau Headquarters in Washington, D.C. because it deals with Nevada Indians on a day to day basis and is cognizant of Nevada Indians' problems and needs.

The fact that we do not have a Housing Officer is indicative of a failure of the Washington, D.C. headquarters of the Bureau to realize our problems. Another example of the problems that have arisen out of this forced reliance on Washington, D.C. to handle our personnel problems is that there is only one person in the Tribal Operations Section of the Eastern Nevada Indian Agency in Elko. This one man Mr. Harry Owhi is good and dedicated but he does not have the time to serve the eight reservations in his area. The enclosed map will show the great distances he must travel to serve all these people in their serious and varied problems ranging from the Goshute Land Claims settlement to constitutional reorganization.

Sincerely,



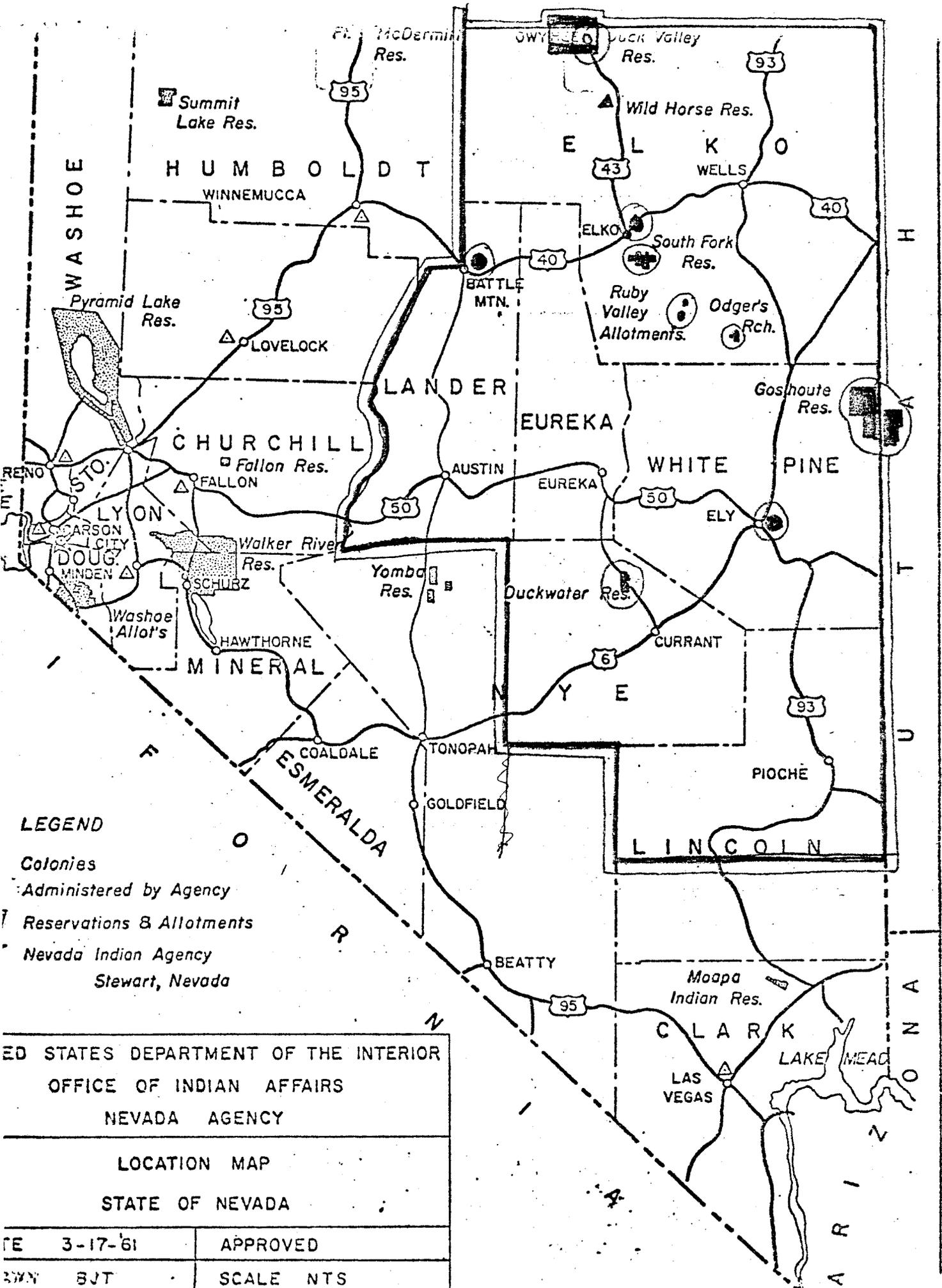
WILLIAM J. WOODS

Chairman, Elko Indian Council

Director, Te-Moak Tribal Gov't Development Program

WJW/cp

Enclosure



LEGEND

- Colleges
- Administered by Agency
- Reservations & Allotments
- Nevada Indian Agency
- Stewart, Nevada

UNITED STATES DEPARTMENT OF THE INTERIOR
 OFFICE OF INDIAN AFFAIRS
 NEVADA AGENCY

LOCATION MAP
 STATE OF NEVADA

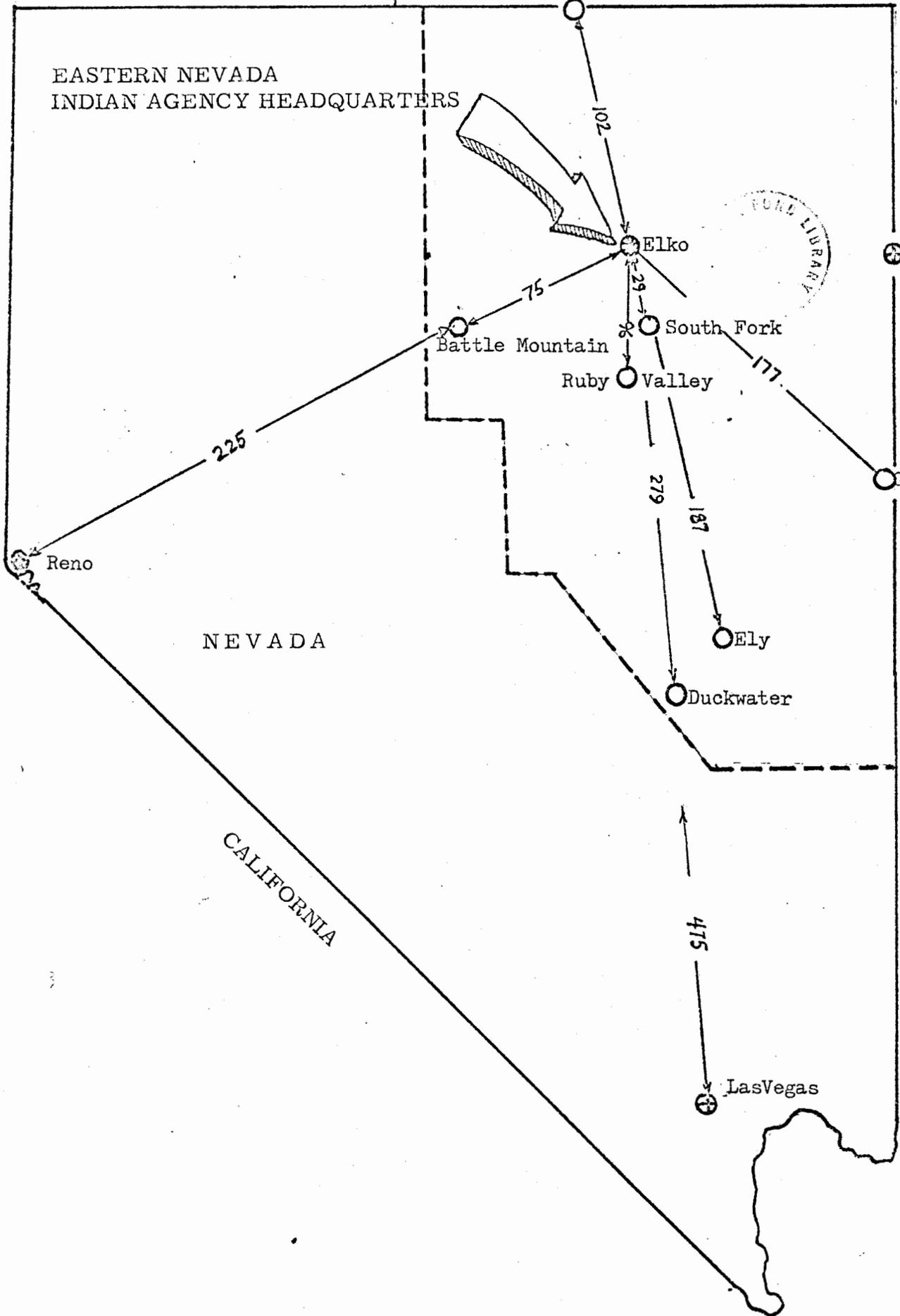
DATE 3-17-61	APPROVED
BY BJT	SCALE NTS

OREGON

Owhyee

IDAHO

EASTERN NEVADA
INDIAN AGENCY HEADQUARTERS



Wendover

Goshute

UTAH

NEVADA

CALIFORNIA

Las Vegas

415

177

187

279

29

75

102

225

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

I have signed into law S. 3295, the Housing Authorization Act of 1976.

The need to increase the quantity and quality of housing in America and to assure adequate housing for all Americans has been one of my primary concerns. S. 3295 contains provisions which are important in helping us reach these housing goals, and also contains important fiscal year 1977 authorizations for the Department of Housing and Urban Development. Unfortunately, it also contains provisions which indicate the strong reluctance on the part of this Congress to seek real solutions to the problems we face in assuring adequate housing for all lower-income Americans.

Two years ago, the Ninety-third Congress authorized a new approach to provide rental subsidies for lower-income families -- the Section 8 Housing Assistance Payments Program. This program was designed to avoid the serious, and well-documented, defects in the then-existing public housing program.

As a result of that new program, for the first time in our history we have been using effectively the existing housing in inventory, as well as new housing, to provide decent shelter for the Nation's poor. This approach is approximately half as costly as constructing new public housing, and it prevents the waste of our Nation's housing stock. Moreover, this program permits lower-income families to live in modest homes, indistinguishable from those of their neighbors, instead of institutionalized housing.

In S. 3295, however, the Congress has ignored both our unfortunate previous experience and the recent success resulting from the Section 8 program. Reversing this record of progress, it voted to re-initiate a public housing program. Fortunately, in the 1977 HUD appropriation bill, the Congress has voted overwhelmingly to cut back the size of that program.

S. 3295 would also extend a number of programs which should be discontinued and would authorize appropriations far in excess of my budget proposals. Although the Congress in acting on HUD's appropriation bill has demonstrated much greater restraint than was shown in S. 3295, the threat to future budgets remains because these high authorizations produce unrealistic expectations.

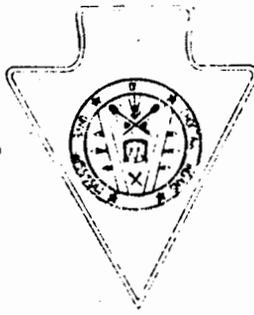
This bill also calls for short-sighted and illogical changes in the way interest rates are established under certain existing Federal programs.

more

Despite my strong reservations about these and other undesirable features, I have signed this bill because good government requires that a number of the authorizations and program extensions contained in S. 3295 become law as soon as possible. I have instructed Secretary Hills to use the resources of the Department of Housing and Urban Development to implement this measure in a manner which will maximize its benefits while reducing as much as possible the inevitable frustration, delays, and increased costs it will also bring.

#

Mississippi BAND OF CHOCTAW INDIANS



file for H.A. report
TRIBAL OFFICE BLDG.
ROUTE 7, BOX 21
PHILADELPHIA, MISS. 39350
TELEPHONE (601) 656-5251

August 17, 1976

Mrs. Loie Brooks, Executive Director
National American Indian Housing Council
Post Office Box 215
Stewart, Nevada 89437



Dear Loie:

As you know from our telephone conversations, in an effort to quickly grasp its content, I have been preparing an outline of the new HUD Handbook 7440.2 Management Initiatives for Indian Housing (MIFIH). I have spent most of tonight finishing that outline. As you suggested, a copy is being sent to Ron Peake. While reference to the handbook will still be necessary to obtain exact details on MIFIH, this outline might prove helpful to you and to Ron in getting an overall view of the program. It might also be helpful to member Indian housing authorities (IHAs). Use your judgement as to whether or not it should be distributed.

In a nutshell, HUD will allocate a total of approximately \$2.5 million to IHAs to defray expenses incurred by IHAs in obtaining training and technical assistance aimed at achieving management capabilities. Each IHA must determine its own needs and must devise a plan to fill its needs. The expenses to be incurred in following its plan must be estimated and the HUD Regional Office must review the plan, approve it and the cost estimate and allocate funds not later than September 30, 1976. That's about six weeks from today.

Therein lies the problem!

For years we have worked for and waited for the program. And when it gets here, it has a September 30 deadline. (We understand the reason for the deadline and do not object to it strongly enough to chance loss of the funds.) While the handbook directs the Regional offices to allocate their funds by September 30, even if IHA MIFIH plans have not been approved by that date, such allocations will be based on HUD Regional estimates of individual IHA needs and the costs of filling those needs. Those with the greatest needs will likely get the dregs at the bottom of the barrel. Obviously, the least proficient IHAs won't understand the new handbook - whenever they receive it. If Choctaw is any example, it is altogether possible that the envelope will not even be opened when the handbook is received, or else the handbook will never be handed over to the person needing it.

"CHOCTAW SELF-DETERMINATION"

Mrs. Loie Brooks
August 17, 1976
Page 2

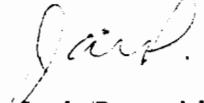
At least two possible courses of action could be followed:

- (1) We can impress upon the HUD Regional offices just how grave some IHA situations can be, and their needs for special assistance even in preparing their MIFIH plans; and/or,
- (2) We can move quickly to give the needed special assistance.

The latter seems to have the better chance of actually helping those who need help. I would venture that most if not all IHAs will need some degree of help.

Even if we have to personally do everything that needs to be done, let's not allow this program to be another that is "full of sound and fury, signifying nothing."

Very truly yours,


Jack Partridge

Enclosure

cc with enclosure:

Mr. G. Ron Peake, Director
Housing Assistance Division
Bureau of Indian Affairs
1951 Constitution Avenue, N. W.
Washington, D. C. 20245

MANAGEMENT INITIATIVES FOR INDIAN HOUSING

CHAPTER 1. INTRODUCTION

1. Purpose - to provide management assistance to IHAs
2. Background
 - a. The fundamental goal is to provide housing. This program is to assist IHAs in meeting their legal responsibilities as autonomous bodies.
 - b. The intent of the program is to defray IHA expenses incurred in attaining the knowledge necessary to effectively fulfill management responsibilities.
 - c. Management capability is necessary in order to continue production of Indian housing.
 - d. IHA accounting is not in auditable condition.
3. The 124 IHAs who received allocations of FY75 TPP funds are eligible to participate in MIFIH - others may be added.
4. MIFIH is a 2-year catch-up effort to substantially improve IHAs' management capability.
 - a. MIFIH will concentrate on housing operations
 - (1) Housing management
 - (2) Development Programs
 - (3) Community planning and development
 - b. MIFIH will be devoted to administrative/management capabilities
 - (1) Training in operational management
 - (2) Technical assistance in operational management
 - (3) Training in development functions
 - c. MIFIH relates to people (software) rather than things (hardware).
 - d. MIFIH activities are to be monitored to measure effectiveness, control funds and reveal further needs
 - (1) By IHAs
 - (2) By trainers
 - (3) By HUD
 - e. MIFIH activities are to be planned by IHAs and reviewed by HUD from the IHAs' perspectives
5. Responsibilities
 - a. HUD Central Office
 - (1) Assistant Secretary for Consumer Affairs and Regulatory Functions (CARF) and the Director of Indian Policy and Programs (IPP) are responsible for the implementation, monitoring and evaluation of MIFIH activities.
 - (2) Assistant Secretary for Housing and Office of Housing Programs (OHP) are responsible for assignment, administration and monitoring of MIFIH funds.
 - b. HUD Regional Offices
 - (1) Assistant Regional Administrator for Housing Management (ARA) has responsibility for administration of MIFIH. (Regions VIII and IX have ARA's for Indian Programs who will have this responsibility.)
 - (2) Regional Indian Coordinator or Special Assistants concurrence prior to Regional Administrator's approval is required at all levels of development of Regional Strategy and program implementation.
 - c. HUD Area Offices and Insuring Offices responsibility shall be determined at Regional level - may cover total program.

d. Indian Housing Authorities

- (1) IHA Executive Director, in consultation with HUD, determines IHA's needs and develops IHA's plan.
- (2) IHA Board of Commissioners reviews and approves plan and adopts resolution indicating review and approval of plan, assures that plan will be diligently and effectively carried out, states that the IHA will comply with all applicable HUD requirements, and acknowledges HUD's right to terminate funding if IHA fails to carry out its responsibilities under the plan.
- (3) Chairman of IHA Board secures Tribal Council approval of the plan and verifies Tribal Chairman's participation in the plan.

e. Regional IHA Association may be designated by the IHA Board by resolution to perform certain MIFIH functions. ARA is to be furnished copy of IHA resolution.

6. Operation of the MIFIH Program

a. Regional Strategy to be developed by each ARA. Major considerations include:

- (1) Needs and priorities for particular types of activities within the broad eligibility limitations of Chapter 2.
- (2) HUD resources available for implementation of MIFIH plan activities and regular program servicing.
- (3) Expertise of specific program offices, Regional Training Officers, etc.
- (4) IHA's views regarding substance and methods for implementing their MIFIH program.
- (5) Non-HUD resources which might be used for training, technical assistance and/or supplementary funding:
 - (a) The IHAs
 - (b) Other organizations
 - (c) Educational institutions
 - (d) Private firms
 - (e) Individuals
- (6) The mix of types and methods of training and technical assistance activities which will best serve IHAs within the Region and the degree to which training is needed and to which technical assistance is needed.
 - (a) Training methodologies to be used will be determined (formal courses, workshops, practical exercises, site visits, and on-the-job training).
 - (b) The extent to which group training sessions should be utilized will be determined.
- (7) Group Training Sessions planned should give consideration to:
 - (a) IHA input as to participants to be included.
 - (b) IHA input as to identification of trainers.
 - (c) Regional office plans to involve potential trainers in training sessions.
- (8) A schedule for program implementation is to be included in the Regional Strategy with consideration of:
 - (a) Condition of regular IHA responsibilities and functions within the Region (budget preparation, development processes, etc.)
 - (b) The sequence for development and processing MIFIH plans.
- (9) Issuances to HUD Personnel and/or IHAs needed to supplement Central HUD issuances.

b. Each IHA will prepare a plan for its individual activities and group participation.

- (1) Plan provides basis for program funding and implementation.
- (2) Organization selected as Trainer will prepare its curriculum for group training sessions.
- (3) Regional Office approval of IHA plans and Trainer curriculum is required.



- c. Funding includes FY75 TPP allocation to 124 IHAs and additional allocations from FY76 MIFIH funds.
 - (1) IHA's plan will include its estimate of total funding required.
 - (2) No distinction between FY75 and FY76 funds shall be made for use in training and technical assistance.
 - (3) All obligations of funds to IHAs must be completed by September 30, 1976.
 - (4) Funds will be disbursed to IHAs as needed to implement their approved MIFIH plans. All funds must be disbursed directly to IHAs.
 - (5) All activities to be funded by this program are to be completed within two years of the start-up of an IHA's approved plan.
- d. Public notification, as determined by each Region, must be given of the opportunity existing to participate as a Trainer.

CHAPTER 2. ELIGIBLE MIFIH ACTIVITIES

- 7. Each IHA's MIFIH plan shall constitute a coherent package of training and technical assistance, tailored to the IHA's particular needs. MIFIH funds shall be used only to finance those training and technical assistance activities included in the IHA's approved MIFIH plan.
 - a. Eligible TRAINING related expenditures cover:
 - (1) Transportation
 - (2) Per Diem
 - (3) Registration fees for courses or seminars
 - (4) Reimbursement for hired Trainers
 - (5) Charges for equipment, books and other teaching aids
 - (6) Other expenses related to specific training which is justified in the IHA's MIFIH plan.
 - b. Eligible trainees
 - (1) IHA personnel
 - (a) Commissioners
 - (b) Executive Directors
 - (c) Key IHA employees
 - (2) Other personnel to the extent necessary when funds are not otherwise available.
 - (a) Tribal Chairmen (or their designees)
 - (b) Fee Accountants
 - (c) IHA Lawyers
 - (d) Mutual Help Contractors
- 8. Eligible Training Activities
 - a. The following types of training shall be included, as adapted to the needs of the particular IHA:
 - (1) Orientation - for Commissioners and Executive Directors. Key officials of the Tribal Council and its community development agencies and social service agencies should be included subject to the availability of funds from their own budgets - MIFIH funds shall not be used to cover travel and per diem expenses for such officials. Orientation training should cover at least the following subjects:
 - (a) Fundamentals of low-income public housing.
 - (b) Responsibilities of the IHA.
 - (c) The relationship between the IHA and HUD.
 - (d) The roles of the BIA and IHS in development and operation.
 - (e) The relationship between the Tribal Council and the IHA.
 - (f) The rights and duties of tenants and homebuyers.

(2) Technical Training - detailed and highly practical instruction for Executive Directors and other key IHA employees in subjects pertinent to everyday tasks and responsibilities for which the IHA has identified a need. Commissioners, IHA Accountants, lawyers and contractors may be included for appropriate subjects. The instruction must lead to the employee's being able to perform the necessary tasks. The following subjects shall be covered in the depth necessary to address the needs of the particular IHA:

- (a) General management functions.
- (b) Occupancy functions.
- (c) Financial management.
- (d) Maintenance and Utilities functions.
- (e) Supply management.
- (f) Modernization functions. .
- (g) IHA/resident relations.
- (h) Administration of development programs.

b. Any training method, or combination of methods, may be used provided that HUD determines the total training program to be genuinely effective, workable, and reasonably economical.

(1) Group training is strongly recommended where common needs exist.

(2) Other training methods which may be used to supplement group training:

- (a) Participation in courses and conferences
 - (i) Sponsored by HUD field offices
 - (ii) Sponsored by HUD training centers
 - (iii) Sponsored by educational institutions
 - (iv) Sponsored by management organizations
- (b) Intra-IHA Courses
- (c) On-the-job training
- (d) Educational visits to other IHAs
- (e) Educational visits to non-Indian Public Housing Agencies

9. Eligible TECHNICAL ASSISTANCE Activities

a. Technical assistance is limited to the areas of administration or management of housing operations listed below. Only incidental attention may be given to related aspects of housing development.

(1) First priority in technical assistance shall be given to assistance in bringing financial accounts and records to an auditable condition and to training IHA staff to continue such accounting practices without further outside supervision.

(2) Second priority in technical assistance shall be given to other aspects of financial management

- (a) General financial planning
- (b) Preparation and use of operating budgets
- (c) Methods for cost control
- (d) Collection of rents and homebuyer payments
- (e) Other

(3) Third priority for technical assistance shall address needs in other operational areas

- (a) Occupancy
- (b) Maintenance and utilities
- (c) Supply management
- (d) Modernization
- (e) IHA/resident relations

b. Types of Technical Assistance

(1) Professional services which the IHA demonstrates will effectively and economically address a genuine need and will be performed by persons genuinely qualified to do so.

- (a) Accountants
- (b) Management Technicians
- (2) Additional staff may be temporarily employed for "catch-up" for a period not to exceed two years. Specific HUD approval is required. Such employment shall not include additional maintenance, security or social service personnel.

10. MIFIH funds shall NOT be used to fund the following types of items:
- a. Cost of maintenance, repairs and capital improvements
 - b. Cost of security programs or social service programs
 - c. Increases in salaries and benefits to IHA employees

CHAPTER 3. DEVELOPMENT, SUBMISSION, REVIEW AND
APPROVAL OF IHA PLANS AND FY76 FUND
OBLIGATIONS



11. HUD Regional Office Procedures

- a. Upon approval of the Regional Strategy by the RA and concurrence by CARF-IPP, the ARA will authorize each eligible IHA to proceed with development of its MIFIH plan. This letter of authorization will include:
 - (1) Specific instructions for submission of the plan, including timeframe
 - (2) Statement of the Regional Office's assessment of the IHA's preliminary needs
 - (3) A summary of the Regional Strategy as it relates to the IHA, including recommendations as to the IHA's participation in group training sessions
 - (4) Resources available for consideration by the IHA in choosing its training
 - (5) A statement of the amount of FY75 MIFIH allocation made to the IHA
- b. Review of plan submission
 - (1) Copies of the IHA's plan shall be routed by the ARA for comments and recommendations to:
 - (a) Regional Indian Coordinator
 - (b) Offices of program areas pertinent to any portion of the IHA's plan
 - (2) IHA's plan will be reviewed according to specific criteria for evaluation in accordance with Appendix 2
 - (3) If APPROVAL of the IHA's plan is indicated, the ARA secures a prevalidation of funds from Regional Accounting Division and submits evidence of this prevalidation, the IHA's plan, the ARA's comments and recommendations and a letter for the RA's signature obligating the prevalidated funds all to the RA for review.
 - (4) If the proposed plan DOES NOT MERIT APPROVAL, the ARA shall immediately advise the IHA and make reasonable effort to obtain an approvable resubmission.
 - (5) If the September 30 deadline for obligation of funds does not allow sufficient time to obtain an approvable resubmission, the ARA shall proceed to prevalidate and obligate funds to all IHAs, based on the best estimates he has of the funds necessary.
- c. Final approval of the IHA's plan by the RA may be conditioned on modification, deletions and/or additions
- d. A letter of obligation of TPP/MIFIH funding shall be sent to the IHA by September 30, 1976, even if some MIFIH plans have not been approved. A separate letter will be sent to the IHA regarding approval of its plan. NOTE: Two distinct letters - one obligating funds and another approving the IHA's MIFIH plan are involved. Training cannot begin until the plan approval letter is received by the IHA.

- e. ARA will send CARF-IPP, by October 29, 1976, a list of the IHAs involved, the amounts of FY75 and FY76 TPP funds obligated to each, a list of all approved trainees, the needs to be addressed at each session and the names of IHAs included in each training group. Eligible IHAs not participating in MIFIH shall be listed with the reasons for their non-involvement being given.

12. IHA Procedures

- a. The IHA's individual plan shall follow the points included in the ARA's letter announcing the Regional Strategy and shall follow the following format:
 - (1) Needs of the IHA should be stated realistically and all-inclusively, even if sufficient MIFIH funding to fill all needs is not anticipated.
 - (2) Each training and technical assistance activity proposed is to be listed in order of priority. Participation in group training sessions shall be noted after consultation with the Regional Office and the Trainer. Each activity description shall include:
 - (a) Needs which will be addressed
 - (b) Individuals to be trained
 - (c) Methodology/techniques to be utilized
 - (d) Evaluation criteria
 - (3) Schedule of beginning and completion dates of each training and technical assistance activity planned. Completion should be scheduled within two years from beginning date.
 - (4) Training resources to be utilized should be identified and their qualifications should be documented.
 - (5) A revision of the IHA's current Operating Budget including supporting data showing the total MIFIH funding requested for each activity and the total anticipated expenditures in each of the following categories:
 - (a) Contracts for services
 - (b) Travel and per diem expense
 - (c) Salaries and benefits
 - (d) Procurement of facilities, supplies and equipment
 - (e) Other identified expenditures

NOTE: This supporting data to the Operating Budget revision becomes the MIFIH Program budget.
 - (6) A description of the expertise/skill each participant is expected to gain from each activity, as perceived by both the IHA and the Trainer, and a plan for monitoring and evaluating each activity.
 - (7) A resolution by the IHA's Board of Commissioners in the form prescribed in Appendix 1

13. IHA Group Training Sessions

- a. In order to obtain stronger training programs, groups of IHAs in various parts of the country may join together for a common training program.
- b. Subject to the Regional Strategy, two or more IHAs who share a common need may form training groups. The following points are pertinent to such group formations:
 - (1) Training sites within the area covered by such IHAs should be conveniently and economically accessible.
 - (2) IHAs in a training group should be compatible in terms of training needs, skill/knowledge levels and other relevant factors.
 - (3) Inter-regional efforts may be worked out with the approval of both RAs.
- c. Overall responsibility for planning and carrying out group training programs shall be the function of an individual, an agency or an organization (the Trainer) who is mutually acceptable to the IHAs involved and the ARA. The following points are pertinent to the selection of a trainer for each training program:

- (1) A HUD-IHA consensus as to the selection of the trainer shall be reached by consultations between the ARA and the IHAs involved.
- (2) The trainer is to consult with the IHAs involved, the ARA and others having significant roles in the training program in the preparation of its proposed training curriculum.
- (3) The training program must be genuinely effective and reasonably economical. Its substance must be sufficient for practical, accurate, in-depth coverage of all subject matters related to the administrative and management needs of the IHAs involved. It must be effective in imparting practical knowledge.
- (4) The format of each training program shall contain the following elements:
 - (a) Detailed description of each training session
 - (i) intended training audience
 - (ii) the purposes and measurable objectives of each major block of instruction
 - (iii) detailed daily schedules showing each subject to be covered, methods of instruction and the name of the person or persons to be used as instructor
 - (b) An administrative plan including:
 - (i) the dates of each training session
 - (ii) the places for each training session including arrangements for meeting facilities, equipment, participants' lodging and meals
 - (iii) the IHA and position of each trainee expected to participate in each training session
 - (iv) the names of the trainer's representative to administer each training session
 - (v) plans for publicizing (selling) the training program and each training session to assure full IHA participation and support
 - (c) A monitoring and evaluation plan
 - (d) A brief statement of each instructor's qualifications
 - (e) An administrative budget detailing the trainer's expenses
 - (f) An estimate of each participating IHA's costs
 - (g) The trainer's certification regarding performance and HUD's reservation of the right to terminate funding
- (5) Exact arrangements for date, location, facilities and instructors may be deferred until trainer's plan has been approved.

CHAPTER 4. IMPLEMENTATION OF PLANS

15. Upon receipt of the RA's letter to the IHA approving the priorities and schedule of activities, the IHA shall proceed with implementation of its plan. Any changes in the schedule must be reported in writing to the ARA.
16. Monitoring and evaluation by the IHA and trainer shall be performed in accordance with its approved MIFIH plan. HUD Regional monitoring and evaluation shall be the responsibility of the ARA.
17. Reports to HUD
 - a. From IHAs - narrative quarterly reports to ARA
 - b. From Trainers - evaluation reports on each participant at the conclusion of each session
 - c. ARA shall distribute copies of report to:
 - (1) Regional Indian Coordinator
 - (2) CARF-IPP
 - (3) Program offices involved in curriculum development

18. Notification of changes shall be made by ARA to IHAs when any change in IHAs' plans are necessary.
19. Final evaluation report of the total effort shall be made by each IHA and trainer at completion of all funded activities.
20. Financial reporting shall be in accordance with normal HUD financial reporting requirements.





OFFICE OF THE ASSISTANT SECRETARY FOR
HOUSING—FEDERAL HOUSING COMMISSIONER

JUN 29 1976

IN REPLY REFER TO:

Mr. Tim Foster
Chairman
National American Indian Housing
Council
Post Office Box 215
Stewart, Nevada 89437

Dear Mr. Foster:

Thank you for your letter of May 18, 1976, regarding the National American Indian Housing Council's proposed role in "Management Initiatives for Indian Housing" (MIFIH), the Department's new effort to provide training and technical assistance for Indian Housing Authorities.

I appreciate your kind remarks about my responsiveness to Indian needs. In my present position, I do indeed continue to be concerned about Indian needs, and especially the need to improve the capability of Indian Housing Authorities to manage their programs in a way which will assure quality housing for low-income Indian families over the long term. Various members of my staff, as well as myself, are familiar with the NAIHC, and hold a high opinion of you and other officials of the NAIHC.

As you may already know, the primary Departmental responsibility for MIFIH has been assigned to the Assistant Secretary for Consumer Affairs and Regulatory Functions, Mrs. Constance B. Newman. While we in Housing Management are continuing to take a deep interest in this program, Mrs. Newman has the lead role in further program development and implementation. In view of this, I have forwarded your letter to Mrs. Newman, with the request that she provide you with a further response.

Sincerely,

for

ABNER D. SILVERMAN NATIONAL AMERICAN INDIAN
HOUSING COUNCIL

James L. Young
Assistant Secretary

JUL - 2 1976

ing Assistance

MAY 17 1976

Honorable Constance Newman
Assistant Secretary for Consumer Affairs
Department of Housing and Urban Development
451 Seventh Street, S.W.
Washington, D. C. 20410

Dear Ms. Newman:

It was a pleasure to meet with you the other day and discuss your responsibilities for Indian housing programs, especially the education and training of housing authority staff.

We again wish to emphasize the capabilities of several Indian housing authorities with personnel who have the knowledge and the experience to carry out their duties properly, efficiently, and effectively. Several of these people are working with the National American Indian Housing Council (NAIHC) to develop a training proposal which would enable those housing authorities that wish to use the knowledge and expertise of the NAIHC to do so with their Target Project Program (TPP) funds.

The NAIHC has been working on this training proposal since former Secretary Crawford advanced the idea at the Reno meetings in June of 1975. As I mentioned, they are fortunate to have on their staff several people with degrees in education, knowledge and experience in the program of HUD and the operations of the local Indian housing authorities. This combination of abilities gives them a very unique position in understanding IHA management and administration problems.

We propose to assist the NAIHC in expanding their proposal and fund the necessary coordination, development, and arrangement of the materials for the training package. Our assistance, of course, would be contingent on your acceptance of the NAIHC as a designated training entity.

We look forward to working with you on the Indian housing program.

Sincerely yours,

(Sgd) Harley M. Frankel

Deputy Commissioner of Indian Affairs

cc: Tom Sherman, HUD, Office of Publicly Financed Housing
Dennis Blair, Office of the Secretary, HUD
Loie Brooks, NAIHC
Ron Froman, NAIHC

leg Assistance

MAY 17 1976

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Assistant Secretary for Consumer Affairs
Department of Housing and Urban Development
451 Seventh Street, S.W.
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Deputy Commissioner of Indian Affairs

cc: Tom Sherman, HUD, Office of Publicly Financed Housing
Dennis Blair, Office of the Secretary, HUD
Loie Brooks, NAIHC
Ron Froman, NAIHC

30th August 1976.

Dear Mr. Patterson:

Hi! Enclosed is a copy of the comments I drafted for HUD's concurrence with the inter-Departmental Memorandum of Understanding which I mentioned to you last week. Unfortunately a copy of the Memorandum itself was not in either the Division or Offices' files: I am trying to find one and will send it along to you when it's discovered.

This morning I met with Reaves Nahwoosky, Director of HUD's Office of Indian Policy and Programs, in order to complete some information needed to respond to the annual Indian Reorganization Act report of planned allowances that will benefit Indian tribes--and I've just finished the draft of HUD's submission.

A good contact for information about Indian housing &c within HUD would be Dennis Blair, a Special Assistant to Secretary Hills. Several times I've seen and/or responded to notes from him regarding Indians.

Later in the week I'll give you a call. The weather's so great outside--brisk, clear--that I felt like taking a 2-hour walk-and-run during lunch. Maybe D.C. isn't so bad as I'd been told.

Yours,

A handwritten signature in black ink, appearing to be the name "Ray". The signature is written in a cursive, flowing style with a long, sweeping tail that extends downwards and to the right.

COMMENTS ON INTERAGENCY MEMORANDUM OF UNDERSTANDING ON
CLEARANCES FOR INDIAN HOUSING PROJECTS

The Office of Budget concurs with the proposed Memorandum of Understanding provided it contains no agreements or understandings that the Department will have funding responsibility for "recovery, protection, or preservation of scientific, prehistorical, or archaeological data," as described in the fourth paragraph of the memorandum. Our specific concern relates to the source of funding to support such activity. We are not aware of any source of funds for these purposes. We are also concerned by the fifth paragraph which indicates that the Indian Housing Authority may utilize preliminary loan funds to conduct surveys "to determine if any part of a project will affect scientific, prehistorical, historical, or archaeological properties or data." We believe that this may not be an eligible cost for the use of preliminary loan funds and we recommend that the Office of General Counsel be consulted.

It is our understanding that the financial and technical assistance to be provided by HUD, under the terms of the proposed memorandum, is consistent with existing Departmental procedures and thus would not require extraordinary efforts and no additional staff resources are anticipated. It is our further understanding that no additional costs will be borne by the Department as a result of the Environmental Impact Statement requirement mentioned in the memorandum.

The agreement should not be signed until and unless the fourth paragraph is changed, as indicated above; the legal question resolved; and both HPMC and CARF agree that there will be no additional staff or administrative expense resulting from it. In this connection, we note that there appears to be no CARF involvement in this agreement. Since CARF now has overall responsibility for Indian matters, they should be consulted.



ca 6/1/76

**MEMORANDUM
OF CALL**

TO:

Mr. Patterson

YOU WERE CALLED BY—

YOU WERE VISITED BY—

Ray Millard

OF (Organization)

PLEASE CALL → PHONE NO. CODE/EXT. _____

WILL CALL AGAIN

IS WAITING TO SEE YOU

RETURNED YOUR CALL

WISHES AN APPOINTMENT

MESSAGE

755-7287

6/1

*Miss of
week study*

RECEIVED BY

DATE

TIME

3/9/76

7/27/76

HUD ✓

DoI

HEW

✓ processing

~~not~~
not
not

MEMORANDUM OF CALL

TO:

YOU WERE CALLED BY— YOU WERE VISITED BY—

OF (Organization)

PLEASE CALL → PHONE NO. CODE/EXT. _____
 WILL CALL AGAIN IS WAITING TO SEE YOU
 RETURNED YOUR CALL WISHES AN APPOINTMENT

MESSAGE

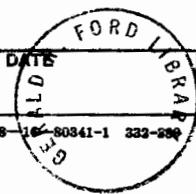
*Constance
Newman
755-0950*

RECEIVED BY _____ DATE _____ TIME _____

STANDARD FORM 63
REVISED AUGUST 1967
GSA FPMR (41 CFR) 101-11.6

GPO : 1969-048-16-80341-1 323-299

63-108



MEMORANDUM OF CALL

TO:

Brad Patterson

YOU WERE CALLED BY— YOU WERE VISITED BY—

OF (Organization)

PLEASE CALL → PHONE NO. CODE/EXT. _____
 WILL CALL AGAIN IS WAITING TO SEE YOU
 RETURNED YOUR CALL WISHES AN APPOINTMENT

MESSAGE

*Ronald Peake
not in town. Miss
Melvin Parker from
Dulles returnng call for
Mr. Peake
343-4876*

RECEIVED BY *Janice McLean* DATE *Sept 15* TIME *10:40*

STANDARD FORM 63
REVISED AUGUST 1967
GSA FPMR (41 CFR) 101-11.6

GPO : 1969-048-16-80341-1 323-299 63-108

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs
WASHINGTON, D. C. 20242

MEMORANDUM FROM:
~~Chief~~, Division of Housing Assistance

DATE 9/16/76

TO: Mr. Brad Patterson

As per your request, enclosed are copies of correspondence on the NAIHC training proposal. There were few more papers on this subject, however, Mr. Peake has them in his brief case and will bring them to you on Monday.

The Target Project Program (TPP) mentioned in the Commissioner's letter is now called "Management Initiatives for Indian Housing Programs (MIFIH)". A copy of MIFIH Handbook is also enclosed.

With best regards,

Meline

Enclosures



Meline P. Parker
Housing Program Specialist

DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs
Washington, D.C. 20245

202 343-4876

TRANSMITTAL

7440.2

July 30, 1976



1. This Transmits:
Handbook 7440.2 Management Initiatives for Indian Housing Program

2. Explanation of Material Transmitted:

This handbook prescribes the procedures to be followed in the development, submission, review, implementation and evaluation of plans for training and technical assistance, to be utilized towards improvement of the administrative capabilities of Indian Housing Authorities in the operation of their low-income housing program. This handbook also sets forth procedures to be used by HUD in the development of Regional strategies, which will serve as preliminary guidelines for the formation of group training sessions and individual IHA training plans.

Consideration is being given to including in MIFIH training, IHAs which have no units in management. Therefore, there shall be included in the Regional strategies (Chapter 1, paragraph 6a) an itemization of the number of IHAs which have no units in management, their training needs and the anticipated fund requirements. Within this total a further breakdown shall include: (1) those IHAs having at least one project under ACC; (2) those IHAs having at least one Program Reservation but no projects under ACC; and (3) those IHAs having an application submitted but no Program Reservation. For IHAs in the third category, please also identify the scheduled date for HUD action and whether a Program Reservation is anticipated.

3. Filing Instructions:

Insert:
7440.2, dated 7/30/76

MI:DISTRIBUTION: W-1, W-2, W-3-1, R-1, R-2, R-3-1(HM, HPMC, Indian Specialists), R-5, Indian Housing Authorities



7440.2

MANAGEMENT INITIATIVES FOR INDIAN HOUSING PROGRAM

JULY 1976

PROGRAM PARTICIPANTS AND HUD STAFF

A HUD HANDBOOK

**U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D. C. 20410**

**MI: DISTRIBUTION: W-1, W-2, W-3-1, R-1, R-2, R-3-1 (HM, HPMC, INDIAN SPECIALISTS)
R-5, INDIAN HOUSING AUTHORITIES**

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CHAPTER 1. INTRODUCTION

1. PURPOSE. The purpose of this Handbook is to prescribe requirements and guidelines for the Management Initiatives for Indian Housing (MIFIH) Program, a short-term (two-year) program designed to provide management assistance to Indian Housing Authorities (IHAs). Although the funding is made through the Target Projects Program (TPP), and its accounting instructions are to be followed, the regular (non-financial) administrative reporting procedures of TPP are not applicable.

2. BACKGROUND.
 - a. The fundamental goal of Federal low-income housing programs is to provide decent, safe, and sanitary housing for low-income families. The IHA has the key role in this endeavor because it must evaluate local needs and conditions, coordinate the functions of all involved local and Federal agencies and carry out the day-to-day tasks which are necessary to the effective administration of a local housing program. In signing an Annual Contributions Contract (ACC) with HUD, the IHA assumes the legal responsibility for the administration of its housing program. This reflects the Federal housing policy of maximum local autonomy, and is reinforced by the policy of Indian Self-Determination as expressed in P.L. 93-638, the Indian Self-Determination and Education Assistance Act. (25 U.S.C. 450e(b).

 - b. The intent of the program, as expressed in the initial press release announcing this special TPP set-aside for IHAs, indicates that the funds will be used to "defray expenses of those IHA employees participating in management training approved by HUD...The general concept and direction will focus on detailed technical training in the practical knowledge that IHA employees must master in order to do an effective job in their day-to-day management responsibilities."

 - c. With continuing construction programs in progress and the recent publication of new regulations for HUD's Indian Housing Program (24 CFR, Part 805), the need for adequate IHA administrative capabilities becomes increasingly

important. The regulations refer to this need as a prerequisite for application approval (Section 805.207), and it is explained more fully in HUD's Interim Indian Housing Handbook, 7440.1, (paragraphs 2-5(a)(3) and (4) and (c).

- d. An additional factor which has been taken into consideration in the obligation of these funds, is the realization that, although HUD's Office of the Inspector General will take over the primary responsibility for audits of IHA financial records, many IHAs do not have their records in auditable condition. Thus it becomes not only a question of improving such an IHA's staff ability to maintain adequate records, but an urgent need to provide technical assistance to help the staff construct their records in order to be ready for audit.
3. ELIGIBLE IHAs. This program is applicable only to those 124 IHAs which received TPP/MIFIH money in FY 1975, plus any additional IHAs which will be specifically approved on the basis of the status of their programs. (See Transmittal Notice). No other housing authorities are eligible to receive FY 1976 funding for this program. This Handbook does not apply to Alaskan IHAs, as that State has been separately funded and already has a management improvement program in effect.
 4. CONCEPT OF MIFIH. Currently MIFIH constitutes a special short-term (two-year) catch-up effort for IHAs to improve upon their administrative capabilities to the point where they are substantially better equipped to carry out the operations and administration of their housing programs at a level acceptable to HUD. It is anticipated that such improvements also will contribute to a more satisfactory living environment for the communities affected. The following points are basic to the concept of this program.
 - a. MIFIH will concentrate on housing operations -- i.e., housing management -- but will also include training to improve IHA capabilities to administer housing development programs, specifically in relation to the new Indian Housing Program regulations, and to take appropriate roles in the local community planning and development process.

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- b. MIFIH will be devoted to administrative or management capabilities, through training and technical assistance in basic functional areas of operational management (e.g., financial management, accounting, rental and occupancy functions, personnel management and utility functions, supply management, modernization and resident-management relations) plus training in administration of housing development functions. Chapter 2 sets forth in more detail the eligible activities for training and technical assistance.
- c. MIFIH is a "software" program, directed at improvements in management systems and procedures; except that some limited "hardware" features may be included, incidental to the software aspects. MIFIH will not be used to fund deferred maintenance or physical improvements, nor can it fund social services and security, although some aspects of the program may impact upon these areas. See Chapter 2 for further detail.
- d. Program performance will be closely monitored by the IHAs and trainers, as well as by HUD, in order to measure the effectiveness of MIFIH activities, control disbursements of MIFIH funds, and enable the IHAs and HUD to take prompt remedial action when merited. In addition, close evaluation by HUD Central Office will be necessary in order to determine, justify and respond to, where possible, needs for additional training.
- e. MIFIH stresses IHA initiatives in identifying local problems and recommending to HUD the manner in which they propose to solve those problems. The plans for MIFIH activities and expenditures are subject to HUD approval, in accordance with the standards and requirements of this Handbook, but each IHA's plan shall be viewed from the perspective of the individual IHA. This approach, then, will permit individual IHA training and technical assistance, and/or group training efforts for several IHAs on either general orientation-type or specific subjects.
5. RESPONSIBILITIES.
- a. Central Office.
- (1) The Office of the Assistant Secretary for Consumer
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Affairs and Regulatory Functions (CARF) has responsibility for the implementation, monitoring and evaluation of the MIFIH Program. Communications and written reports from the field shall be transmitted to this Office, Attn: Director of Indian Policy and Programs (IPP). Information copies shall be forwarded by CARF to the Office of Housing.

- (2) The Office of the Assistant Secretary for Housing has responsibility for the assignment, administration and monitoring of MIFIH funds. Normal HUD budgetary reporting requirements shall be carried out with this Office, Attn: Director of Housing Programs (OHP) unless otherwise so directed. Information copies shall be forwarded by Office of Housing-OHP to CARF-IPP.

b. Regional Office.

- (1) Subject to the normal authority of the Regional Administrator to delegate, the Assistant Regional Administrator for Housing Management shall have primary responsibility for the administration of the MIFIH program, except in Regions VIII and IX, where it rests with the Assistant Regional Administrator for Indian Programs. Such responsible Assistant Regional Administrator is hereafter referred to simply as the "ARA".
- (2) Regional Office Indian Coordinators or Special Assistants shall be involved in all levels of development of regional strategy and program implementation. The concurrence of the Coordinator must be secured as a prerequisite to forwarding any document for RA approval.

- c. Area and Insuring Offices. Responsibility at this level shall be determined by the Regional Office, subject to normal operating delegations, and may cover the total program, including funding obligations.

d. Indian Housing Authorities.

- (1) The Executive Director has the primary role in the development of the IHA's plan. As the day-to-day coordinator of IHA activity and staff supervisor, this individual is in the best position to determine the IHA's needs, in consultation with HUD.
- (2) The IHA Board of Commissioners is responsible for reviewing and approving the plan, including any group training session which their Chairman will attend. A resolution shall be passed indicating that the Board has reviewed and approved the plan, and stating its assurances that the finally approved plan will be diligently and effectively carried out and that the IHA will comply with all applicable HUD requirements, and also stating that the Board understands and agrees that HUD reserves the right to terminate funding for the IHA's program if the IHA fails to carry out its responsibilities under the approved plan. (Appendix 1). The Chairman of the Board has the further responsibility of securing acceptance of the IHA's plan by the Tribal Council, including verification of any participation required of the Tribal Chairman.

- e. Regional IHA Associations. While these organizations are not specifically responsible for any part of the program, the Executive Director may, in consultation with the Board of Commissioners, designate a formal role for their Association. The ARA shall be so advised by IHA resolution.

6. OPERATION OF THE MIFIH PROGRAM. Subject to the standards and requirements prescribed in the further provisions of this Handbook, the following is a general, introductory description of how MIFIH will be carried out:

- a. Regional Strategy. In recognition of the key responsibilities of Regional Offices and the differences in the pertinent conditions which prevail in different parts of the country, this Handbook allows each ARA liberal discretion in adapting MIFIH to the particular Region. MIFIH thus creates a unique opportunity for Regional Offices to use the program as a tool to effect the kinds of concrete improvements in IHA administrative capabilities

which those offices see as most urgently needed. Accordingly, a preliminary step in implementing MIFIH shall be for each Regional Office to develop its own program strategy to serve as an overall planning and implementation guide to supplement this Handbook. Immediately upon publication of this Handbook, each ARA shall begin development of such a Regional strategy. When completed, a written plan shall be submitted to the Regional Administrator for approval, and to CARF-IPP for concurrence. Among the major considerations which are pertinent to the development of such a strategy are the following:

- (1) Needs and priorities for particular types of activities within the Region, within the broad eligibility limitations of Chapter 2.
- (2) HUD resources available to administer MIFIH, and to provide training and technical assistance to IHAs, both as resources for implementation of MIFIH plan activities, and as regular, long-term program servicing. For example, it may be necessary or desirable for Regional and/or Area Office personnel (including Regional Training Officers) (RTOs) to take part in some MIFIH training activities as resource persons. Consideration should be given to the need for assignment of specific responsibilities within the Region, and the relationships of Regional and Area Office functions.
- (3) The expertise of specific program offices should be utilized in the development of pertinent training session curricula, in order to confirm that the subject matter covered conforms to the HUD office program expectations and requirements; e.g., Financial Management Specialists and accountants should provide advice and assistance in the development of a financial management session, RTOs should provide input in training design, etc.
- (4) IHA's views regarding the substance and methods for implementing the program. While MIFIH plans must meet the basic standards prescribed in this Handbook, plus any Regional Office requirements which may be prescribed as part of their strategy, there

shall be great latitude for accommodating the views of the IHAs themselves. Regional Offices are encouraged to allow the IHAs the greatest degree of initiative which is consistent with effective and economical program development and performance.

- (5) Non-HUD resources which might be used, including the resources and expertise of the IHAs themselves, other organizations, educational institutions, private firms and individuals, to provide training and technical assistance services to contribute to implementation of MIFIH plans. This assessment should also include sources for supplementary funding. Appendix 2 provides criteria for Regional Office use in approval of trainers.
- (6) The mix of particular types and methods for training and technical assistance activities which would best serve the needs of the IHAs within the Region. This should include consideration of the degree to which training versus technical assistance is needed. In considering training, thought must be given to the extent to which different methodologies (e.g., formal courses or workshops, practical exercises, site visits, on-the-job training) would be most effective. Within that context, consideration must be given to the extent to which IHA group training sessions should be utilized. If, for example, the ARA recognizes a need for financial management training on the part of all the IHAs in his Region, he may recommend to the IHAs that they all participate in such a session.
- (7) Where IHA group training programs are deemed desirable, consideration shall be given to the participants of IHA training groups and the identification of trainers, subject to input of the IHAs. Consideration must be given to the method by which the Regional Office plans to publicize the opportunity for potential trainers to be involved in group training sessions. A general orientation for IHA Chairmen of the Boards of Commissioners, Executive Directors and Tribal Chairmen of all IHAs on a regional basis is highly
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recommended. This session should relate the roles and responsibilities of these officials to the development and operation of HUD-assisted housing projects.

- (8) A schedule for program implementation, appropriate to relevant conditions within the Region, including those regular responsibilities and functions of the IHAs, e.g., budget preparation and development processes. Attention must be given to the sequence for development and processing of MIFIH plans. See Chapter 3.
 - (9) Need for Regional Office issuances to supplement, where necessary, Central Office issuances to be provided to HUD personnel and/or IHAs.
- b. Written plans for MIFIH activities will provide the basis for program implementation and funding. Each IHA will prepare a plan for its individual activities and group participation. Where group training is contemplated, the organization selected to act as the trainer will prepare its curriculum for the group training session. All plans and curricula shall be subject to Regional Office approval.
- c. Funding.
- (1) While the FY 1975 TPP funds were earmarked for training, no distinction will be made between the FY 1975 and FY 1976 TPP funds for purposes of determining how much of the total MIFIH funds will be used for training versus technical assistance. The IHA's plan will be based upon, and will include, its estimate of the total amount of funding needed. The Regional Office or Area Office, as appropriate, shall make obligations of the FY 1976 funds to the IHAs based on the priorities expressed in the Regional strategy and IHA plan estimates. Funds for FY 1976 have previously been assigned to the Regional offices on a HUD-185. All obligations of funds to the IHAs must be completed by September 30, 1976.

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- (2) As the program proceeds, funds will be disbursed to individual IHAs as needed to implement their approved MIFIH plans. Since these funds can be paid by HUD to IHAs only, pursuant to Annual Contributions Contracts, the cost of group training programs, including trainers' administrative expenses, as well as IHA participants' travel and per diem expenses, must be covered out of the participating IHAs' MIFIH funds. No direct HUD funding to such trainers by way of contract funds, or otherwise, is involved.
- (3) All activities to be funded by this program are to be completed within two years of the start-up of an IHA's approved plan, unless the IHA can demonstrate that it has additional sources of financing longer-term activities and/or a HUD-approved extension of time. The expectation is that this two-year intensive effort will result in a significant improvement in the administrative capabilities of the IHA. In this regard, it is anticipated that one of the long-range benefits to be gained will be a reduction in the rapid turnover rate of staff.
- d. Public Notification of the opportunity to participate as a trainer is required. It is the responsibility of the Regions to develop a strategy for such notification.

CHAPTER 2. ELIGIBLE MIFIH ACTIVITIES

7. GENERAL. MIFIH funding shall be used by IHAs to finance only those types of training and technical assistance activities which are eligible for such funding in accordance with the subsequent provisions of this chapter. Each IHA's total plan for MIFIH activities shall constitute a coherent package of training and technical assistance, tailored to the IHA's particular needs.

a. Eligible training-related expenditures

- (1) Transportation
- (2) Per Diem
- (3) Registration fees for courses or seminars
- (4) Reimbursement for hired trainers
- (5) Charges for equipment, books and other teaching aids
- (6) Other expenses related to specific training, which must be justified in the IHA's plan.

b. Eligible trainees, limited to IHA Commissioners, Executive Directors and employees of the IHA, shall be included in the operating budget amendments. To the extent necessary and when funds are not otherwise available, participation of Tribal Chairmen (or their designees), fee accountants, IHA lawyers and Mutual Help contractors may be funded for appropriate training. The particular training and technical assistance which these individuals receive shall vary, not only by each person's needs, but also by the roles each must fulfill for the IHA.

8. ELIGIBLE TRAINING ACTIVITIES.

a. Types of training. Each IHA's training activities shall include the following types of training, as adapted to the needs of the particular IHA:

- (1) Orientation-type training for Commissioners and Executive Directors. This should be relatively general training, designed to acquaint IHA Commissioners and Executive Directors with the basic information which is pertinent to their responsibilities.

Key officials of the Tribal Council (or other local governing body) and its community development and social services agencies should be included in appropriate orientation sessions subject to availability of funds from their own budgets; MIFIH funds shall not be used to pay the travel and per diem expenses of such officials. This orientation training should cover at least the following subjects:

- (a) Fundamentals of low-income public housing programs, including major HUD policies and procedures. This should include a summary of procedures involved in both the development and operation of low-income public housing in Indian areas.
- (b) Responsibilities of the IHA, including coverage of all major functions which must be handled by an IHA in the development and operation of its low-income public housing programs. The roles of the IHA's Board of Commissioners and staff should be clarified, with particular emphasis on the respective policy-making and management roles of the Board and the Executive Director and the need for developing and retaining staff professionalism and avoiding undue turn-over of competent Executive Directors and other staff employees.
- (c) The relationship between the IHA and HUD, including an outline of relevant Regional and Area Office organization and procedures, and definition of HUD functions in the development and operation of low-income public housing in Indian areas.
- (d) The roles of the Bureau of Indian Affairs and the Indian Health Service in the development and operation of low-income public housing in Indian areas. The aspect of coordination among the three Federal agencies and the IHA should be stressed.

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- (e) The relationship between the Tribal Council (or other local governing body) and the IHA, with particular attention to the responsibilities of the Tribal Council (or other local governing body) under the Tribal Ordinance (or Cooperation Agreement).
- (f) The rights and duties of tenants and homebuyers, with particular emphasis on responsibilities for payment of rent or homebuyer payments and for care and maintenance of the property.
- (2) Technical Training for key IHA employees.
This type of training shall provide detailed, technical and highly practical instruction for Executive Directors and other key IHA employees in those subjects, pertinent to their everyday tasks and responsibilities, which the IHA has identified as a need. The size of the IHA's operations and staff will, of course, determine which employees should be trained, and the depth and specialization of the training needed for particular employees. While the Executive Director will have had the orientation-type training prescribed in paragraph 8a (1) above, it is essential that he receive the additional technical training he needs to perform his everyday duties. For a large IHA, technical training for the Executive Director should place more emphasis on broad managerial skills, and key staff specialists should receive detailed specialized training in their respective areas of responsibilities.

For a small IHA, the Executive Director, as well as staff, may need in-depth instruction in the entire range of pertinent specialized subjects. If deemed desirable, Commissioners and agents of the IHA (e.g., accountants, lawyers, and contractors) may be included for technical training in appropriate subjects. The instruction must lead to the employee being able to perform the necessary tasks; e.g., a course in bookkeeping must result in a demonstrated capability to set up a Mutual Help account, calculate an amortization schedule, calculate a utilities allowance, etc.

Similarly, after a course on construction inspection procedures, the student must be able to recognize adequate framing work, be acquainted with different types of insulation material, etc. The overall technical training program shall cover the following subjects in the depth necessary to address the needs of the particular IHA:

- (a) General management functions, including, but not limited to, overall managerial planning and supervision, staffing and personnel administration, office management, and liaison with the Tribal Council (or other local governing body).
- (b) Occupancy functions, including establishment of income limits and tenant/homebuyer selection policies, taking and processing tenant/homebuyer applications, procedures in selection of tenants and homebuyers including interviewing techniques, examination and re-examination of family incomes, determination of charges for rents and homebuyer payments, and the establishment of lease and grievance procedures.
- (c) Financial management, including the financial structure of each type of low-income public housing program, financial planning, investment of funds, budgeting, fiscal controls, accounting, audits, financial reports, rent collection, and procedures governing operating subsidies. All training programs shall place strong emphasis on how to keep proper (auditable) financial accounts and records, for both the development and operation phases of a project.
- (d) Maintenance and utilities functions, including the respective responsibilities of the IHA and tenants/homebuyers, systems for planning, organizing and supervising maintenance work, techniques for correcting particular maintenance problems, methods for energy conservation, and procedures for determining utility allowances.

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- (e) Supply management, including procurement policies and procedures, bidding and contracting procedures, and systems for inventory storage and control.
 - (f) Modernization functions, including applicable HUD standards and procedures, and techniques for determining modernization needs, preparing modernization programs, and managing and inspecting modernization work.
 - (g) IHA/resident relations, including techniques to improve communication and cooperation between the IHA and residents, and methods for training and counseling residents regarding their rights and responsibilities as tenants or homebuyers.
 - (h) Administration of development programs, including applicable HUD procedures and IHA functions in planning, application, and preparation of development programs, and contracting, supervising and inspecting development work.
- b. Methods of training. Any training method, or combination of methods, may be used to carry out an IHA's training activities, provided that the total training program is determined by HUD to be genuinely workable, effective, and reasonably economical. Group training is strongly recommended where a common need exists but, if mutually acceptable to HUD and the IHA, other methods may be used to supplement such group training, or in lieu of such group training. Examples of other training methods are: participation in courses and conferences sponsored by HUD Field Offices or Training Centers, educational institutions, and management organizations, intra-IHA courses and on-the-job training, and educational visits to other IHAs or non-Indian Public Housing Agencies.

9. ELIGIBLE TECHNICAL ASSISTANCE ACTIVITIES.

- a. Areas for technical assistance. Eligible technical assistance activities shall be limited to the following areas of administration or management of housing operations; however, incidental attention may be given to related aspects of housing development:
- (1) Financial accounts and records. As the first priority for technical assistance, each IHA shall undertake such activities as are required to put its financial accounts and records in good and auditable condition, and to establish systems to maintain that condition. While the immediate goal is to bring these accounts up to auditable condition, it is imperative that the IHA staff receive assistance in this endeavor; that they are at the same time trained in order to be able to continue such accounting practices without further outside supervision.
 - (2) Other aspects of financial management. The second priority for technical assistance shall be such activities as are required to address other financial management needs, including general financial planning, preparation and use of operating budgets, methods for cost control, collection of rents and homebuyer payments, etc.
 - (3) Other operational areas. The third priority shall be to address needs for technical assistance in other operational areas, e.g., occupancy, maintenance and utilities, supply management, modernization, and IHA/resident relations.
- b. Types of technical assistance
- (1) Professional services. The principal type of technical assistance in the areas specified in subparagraph 9a above shall be appropriate services of qualified professionals, e.g., accountants and management technicians. In any event, it must be demonstrated by the IHA that the specific services proposed will effectively and economically address a genuine need, and that the persons to perform such services are genuinely qualified to do so.

(2) Additional staff employment. Subject to HUD approval, technical assistance may include the temporary employment (not to exceed two years) of additional IHA staff personnel to provide the "catch-up" capability necessary to correct problems within the areas specified in subparagraph 9a above. However, such employment shall not include additional maintenance, social service or security personnel.

10. INELIGIBLE EXPENDITURES. MIFIH funds shall not be used to fund the following types of items:
- a. Costs of maintenance, repairs and capital improvements.
 - b. Costs of social services or security programs.
 - c. Increases in salaries and benefits to IHA employees, except for extending the working hours of part-time employees pursuant to subparagraph 9b(2) above.

CHAPTER 3. DEVELOPMENT, SUBMISSION, REVIEW
AND APPROVAL OF IHA PLANS AND
FY 1976 FUND OBLIGATIONS

11. REGIONAL PROCEDURES.

- a. Upon approval of the Regional strategy by the Regional Administrator and concurrence by CARF-IPP, the Assistant Regional Administrator shall prepare a letter to each eligible IHA authorizing it to proceed with development of its MIFIH plan. The letter shall include the following points.
- (1) Specific instructions to be followed in the submission of the plan, including the timeframe for submission. This should include reiterating use of the format set forth in paragraph 12.
 - (2) A statement of preliminary needs assessment of the IHA as perceived by the Regional Office, based upon its prior knowledge of the IHA's operation.
 - (3) A summary of the regional strategy as it relates to the specific IHA, including recommendations as to the IHA's participation in group training sessions.
 - (4) Resources available for consideration by the IHA in choosing its training.
 - (5) A reminder of how much the IHA received in FY 1975 MIFIH money, if any.
- b. Review of plan submission
- (1) Upon receipt of IHA plans, the ARA shall route a copy to the Indian Coordinator and copies to such other members of the Regional Office staff as he deems advisable, for comments and recommendations; specifically, those offices whose program areas are pertinent to any portion of the IHA's plan.
 - (2) Specific review criteria are listed in Appendix 2.

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- (3) If, upon completion of the review, the ARA finds that approval of the proposed plan is merited, he shall secure prevalidation of the funds by the Regional Accounting Division. He shall submit the plan to the RA, with his comments and recommendations, evidence of prevalidation of the funds and a letter, prepared for the RA's signature, to the IHA obligating the funds as prevalidated. The ARA shall bear in mind the priorities established in the regional strategy as well as those of each IHA. It is realized that not all training needs in IHA plans can be funded through the two-year MIFIH program, but that other available sources of funding shall be considered.
- (4) If the ARA finds that the proposed plan does not merit approval, he shall immediately so advise the IHA and make a reasonable effort, including suggestions of specific changes, to obtain an approvable resubmission. The ARA's recommendation for approval may specify such modifications, deletions and/or additions to the plan as he may deem advisable, with appropriate adjustment in the funding recommendation.
- (5) If the September 30 deadline for obligation of the funds is approaching without sufficient time to allow the ARA and IHA to complete a resubmission, the ARA shall proceed to prevalidate and obligate the funds to all IHAs, based on the best estimates he has as to the eventual final plans. The documents shall be submitted to the RA along with the recommendations for those plans which are final, as prescribed in paragraph (3) above.
- c. Final approval. After reviewing the ARA's comments and recommendations, the RA shall indicate to the ARA his approval or disapproval of the plans and the funding obligations. The RA's approval may be conditioned upon such modifications, deletions and/or additions as he may deem advisable.
- d. Notification to the IHAs.
- (1) A letter of obligation of the TPP/MIFIH funding shall be sent by the RA or Area Director, as appropriate, to each IHA immediately after the obligation amounts have been decided upon. This shall be done by September 30, 1976, irrespective of
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whether all MIFIH plans have been approved.

A sample letter is included as Appendix 3. A list of all obligations shall be sent to Office of Housing-OHP.

- (2) The ARA shall communicate with each IHA individually regarding approval of its plan. The letter shall indicate what modifications and/or recommendations the Regional Office has made, and shall remind the IHA of its responsibility to attend whatever group training sessions have been agreed upon and scheduled by the Regional Office and IHAs.
- e. Notification to Central Office. By October 29, 1976, the ARA shall send to CARF-IPP a complete list of the IHAs involved, indicating the amounts of FY 1975 and FY 1976 TPP funds obligated to each. In addition, the ARA shall include a list of all approved trainers, the needs to be addressed at each session, and names of the IHAs included in each training group. The IHAs who are eligible but who are not participating in MIFIH shall also be listed, with the reason(s) for their non-involvement indicated.

12. IHA PROCEDURES.

- a. Format of Plan. Each IHA's individual plan shall include the following elements in such form and breakdown of details as the Regional Administrator deems necessary to establish a sufficiently definite description. They shall follow the points set forth in the letter from the Regional Administrator, described in paragraph 11a.
 - (1) Needs of the IHA. This should be realistic and all-inclusive, even though there may not be enough money under MIFIH to meet all needs.
 - (2) A clear and complete description of each proposed training or technical assistance activity. All activities shall be listed in order of priority. Participation in group training sessions shall be noted after consultation with the trainer and the Regional Office. Each description shall include:
 - (a) needs which will be addressed
 - (b) individuals to be trained
 - (c) methodology/techniques to be utilized
 - (d) training evaluation, including pre- and post-tests where appropriate.

-
- (3) A schedule showing estimated (or exact, where known) dates for the beginning and completion of each training or technical assistance activity. The schedule must provide for completion of all activities within two years from the start of the first activity, unless specifically exempted by the Regional Office. Request and justification for such extension must be included in the plan. *An example of an acceptable extension would be enrollment of a staff person in a training course, extending beyond the two-year limit.
- (4) Identification of training resources to be utilized for each activity (e.g., organizations, institutions, firms or individuals), with documentation sufficient to establish that each such resource is qualified to provide the type of services contemplated. Local resources such as colleges and business schools should be utilized whenever possible for training when no group session is planned. Appendix 2 provides suggested criteria for determining adequacy of qualifications.
- (5) A revision of the IHA's current Operating Budget is necessary to reflect HUD's obligation of the total MIFIH funds needed to finance the IHA's plan as an increase in the operating reserve level and a corresponding receivable from HUD set up in the books of account to be liquidated as the vouchers are paid by HUD. Training expenditures estimated to be incurred during the current and subsequent IHA fiscal years shall be reflected as an operating expense in the operating budget with a corresponding reduction in the operating reserve level. The budget revision shall be supported by such detailed cost breakdowns or other data as the ARA may require; at the minimum, such supporting data shall show the total amount of MIFIH funds to be requested for each activity, and the total for the following categories of expenditures:
- (a) Contracts for services
 - (b) Travel and per diem expenses
 - (c) Salaries and benefits
 - (d) Procurement of facilities, supplies and equipment
 - (e) Other expenditures (identify).

-
- (6) A monitoring and evaluation plan, sufficient to establish an effective system of IHA monitoring and evaluation of its plan activities. It shall include whatever details for measurement as the ARA shall prescribe including frequency and contents, including funding, of reports to the ARA. At a minimum, it shall describe what expertise/skill each participant is expected to gain through each activity, as perceived by both the IHA and the trainer.
- (7) A resolution by the IHA's Board of Commissioners. A sample is included as Appendix 1.

13. IHA GROUP TRAINING SESSIONS.

- a. Concept. It is expected that the basic method for IHA training under MIFIH will be for groups of IHAs in various parts of the country to join together for common training programs. Such group programs will allow IHAs to pool their training funds and other resources to support stronger training programs than would be possible on an individual IHA basis.
- b. Formation of training groups. Subject to the Regional strategy determinations, a training group shall consist of two or more IHAs which agree to join together for a group training session, when all share a common need. The following points are pertinent to the formation of training groups.
- (1) Proximity. The IHAs in a particular training group should be located in sufficient proximity to permit convenient and economical access to training sites within the general area covered by such IHAs.
- (2) Compatibility. The IHAs in a particular training group should be compatible, in terms of training needs, preferences, skill/knowledge levels, and other relevant factors.
- (3) Inter-regional efforts may be worked out with the approval of both RAs.
- c. Trainers for group sessions. Each IHA group training session shall be conducted by a trainer who is mutually acceptable to the ARA and the IHAs involved. A trainer may be an individual, an agency, or an organization. The function of the trainer shall be to exercise overall responsibility for planning and carrying out the training

program. While the trainer may be strongly encouraged to obtain needed assistance from other sources, and may even engage other organizations for co-sponsorship roles, the trainer must retain overall responsibility for the execution of the session as approved. The following points are pertinent to the selection of a trainer for each training program.

- (1) The ARA shall consult with the IHAs involved to reach a HUD-IHA consensus as to selection of the trainer.
- (2) Selection of the trainer will be effective only upon written approval by the ARA, evidencing his determination that the individual or organization can be expected to meet the responsibilities involved, including compliance with applicable HUD standards and requirements, including Section 7(b) of the Indian Self-Determination Act and the applicable provisions of Sections 805.309 and 805.310 of the Indian Housing Program regulations.
- (3) There shall be an agreement with the trainer as to the method of compensation, which may be by registration fee for approved trainers, in a specified amount, or compensation under a HUD-approved contract with the IHA(s) involved. Where more than one IHA is involved, the contract shall specify which IHA is responsible for administration of the contract.

d. Training Session Curriculum.

- (1) General. The trainer shall be responsible for the preparation and submission of a written curriculum for its proposed training program, in accordance with the standards and procedures of this Handbook and any further instructions of the ARA.
 - (2) HUD assistance in preparing plans. In preparing its proposed training curriculum, the trainer shall consult as necessary with the IHAs involved, the ARA (who shall involve pertinent program offices and the Indian Coordinator) and any other organizations or individuals which are to have significant roles in the training program.
 - (3) Basic standards. Trainers shall be allowed great flexibility as to both the substance and format of training programs. The substance should be sufficient for practical, accurate, in-depth coverage of all pertinent subject matters related to the administrative
-

or management needs of the IHAs in the particular training group. The format should also be tailored to the needs of the particular group of IHAs, as well as the capabilities of the particular trainer and any other resources on which the trainer shall draw. While traditional lecture-type training has its place, trainers are encouraged to use other formats which might be more effective in imparting practical knowledge, e.g., workshops, case studies, problem-solving, site visits, group discussions, on-job training, and panel presentations. In any event, each training program must clearly meet the following fundamental standards:

- (a) It must be genuinely effective in improving the IHA's capabilities for administering or managing both development and operation of low-income housing.
 - (b) It must be reasonably economical, in terms of providing benefits commensurate with the cost involved, using the most economical methods available, and keeping travel and per diem costs of the IHAs to the lowest possible level.
- (4) Format. Each training program shall be in writing and shall contain the following elements:
- (a) Detailed descriptions of each training session, indicating the intended training audience, the purposes and measurable objectives of each major block of instruction, and detailed daily schedules showing each subject to be covered, methods of instruction, and the name of the person or persons to be used as instructors in each instance.
 - (b) An administrative plan, sufficient to demonstrate that the trainer is prepared to discharge its responsibilities for overall administration of the training program, including the following:
 - 1. The dates for each training session.
 - 2. The places for each training session, and the arrangements for accommodating the session, including to the extent pertinent, arrangements for meeting facilities, equipment, participants' lodging and meals.

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- 3 The approximate number of trainees expected to participate in each training session, by IHA and position.
 - 4 The names of the trainer's representatives who are to be present at each training session to exercise the trainer's overall responsibilities for administering the session.
 - 5 Plans for informing IHAs about the training program in general and each training session in particular, and such other activities as may be necessary to assure full IHA participation and support.
- (c) A monitoring and evaluation plan for the trainer to monitor and evaluate IHA training sessions, to take such corrective actions as may be necessary, and to submit such reports as may be prescribed by the ARA.
- (d) Qualifications of instructors, including the name and organizational affiliation of each individual who is to act as an instructor or other resource person, with a brief statement of such individual's qualifications, sufficient to evidence that he or she is qualified to perform the particular function assigned. The ARA and Indian Coordinator should be consulted for suggestions as to qualified individuals.
- (e) An administrative budget, with a detailed breakdown of the trainer's expenses (not to include travel and per diem for trainees) for planning and carrying out the training program.
- (f) An estimate of each participating IHA's costs. Unless the IHAs contract with the trainer, the only reimbursement to the trainer for his administrative expenses will be paid by registration fees. In either case, the IHA estimate should be agreed upon by both the trainer and the IHA and communicated to the IHA in order to be included in the plan it submits to HUD. (paragraph 12a(5)).

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- (g) The trainer's certification that it will be diligent and effective in carrying out the training program in accordance with the proposed plan, that it will not make any significant change in the curriculum without prior HUD approval, and that it understands and agrees that HUD reserves the right to terminate funding for the program if the trainer and/or the IHA fail to carry out their responsibilities under the approved plan. This may be in the form of a resolution by the trainer's governing board or a Certificate signed by its principal Executive Officer.
- (5) Deferral of elements of the plan. The Regional Administrator may approve a trainer's plan which does not reflect final arrangements for all elements (e.g., exact arrangements for dates, locations, facilities and instructors), provided that he is satisfied that such final arrangements will be made in a satisfactory manner, and that the plan presented, plus such final arrangements, will result in a sound training program. In such cases, notification of approval shall specify requirements as to the final arrangements remaining to be settled before the trainer shall be allowed to proceed with pertinent portions of the training program.

14. RESERVED.

CHAPTER 4. IMPLEMENTATION OF PLANS

15. IMPLEMENTATION BY IHA. The IHA shall proceed with the implementation of its plan in accordance with the approved priorities and schedule of activities. Any changes in the schedule must be reported in writing to the ARA.
16. MONITORING AND EVALUATION. Each IHA and trainer shall be responsible for monitoring and evaluating performance under its approved MIFIH plan, for the purpose of assuring good quality as well as adherence to the quantitative provisions of the plan. The monitoring and evaluation measures to be taken by the IHA or trainer shall be included in the plan itself. In addition, the ARA shall be responsible for Regional/Area Office monitoring and evaluation of IHA/trainer performance, including the input of the Indian Coordinator and in accordance with procedures to be determined by the ARA.
17. REPORTS TO HUD.
- a. From IHAs. Narrative quarterly reports, indicating the activities which have been completed and the status of those in progress, shall be submitted by each IHA to the ARA. The IHA's evaluation of its activities shall be made in accordance with the measures included in its plan. The due dates for each IHA's report may be set at the discretion of the ARA, taking into account the other responsibilities of the IHAs and the need for staggering the reporting from the various IHAs.
- b. From trainers. Complete evaluation reports of all participants shall be written by a trainer at the conclusion of each group training session for which the trainer is responsible. Reports should include description of the degree to which the participants achieved stated objectives. Such reports shall be sent to the ARA.

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- c. Distribution of reports by ARA. Upon receipt of IHA and trainer reports, the ARA shall forward copies to the following offices, in addition to whomever else he chooses, in accordance with the procedures referred to in paragraph 16 above.
- (1) Regional Indian Coordinator
 - (2) CARF-IPP
 - (3) Those program offices which were involved in curriculum development
18. NOTIFICATION OF CHANGES. The ARA shall notify the IHA of any changes to its plan which he feels are necessary to more adequately address the IHA's needs.
19. FINAL EVALUATION. A final evaluation report of the total effort shall be submitted by each IHA and trainer at the completion of all funded activities, or at the end of the two-year implementation period if all activities have not been completed. This report shall include an assessment of those unmet needs which the IHA or trainer feels should still be addressed in order to correct the IHA's administrative deficiencies. The distribution of such reports by the ARA shall be the same as that described in paragraph 17c above.
20. FINANCIAL REPORTING REQUIREMENTS. All reports on funding and revisions of operating budgets shall be in accordance with normal HUD financial reporting requirements, unless otherwise specifically instructed by the Assistant Secretary for Housing. Detailed accounting instructions for IHAs are set forth as Appendix 4.
21. RESERVED.

APPROVAL

Estelle B. Blumenthal
Assistant Secretary for Consumer Affairs
and Regulatory Functions

7/30/76

APPENDIX 1. SAMPLE IHA BOARD RESOLUTION

At the regular (specially called) meeting of the Board of Commissioners of the _____ (name) Housing Authority of _____ (address), on _____ (date), 1976, the Board received, reviewed and adopted the attached Training Plan to be funded from monies obligated to this Authority as part of the Management Initiatives for Indian Housing Program (MIFIH) of the U. S. Department of Housing and Urban Development (HUD), and forwards that Plan and this resolution to HUD for approval.

This Board further adopts and approves the portion(s) of the Plan proposed by _____ (name of trainer) as group training, approves the estimate of this Authority's costs of participation included in the Plan, and commits the Authority to full participation in the described group training.

This Board further assures HUD that it will be diligent and enthusiastic in carrying out this total Plan, will comply with all applicable HUD requirements, and understands and agrees that HUD reserves the right to terminate funding for this program if the Authority fails, in any way, to carry out its responsibilities as set out in the Plan, as finally approved by HUD for implementation.

_____, Chairman
Board of Commissioners _____ Housing
Authority

APPENDIX 2. CRITERIA FOR EVALUATION OF
MIFIH TRAINING PLANS

1. INTRODUCTION. There are a number of important factors that go into a creative and effective training program, and opinions vary widely as to the priority attached to each. The elements that must be examined with care are in two parts: 1) the qualifications of the individual or organization providing the training (the trainer) and 2) the IHA's training plan and the trainer's group session plan, which should include implementation, evaluation and follow-up. These criteria shall be used as a basis of judgement and evaluation by the Regional Office in reviewing both types of plans, and shall be provided to those trainers who may be involved in development of group training sessions. The following list is not exhaustive, and should be used by Regional Offices with whatever additions are felt useful in adapting to the needs of that particular Region.

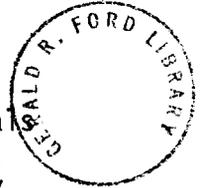
2. PART 1. TRAINER QUALIFICATIONS. Trainers are frequently known to selecting/approving officials by previous experience, by knowledge gained from another agency which has utilized the Trainer's services, but frequently the only source of information is the written proposal that is submitted for approval. In any event, it is of utmost importance that a number of key questions be included in the evaluation of the Plan/proposal. The following address fundamental issues to be raised and answered:
 - a. Does the Trainer demonstrate experience or knowledge in Federal, and State, and/or local subsidized housing programs? How? In what ways?
 - b. Does the Trainer demonstrate a workable knowledge of subsidized housing programs in effect in Indian communities?

Appendix 2

- c. Does the Trainer demonstrate an understanding of the particular objectives of the MIFIH Training Program?
 - d. Has the Trainer a demonstrable capability to develop, design and implement housing management training programs?
 - e. Does the Trainer demonstrate a capability (experience) for dealing with special situations of Native Americans?
 - f. Has the Trainer a demonstrable awareness of the social cultural, religious, and political characteristics and needs of proposed trainees (and residents) of IHAs?
 - g. What experience has the Trainer in working with such groups as BIA, IHS, ONAP, National or local Indian groups, etc?
 - h. Does the Trainer evidence an understanding of the relationships that exist between agencies involved in the production and administration of subsidized housing in Indian communities?
 - i. Has the Trainer had experience with training for non-Indian housing programs?
 - j. Does the Trainer propose to use Native Americans as trainers?
 - k. What previous experience have proposed Trainers had (resume)?
 - l. Has the Trainer made adequate provisions for training and developing the training staff?
3. PART 2. EVALUATION OF TRAINING PLANS. Some portions of the following will apply specifically to the plans submitted by individual IHAs, and some will apply to the group session plans submitted by a potential trainer. The Regional Office may add whatever additional criteria it feels are important in order to evaluate either type of plan.

a. Need:

- (1) How does the Training Plan indicate an understanding of the total needs of the IHA? And the role the proposed Training Plan is to play in meeting those needs?
- (2) How were needs determined? Interview with individuals (Commissioners, Directors, Staff Members, Residents, etc.)? Was a written instrument used? Enclose copy.
- (3) Show how the plan will most effectively address the training and technical assistance requirements of the IHA?
- (4) Does the Plan demonstrate an understanding of the program objectives and tasks to be performed and the probable effectiveness of the proposed approach?

b. Delivery:

- (1) Does the trainer indicate that the most effective and appropriate methods will be used in carrying out the program? What are they?
- (2) Has the proposed methodology been tested by previous experience? Where?
- (3) Does the trainer propose to use appropriate local agencies and organizations as resources?

c. Organization in Manpower:

- (1) Does the proposed organization of the training indicate sound management and administrative practices?
- (2) Is an organization chart included?
- (3) Position descriptions for key training personnel? Will Native Americans be used?

- (4) What provisions are made for training and development of training staff?
- (5) Is the proposed manpower adequate to carry out the proposed methodology?
- (6) Staff qualified to perform assigned tasks?
- (7) Is there an adequate number of personnel?

d. Schedule of tasks:

- (1) Does the trainer identify each major task to be performed including:
 - (a) sequence and duration of each task;
 - (b) allocations of manpower to each task;
 - (c) an appropriate task chart?
- (2) Is the proposed schedule of tasks realistic, flexible, logical, and adaptable to the needs of the trainees?
- (3) Does the schedule indicate the timing of reports, evaluations, and meetings with the IHAs?
- (4) Does the proposed schedule provide for the accomplishments of all stated objectives and the satisfaction of HUD, IHA, and program requirements?
- (5) Are scheduled tasks coordinated with IHA schedules, as set forth in their plans?

e. Equipment/Facilities:

- (1) Is proposed equipment appropriate and justifiable for training objectives?
- (2) Does trainer specify how equipment is to be acquired and used?
- (3) Are the proposed training facilities convenient and accessible?

- (4) Have available and accessible tax-exempt facilities been utilized?

f. Qualifications/Experience:

See PART 1 of this Appendix for detailed coverage of this area.

g. Cost effectiveness:

- (1) Is there a comprehensive breakdown of costs provided, including:
- (a) facility charges
 - (b) administrative salaries
 - (c) instructional salaries (are salaries appropriate
 - (d) for the level of expertise provided)
 - (e) travel and per diem cost (staff and trainees)
 - (f) instructional equipment and supplies
 - (g) overhead costs
 - (h) management fees (profit) and outside consultant costs.
- (2) Are costs realistic and appropriate in terms of the work proposed?
- (3) Are proposed costs within the IHA budget limits for the program? (Is the amount of the registration fee appropriate?)
- (4) Does the trainer indicate how costs will be allocated to tasks; and are all elements listed in the technical approach accounted for?
- (5) Does the trainer provide for utilization of on-going community resources?

h. Evaluation:

- (1) Is evaluation structured as an on-going process during training?
- (2) By whom will evaluation be made?
- (3) Will a descriptive check be made of the congruence between plan for the conduct of training and the way in which the training was actually carried out?

Appendix 2

- (4) Will evaluators check to see whether the gains in knowledge (including skills) which were anticipated to result from the training actually were achieved?
- (5) Will evaluation evidence which portions of the training were successful? In what ways they were successful? What contributed most to the success? Were participants satisfied with training?
- (6) Have any changes occurred in the IHA as a result of MIFIH training? If so, what?
- (7) If the training plans were revised or rewritten, what should be added or deleted?

APPENDIX 3. SAMPLE IHA OBLIGATION LETTER

Mr. John Doe
Executive Director
Pleasanton Housing Authority
690 Main Street
Pleasanton, Wyoming 13964

Dear Mr. Doe:

The Department hereby commits the amount of \$ _____ which, together with the amount of \$ _____ committed on (date) _____ from FY 1975 funds, constitutes the total funding of \$ _____ for your participation in the Management Initiatives for Indian Housing (MIFIH) program. This commitment does not carry with it approval of your training plan, nor are you authorized to implement any of your MIFIH activities or expend any MIFIH funds at this time. You will be informed by separate letter concerning approval of your plan by HUD, and authorization to implement it and requisition your funds.

In order to confirm this obligation, please prepare a revision of your operating budget showing the increased amount of operating subsidy on Line 950 and Line 960 equal to the amount obligated herein. The amount shown on Line 950 should be designated as MIFIH funding. The provision for operating reserve on Line 980 and Line 09, Part II, will be increased by the same amount. If the augmentation of the reserve results in a level which exceeds that authorized in HM 7475.1, Chapter 2, the provisions of that issuance are hereby waived with respect to the MIFIH funding.

Sincerely,

Tom Jones
Regional Administrator

Prevalidated _____
Date: _____

APPENDIX 4. ACCOUNTING AND FINANCIAL REPORTING
REQUIREMENTS FOR INDIAN HOUSING AUTHORITIES
PARTICIPATING IN THE TPP/MIFIH PROGRAM

1. Classification of Accounts. The classification of accounts prescribed in Chapters 2 and 3 of the Low-Rent Housing Accounting Handbook HM 7510.1 shall be used for recording transactions relating to TPP/MIFIH. No new accounts are prescribed for use in this program. The IHA's books of account, however, shall be maintained in such a manner that the operating expenditures applicable to TPP/MIFIH can be clearly identified.

2. Accounting for TPP Operating Funds. Each IHA participating in the TPP/MIFIH program has been requested by HUD to submit a revised Operating Budget requesting an increase in the amount of the operating subsidy by the total amount of the approved TPP/MIFIH. The following entry shall be made in the General Ledger upon approval by HUD of the revised operating budget:

Debit: Account 1125, Accounts Receivable - HUD
Credit: Account 8020, Contributions Earned - Operating Subsidy-Current Year

(To record the total amount of operating subsidy approved for the TPP/MIFIH Program)

An Accounts Receivable Register or other record shall be maintained which shall show the balance of the account receivable applicable to the TPP/MIFIH.

3. Accounting for Operating Expenditures. The subsidiary accounts for classifying operating expenditures of TPP/MIFIH shall be the same as those prescribed in Chapters 2 and 3 of the Accounting Handbook HM 7510.1. A separate subsidiary ledger or other record shall be maintained to record TPP/MIFIH expenses and shall provide for the accumulation of expenditures.

4. Reporting TPP/MIFIH Expenditures on Statement of Operating Receipts and Expenditures, Form HUD-52599. In preparing the Statement of Operating Receipts and Expenditures, the TPP/MIFIH expenditures shall be reported on Line 640 of the Form HUD-52599. For identification purposes the IHA shall insert the words "TPP/MIFIH Expense" on Line 640 in the column headed Account Title. Under no circumstances shall TPP/MIFIH expenditures be included in the operating expenditures reported on Lines 180 through 620.

5. Requisitioning TPP/MIFIH Funds. HUD will make payments of operating subsidy for the TPP/MIFIH Program on the basis of an approved requisition. A Form HUD-54005, Requisition for Partial Payments of Operating Subsidy - Targets Projects Program, shall be used by the IHAs to obtain partial payments for actual and proposed expenditures for TPP/MIFIH activities. Instructions for the preparation, submission, and distribution of the Form HUD-54005 are printed on the reverse of the form. A specimen form of the HUD-54005 is shown as Appendix 4a.
6. Payment. Generally, the amount of the approved requisition for partial payments will be paid by the Regional Accounting Division in three equal monthly installments. However, if the IHA has requested payment on the basis other than equal monthly installments, and such request has been approved by the HUD office, the Regional Accounting Division will make monthly payments in the amount requested by the IHA and approved by HUD.
7. Supply of Forms. Forms may be obtained upon request to the appropriate HUD office.

HUD-54005
January 1975

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT LOW-RENT HOUSING PROGRAM		FOR HUD USE ONLY		
REQUISITION FOR PARTIAL PAYMENTS OF OPERATING SUBSIDY TARGET PROJECTS PROGRAM (TPP)		VOUCHER NUMBER		
NAME AND ADDRESS OF LHA (Including ZIP Code)		DATE OF REQUISITION		
		LHA FISCAL YEAR ENDING DATE		
DEPOSITARY BANK (Name, Address and Account No.)		QUARTER ENDING		
		ACC CONTRACT NO.		
		PROJECT NO.(S)		
APPROVED TARGET PROJECTS PROJECT				AMOUNT
1. Total amount approved Target Projects Program				
TARGET PROJECTS PROGRAM EXPENSE				
2. TPP Expense Incurred prior to beginning of Fiscal Year				
3. TPP Expense Incurred to date this Fiscal Year				
4. Estimated additional expense to end of requested quarter				
5. Total TPP funds required (Lines 2, 3, and 4)				
PARTIAL PAYMENTS				
6. Total partial payments received prior to beginning of Fiscal Year				
7. Total partial payments received for Fiscal Year to date				
8. Total partial payments received (Lines 6 and 7)				
9. Total TPP funds available (Line 1 minus Line 8)				
AMOUNT OF THIS REQUISITION				
10. Partial payments requested (Line 5 minus Line 8)				
METHOD OF PAYMENT - REQUESTED INSTALLMENT PAYMENTS				
1ST INSTALLMENT	2ND INSTALLMENT	3RD INSTALLMENT	TOTAL	
I certify that this requisition for annual contribution for operating subsidy has been examined by me and to the best of my knowledge is true and correct and is in accordance with the provisions of the approved Target Projects Program.				
NAME OF LHA		SIGNATURE AND TITLE OF OFFICIAL AUTHORIZED TO CERTIFY		DATE
HUD FIELD OFFICE APPROVAL				
SIGNATURE AND TITLE OF OFFICIAL AUTHORIZED TO APPROVE				DATE
REGIONAL ACCOUNTING DIVISION	PAYMENT FOR MONTH	AMOUNT PAID	DATE CERTIFIED FOR PAYMENT	CERTIFIED BY <i>(Initials)</i>
Prevalidated by:				
_____ <i>(Signature)</i>				
_____ <i>(Date)</i>				
Total				

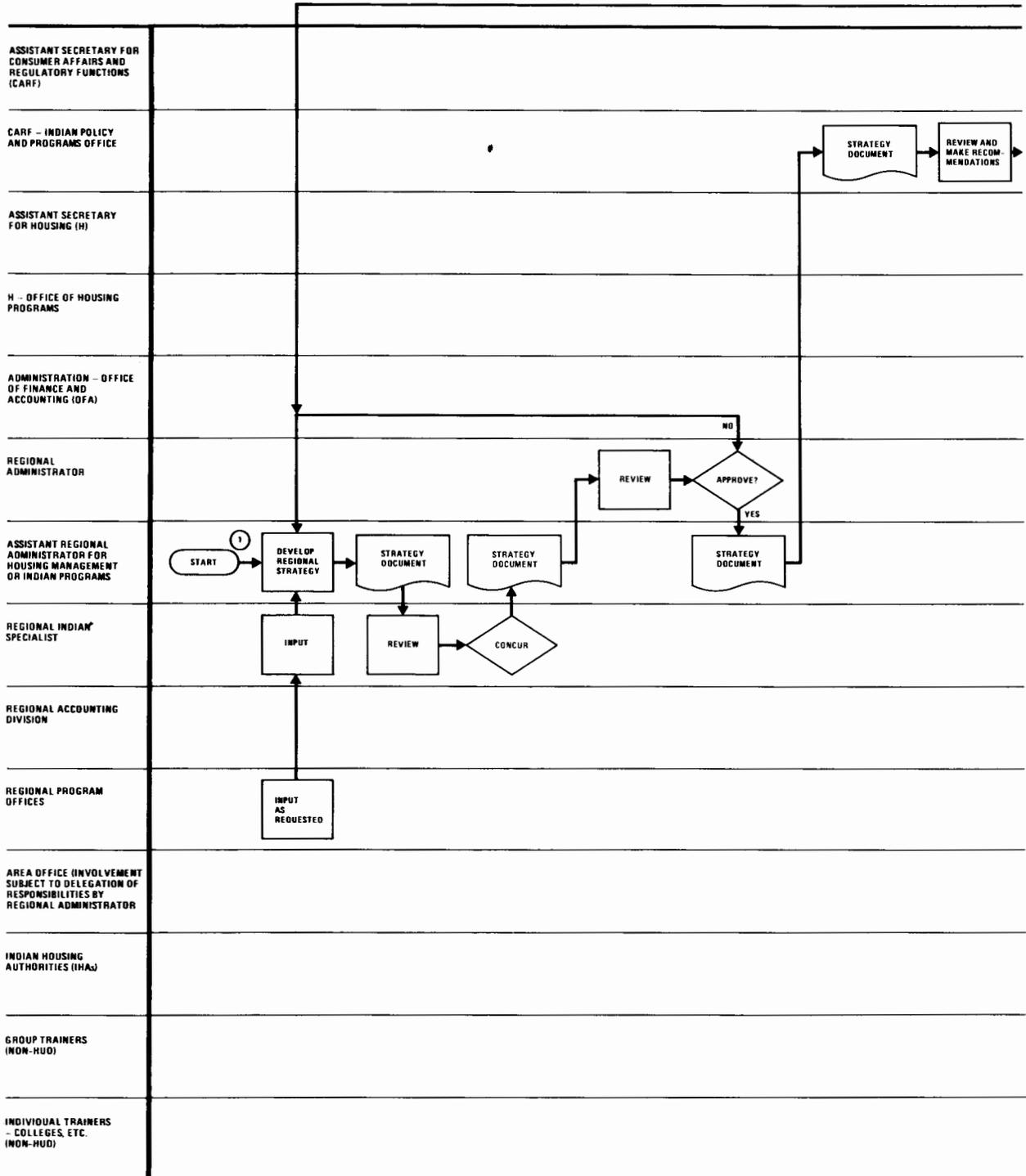
**INSTRUCTIONS FOR PREPARATION OF FORM HUD-54005
REQUISITION FOR PARTIAL PAYMENTS OF OPERATING SUBSIDY
TARGET PROJECTS PROGRAM**

1. GENERAL

- a. The first requisition (HUD-54005) may be submitted immediately following the approval by HUD of the revised Operating Budget, Form HUD-52564, which covers the estimated TPP expenditures for the LHA's current fiscal year. The requisition may cover a period from the date the Part B Application - Target Project Program was approved by HUD to the end of the calendar quarter which is not more than four months from the date of HUD approval of the Part B Application.
 - b. The second and succeeding requisitions shall be prepared as of the first day of the month preceding the beginning of the calendar quarter for which a partial payment is being requested, and it should be received by the appropriate HUD Area Office not later than the 10th day of that month. For example, a requisition for quarter ending June 30th should be prepared as of March 1st and received by the HUD Area Office not later than March 10th.
 - c. With the initial requisition, the LHA shall submit as supporting documentation (1) a narrative listing of each TPP Objective, with monthly estimates and quarterly totals for which funds are being requested, and (2) a copy of each approved Summary of TPP Work Plans, Form HUD-54002, on which the estimates are based. For the second and subsequent requisitions the LHA shall submit as supporting documentation a narrative, listing the TPP Objectives with monthly estimates and quarterly totals for which funds are being requested together with the TPP Monthly Report, Form HUD-54004, for each Objective for the month ending one month prior to the beginning of the calendar quarter for which funds are being requested. For example, a requisition for quarter ending September 30th, should be accompanied by a TPP Monthly Report, for the month ending May 31.
 - d. A separate requisition (HUD-54005) shall be prepared for each Part B Application approved.
- 2. HEADING.** The heading of this requisition shall be completed by inserting in the space provided the following information.
- a. Name and address of the LHA, including zip code.
 - b. Name and address of the bank, including zip code, to which partial payments are to be mailed by HUD, and the LHA's account number. The bank so designated shall be the bank for which the LHA has executed a Form HUD-274, Designation of Depositary for Deposits of Loan and/or Grant Funds.
 - c. Date of requisition, that is, the date as of which the requisition is prepared.
 - d. The Local Authority's Fiscal Year Ending Date.
 - e. Quarter Ending. Enter the ending date of the calendar quarter for which the requisition is prepared.
 - f. The Annual Contribution Contract Number.
 - g. The Project Number(s).
- 3. APPROVED TARGET PROJECTS PROGRAM.** Enter on Line 1 the total amount approved for Target Projects Program as shown in the Part B Application.
- 4. TARGET PROJECTS PROGRAM EXPENSES (Lines 2 through 4).** Self-explanatory.
- 5. PARTIAL PAYMENTS (Lines 6 through 9).** Self-explanatory. The amount on Line 9 represents the total TPP funds available as of the date of this requisition.
- 6. AMOUNT OF THIS REQUISITION (Line 10).** Self-explanatory. Line 10 cannot exceed Line 9.
- 7. SUBMISSION AND DISTRIBUTION OF REQUISITIONS.** An original and three copies of the requisition for partial payment shall be submitted quarterly by the LHA to the appropriate HUD Area Office for approval. Only one copy of the supporting documentation shall be submitted. After approval by the HUD Area Office, one copy of the approved requisition shall be returned to the LHA; the original and one copy shall be sent to the Director, Regional Accounting Division for payment; and one copy shall be retained by HUD Area Office together with the supporting documents.

HUD-54005 (1-75)

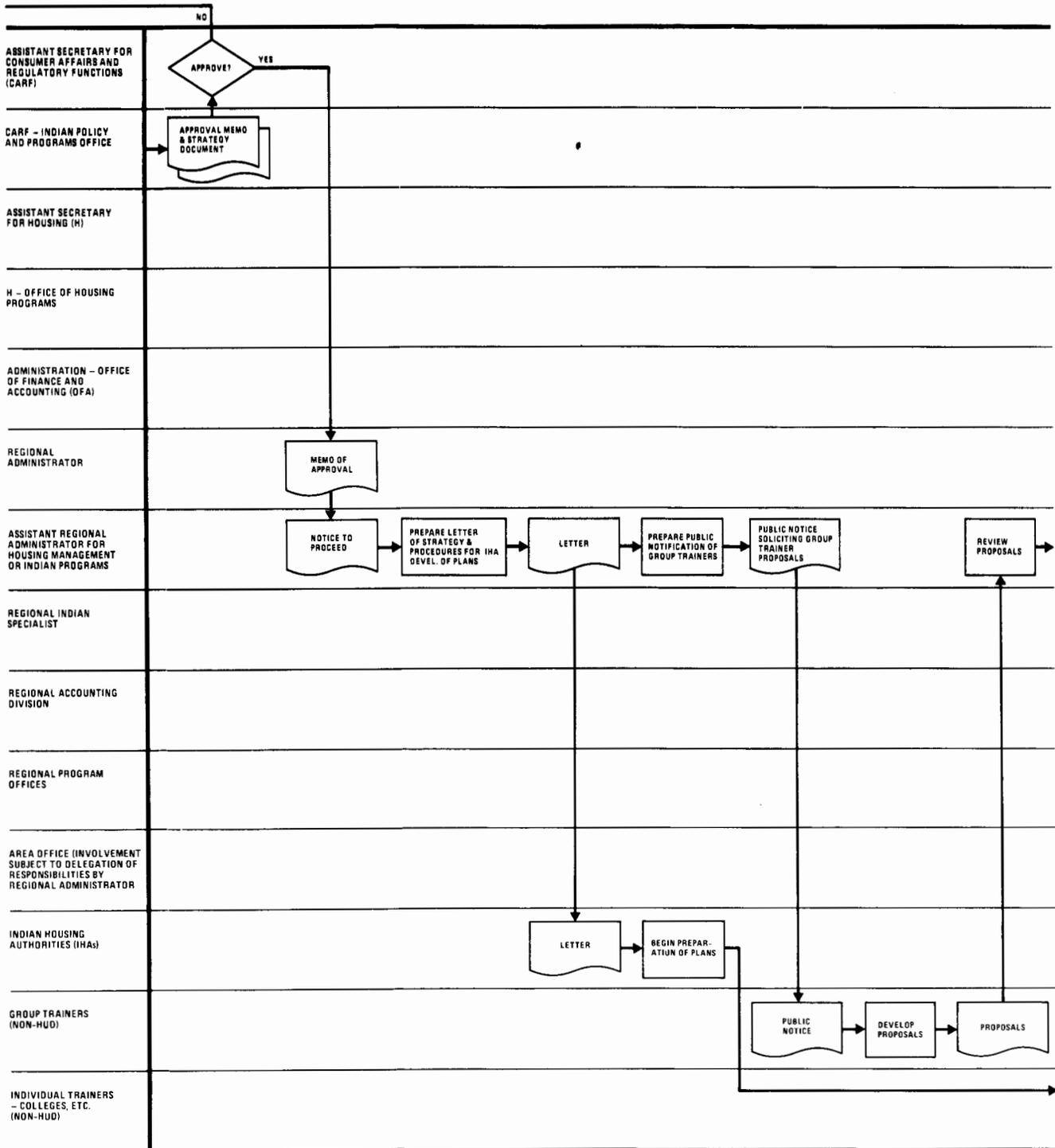
APPENDIX 5 - FLOW CHART FOR MANAGEMENT INITIATIVES FOR INDIAN HOUSING (MIFIH) PROGRAM

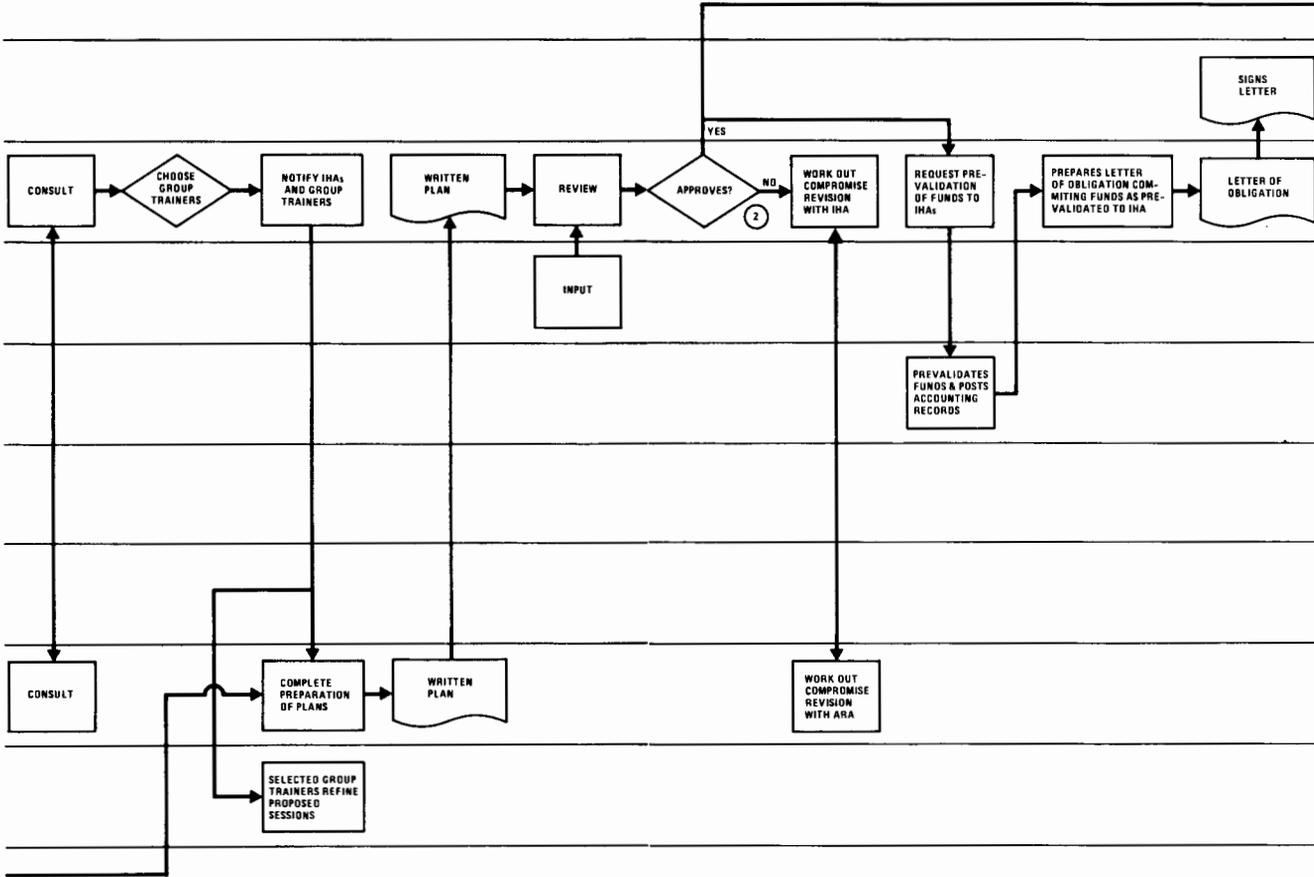


1 FUNDS HAVE PREVIOUSLY BEEN ASSIGNED TO THE REGIONS BY HUD-IRS.

Appendix 5

APPENDIX 5 - FLOW CHART FOR MANAGEMENT INITIATIVES FOR INDIAN HOUSING (MIFIH) PROGRAM (Cont'd)

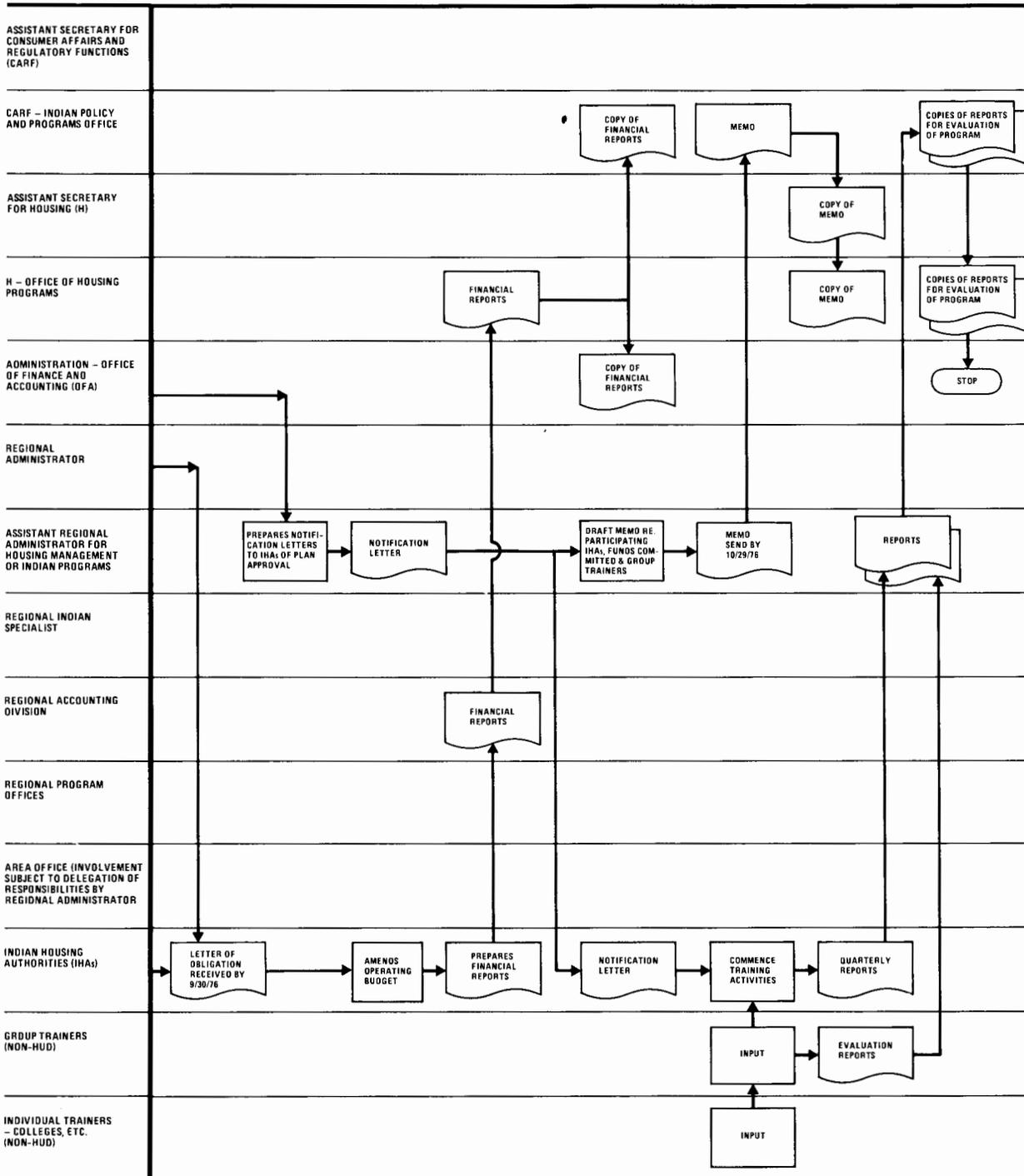




² NEXT ACTION DEPENDS ON TIME AVAILABLE BEFORE 9/30/76. PROCEED WITH PREVALIDATION FIRST UNLESS THERE IS SUFFICIENT TIME TO WORK OUT AN APPROVABLE REVISION.

Appendix 5

APPENDIX 5 - FLOW CHART FOR MANAGEMENT INITIATIVES FOR INDIAN HOUSING (MIFIH) PROGRAM (Cont'd)





United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D. C. 20245

IN REPLY REFER TO:

Housing Assistance
BCCO -5379

SEP 21 1976

Mr. Lawrence Tomah, Jr.
Box 187
Walters, Oklahoma 73572

Dear Mr. Tomah:

President Ford has asked us to respond to your August 7 letter concerning the operation of the Comanche Housing Authority and your request for an audit of funds used by the Comanche Housing Authority from 1970-1976.

As you may already know, the audit of the Comanche Housing Authority's books and records is not performed by the BIA. Prior to the publication of the HUD regulations on Indian Housing, the Department of the Interior Audit Investigation and Survey Office conducted audits of Indian housing authorities to the extent their manpower and schedule permitted. HUD has now assumed this responsibility.

If you feel that the Comanche Housing Authority is not administering its housing projects or programs in accordance with HUD regulations and if there is non-compliance to the established housing authority criteria, we suggest that you bring these matters to the attention of the appropriate HUD office (Oklahoma City Office, 301 North Hudson Street, Oklahoma City, Oklahoma 73102). You may also want to request HUD approval for an audit. We are also sending copies of your letter to HUD for their further action.

Sincerely yours,

(SGD) Morris Thompson

Commissioner of Indian Affairs

cc: Bradley H. Patterson, White House
Area Director, Anadarko, w/copy of incoming.
HUD, Office of Housing Programs, with copy incoming

THE WHITE HOUSE
WASHINGTON

8-27-76

Dear Mr. Tomah:

The President has asked me to thank you for your letter of August 7 about the Comanche Housing Authority.

5379

The General Accounting Office is an arm of Congress; it responds to requests made by Chairmen of Congressional Committees and by Members of Congress.

Since, however, the Comanche Housing Authority presumably received funds from either the Department of the Interior or HUD, I would think that one of these agencies would be interested in your complaint. I will start with the Department of the Interior and ask them to respond directly to your inquiry.

Sincerely yours,

Bradley H. Patterson, Jr.

Mr. Lawrence Tomah, Jr.
Box 187
Walters, Oklahoma 73572

✓ cc: Housing Office, Bureau of Indian Affairs for direct reply
with copy to Bradley Patterson, White House



Box 187
Walters, Ok.
73572

August 7, 1976

5379



Gerald Ford
President of the United States
Washington, D. C. 20001

Dear Sir:

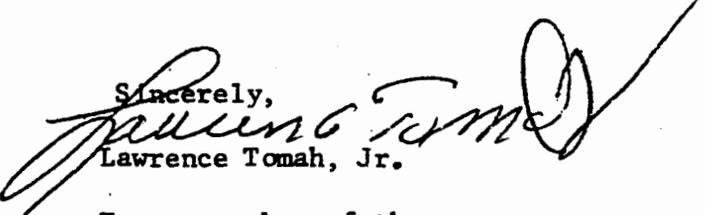
This letter is about our Comanche Housing Authority located at Lawton, Oklahoma.

Many Comanche Indians are not satisfied with its operation.

Our Comanche Tribal Business Committee will not respond to tribal members' requests for information.

Therefore I am requesting an audit from the General Accounting Office in Washington, D.C. of the funds used by the Comanche Housing Authority from 1970 to the present July 1976.

Sincerely,


Lawrence Tomah, Jr.

To:
Senator Bartlett
Senator Bellmon

Former member of the
Comanche Business Committee
One of the writers of the
Comanche Constitution
Former member of the Okla.
Indian Affairs Commission
under the former Governor
Dewey F. Bartlett

—
Natl Bureau
Justice Housing
Council



Nevada
BIA helps them ---
has a contract with
them.

FYI



National American Indian Housing Council

TELEPHONE (702) 882-1766

P. O. BOX 215

STEWART, NEVADA 89437

August 31, 1976

Mrs. Carla A. Hills
Secretary
Department of Housing
and Urban Development
451 7th Street S.W.
Washington, D.C. 20410

EXECUTIVE DIRECTOR
Loie Brooks

CHAIRMAN
Tim Foster
Chairman, Yakima Nation
Housing Authority

VICE - CHAIRMAN
Lloyd LeBeau
Executive Director, Cheyenne
River Housing Authority

SECRETARY
Marvin Abrams
Chairman, Seneca Nation
Housing Authority

TREASURER
Ronald Froman
Executive Director, Housing
Authority of the Creek Nation

Dear Secretary Hills:

Enclosed are Resolutions No. NAIHC 6/76-1 through NAIHC 6/76-6 which were introduced and adopted by the member Indian Housing Authorities during the annual convention of the National American Indian Housing Council's annual convention June 21-25, 1976 at Niagara Falls, New York.

Sincerely,

NATIONAL AMERICAN INDIAN HOUSING COUNCIL

Loie Brooks
Executive Director

enc: Resolutions

cc: President, United States of America
Board of Directors

lb/pm



*Circumstance is the Ruler of the Weak
and the Instrument of the Wise*



National American Indian Housing Council

TELEPHONE (702) 882-1766

P. O. Box 215
STEWART, NEVADA 89437

RESOLUTION

No. NAIHC 6/76-1

WHEREAS, AN ACUTE SHORTAGE OF DECENT, SAFE AND SANITARY HOUSING CONTINUES TO EXIST IN INDIAN AREAS; AND

WHEREAS, THE CONGRESS OF THE UNITED STATES, IN THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, RECOGNIZES THE SHORTAGE OF HOUSING IN INDIAN AREAS AND MANDATES, THROUGH ITS SET-ASIDE OF FUNDS FOR INDIAN HOUSING, THAT THE SECRETARY OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TAKE ACTIONS TO ALLEVIATE THE DEPLORABLE HOUSING CONDITIONS ENDURED BY INDIAN FAMILIES; AND

WHEREAS, THE DEVELOPMENT OF INDIAN HOUSING THROUGH NEGOTIATED CONTRACTS WITH INDIAN-OWNED CONSTRUCTION ORGANIZATIONS HAS PRODUCED HOUSING MEETING VERY HIGH STANDARDS AT A REASONABLE COST, HAS PROVIDED EMPLOYMENT OPPORTUNITIES AND TRAINING EXPERIENCE IN CONSTRUCTION SKILLS FOR INDIAN WORKERS AND HAS MADE POSSIBLE THE ECONOMIC DEVELOPMENT OF TRIBAL RESOURCES, WHICH NEGOTIATED CONTRACTS HAVE HISTORICALLY BEEN UTILIZED AND WHICH WERE ALLOWED BY A PROVISION INCLUDED IN THE PROPOSED INDIAN HOUSING REGULATIONS AS PUBLISHED FOR COMMENT ON SEPTEMBER 19, 1975; AND

WHEREAS, IN DISREGARD OF THE SUPPORT FOR THE PROVISION FOR NEGOTIATED CONTRACTS FROM INDIAN LEADERS, TRIBAL GOVERNMENTS, INDIAN HOUSING AUTHORITIES AND OTHERS INTERESTED IN INDIAN HOUSING, SAID PROVISION WAS ARBITRARILY DELETED FROM THE INDIAN HOUSING REGULATIONS WHEN SUCH REGULATIONS WERE PUBLISHED FOR IMPLEMENTATION ON MARCH 9, 1976; AND,

WHEREAS, THE DELETION OF SAID PROVISION FOR NEGOTIATED CONTRACTS IS ALIEN TO THE POLICY OF INDIAN SELF-DETERMINATION, IS NOW DELAYING THE DEVELOPMENT OF DECENT, SAFE AND SANITARY HOUSING FOR INDIAN FAMILIES, IS WITHHOLDING EMPLOYMENT OPPORTUNITIES AND TRAINING EXPERIENCE FOR INDIAN WORKERS AND IS RESTRICTING THE DEVELOPMENT OF INDIAN RESOURCES;

NOW THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL, ASSEMBLED AT NIAGARA FALLS, NEW YORK, AS FOLLOWS:



National American Indian Housing Council

TELEPHONE (702) 882-1766

P. O. Box 215

STEWART, NEVADA 89437

PAGE TWO

No. NAIHC 6/76-1

1. THAT THE MANY INDIAN HOUSING AUTHORITIES HERE ASSEMBLED DO PETITION THE SECRETARY OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO REINSTATE THE PROVISION IN THE INDIAN HOUSING REGULATIONS TO ALLOW THE NEGOTIATION OF DEVELOPMENT CONTRACTS BETWEEN INDIAN HOUSING AUTHORITIES WHICH CHOOSE TO DO SO AND INDIAN-OWNED ECONOMIC ENTERPRISES AND OTHER INDIAN ORGANIZATIONS; AND,
2. THAT THE NEGOTIATION PROVISION BE REINSTATED IN ADDITION TO ANY PREFERENTIAL TREATMENT AFFORDED INDIAN-OWNED ECONOMIC ENTERPRISES UNDER THE PROVISIONS OF THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT; AND,
3. THAT THE CHANGE IN THE REGULATIONS REINSTATING THE PROVISION FOR NEGOTIATED CONTRACTS BE PROMULGATED AND DISTRIBUTED TO FIELD OFFICES OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT NOT LATER THAN JULY 15, 1976, IN ORDER TO MINIMIZE THE DELAY IN THE DELIVERY OF INDIAN HOUSING; AND,
4. THAT THE SECRETARY OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL IS HEREBY AUTHORIZED AND DIRECTED TO IMMEDIATELY DISPATCH A CERTIFIED COPY OF THIS RESOLUTION TO THE PRESIDENT OF THE UNITED STATES, TO THE SECRETARY OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, TO THE APPROPRIATE CONGRESSIONAL COMMITTEES, TO THE NATIONAL TRIBAL CHAIRMEN'S ASSOCIATION AND TO THE NATIONAL CONGRESS OF AMERICAN INDIANS.

CERTIFICATION

THE UNDERSIGNED, ACTING AS THE DULY QUALIFIED AND ELECTED SECRETARY OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL, DOES HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS DULY AND PROPERLY INTRODUCED, CONSIDERED AND ADOPTED BY THE GENERAL MEMBERSHIP OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL AT ITS ANNUAL MEETING ON THE 24TH DAY OF JUNE, 1976.

ATTEST:

Merrin B. Abrams

SECRETARY

[Signature]
CHAIRMAN



National American Indian Housing Council

TELEPHONE (702) 882-1766

P. O. Box 215
STEWART, NEVADA 89437

RESOLUTION

No. NAIHC 6/76-2

WHEREAS, THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL SEEKS AND IS SUPPORTIVE OF REGIONALIZED TRAINING IN MANAGEMENT INITIATIVES FOR INDIAN HOUSING AUTHORITIES, FLEXIBILITY IS NEEDED IN ORDER TO DESIGN AND IMPLEMENT COURSES OF ACTION THAT WILL EXPEDITE SERVICE ORIENTATION FOR EACH AREA; AND

WHEREAS, IT IS RECOGNIZED THAT HOUSING AUTHORITY TRAINING ON A NATIONAL BASIS MAY NOT HAVE ADAPTABILITY NECESSARY FOR ADEQUATE SERVICE DELIVERY; AND,

THEREFORE, BE IT RESOLVED THAT WHEN TRAINING IN MANAGEMENT INITIATIVES BE IMPLEMENTED IN EACH HUD REGION, THAT INPUT FROM THE INDIAN HOUSING AUTHORITIES AFFECTED BE INCLUDED IN THE APPROVED PROGRAM.

CERTIFICATION

THE UNDERSIGNED, ACTING AS THE DULY QUALIFIED AND ELECTED SECRETARY OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL, DOES HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS DULY AND PROPERLY INTRODUCED, CONSIDERED AND ADOPTED BY THE GENERAL MEMBERSHIP OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL AT ITS ANNUAL MEETING ON THE 24TH DAY OF JUNE, 1976.

ATTEST:

Mawri B. Abrams

SECRETARY

[Signature]
CHAIRMAN



National American Indian Housing Council

TELEPHONE (702) 882-1766

P. O. Box 215
STEWART, NEVADA 89437

RESOLUTION

No. NAIHC 6/76-3

WHEREAS, THE INDIAN HOUSING AUTHORITIES OF THE DENVER REGION OBJECTS TO THE PRESENT PERFORMANCE FUNDING SYSTEM BEING USED TO DETERMINE THE CORRECT AMOUNT OF OPERATING SUBSIDIES FOR THE FOLLOWING REASON:

1. THAT THE SYSTEM IS TOO COMPLICATED TO USE EFFECTIVELY BY THE LOCAL HOUSING AUTHORITIES.
2. THAT THE FORMULA WORKS AN INJUSTICE TO THE INDIAN HOUSING AUTHORITIES, BECAUSE AN IMPROPERLY DETERMINED OPERATING SUBSIDY MAY NOT BE ENOUGH TO MAKE UP THE DIFFERENCE BETWEEN WHAT RENTALS ARE RECEIVED AND THE TOTAL OPERATING COSTS ARE.
3. THAT THE INDIAN HOUSING AUTHORITIES HAVE NOT BEEN EXPOSED TO ENOUGH TRAINING ON THE PERFORMANCE FUNDING SYSTEM TO PROPERLY UTILIZE THE SAME.
4. THAT A MORE SIMPLIFIED SYSTEM BE USED TO ARRIVE AT FAIR OPERATING SUBSIDIES.

NOW, THEREFORE, BE IT RESOLVED THAT THE FOREGOING RESOLUTION BE ADOPTED BY THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL IN SESSION THIS 24TH DAY OF JUNE, 1976, AT NIAGARA FALLS, NEW YORK; AND

BE IT FURTHER RESOLVED THAT THIS RESOLUTION BE BROUGHT TO THE ATTENTION OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR IMMEDIATE CORRECTIVE ACTION TO ALLEVIATE THE SITUATION DISCUSSED IN THIS RESOLUTION.

CERTIFICATION

THE UNDERSIGNED, ACTING AS THE DULY QUALIFIED AND ELECTED SECRETARY OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL, DOES HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS DULY AND PROPERLY INTRODUCED, CONSIDERED AND ADOPTED BY THE GENERAL MEMBERSHIP OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL AT ITS ANNUAL MEETING OF THE 24TH DAY OF JUNE, 1976.

ATTEST:

Marvin B. Abrams

SECRETARY

[Signature]
CHAIRMAN



National American Indian Housing Council

TELEPHONE (702) 882-1766

P. O. Box 215

STEWART, NEVADA 89437

RESOLUTION

No. NAIHC 6/76-4

WHEREAS, THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL IN CONVENTION ASSEMBLED, IS THE DULY RECOGNIZED SPOKESMEN FOR INDIAN HOUSING AUTHORITIES ON A NATIONAL BASIS TO SECURE, BY UNITED EFFORT, ALL THE BENEFITS, RIGHTS, PRIVILEGES AND POWERS AS PROVIDED FOR AND BY THE LAWS OF THE UNITED STATES NOW EXISTING OR THAT MAY HEREAFTER BE ENACTED FOR THE BENEFITS OF ALL CITIZENS OF THE UNITED STATES; AND



WHEREAS, THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL IS ENABLED TO PROVIDE CONSTANT SURVEILLANCE OF CURRENT HOUSING AND URBAN DEVELOPMENT POLICIES AND TO RECOMMEND CHANGES IN REGULATIONS AND RECOMMEND LEGISLATION THAT WOULD INSURE BETTER HOUSING PROGRAMS; AND,

WHEREAS, THE NEW HUD REGULATIONS, FEDERAL REGISTER VOLUME 41, No. 47, SECTION #805.416 REQUIRE MONTHLY PAYMENTS OF 25% OF THE HOMEBUYER'S INCOME MINUS A UTILITY DEDUCTION WILL RESULT IN GREAT DISCREPANCIES IN PAYMENTS BETWEEN FAMILIES OF THE SAME NET FAMILY INCOME DEPENDING UPON WHETHER THEY ARE IN OLD OR NEW PROJECTS; AND,

WHEREAS, IT HAS TAKEN YEARS TO PARTIALLY CONVINCING OUR FAMILIES THAT A PAYMENT BASED UPON INCOME IS FAIR, THIS RULE IMPOSES AN UNFAIR BURDEN UPON LOW INCOME INDIAN FAMILIES BY REQUIRING NOT LESS THAN 25% OF AN ALREADY INADEQUATE MONTHLY INCOME TO BE PAID TO THE HOUSING AUTHORITY AT A TIME WHEN OTHER FAMILY EXPENSES ARE SO INFLATED AND WHEN OTHER MORE FORTUNATE FAMILIES NOT CLASSIFIED "LOW INCOME" DO NOT HAVE TO COMMIT SUCH A LARGE PORTION OF THEIR INCOME TO HOUSING; NOW,

THEREFORE, BE IT RESOLVED THAT THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL REQUESTS THE MODIFICATION OF SECTION #805.416 TO ACHIEVE A MORE EQUITABLE PAYMENT SCHEDULE AS BETWEEN MUTUAL HELP PARTICIPANTS, IRRESPECTIVE OF WHEN THEY ENTERED THE PROGRAM, AS WELL AS RESULT IN A MONTHLY PAYMENT THAT REPRESENTS A PERCENTAGE OF INCOME THAT WILL NOT UNDULY BURDEN THE MUTUAL HELP PARTICIPANT TO THE POINT WHERE OTHER FAMILY NECESSITIES CANNOT BE PROVIDED FOR; AND,

BE IT FURTHER RESOLVED THAT WE HEREBY SUPPORT THE POSITION PAPER PREPARED REGARDING THE PROBLEM.



National American Indian Housing Council

TELEPHONE (702) 882-1766

P. O. Box 215
STEWART, NEVADA 89437

PAGE TWO

No. NAIHC 6/76-4

CERTIFICATION

THE UNDERSIGNED, ACTING AS THE DULY QUALIFIED AND ELECTED SECRETARY OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL, DOES HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS DULY AND PROPERLY INTRODUCED, CONSIDERED AND ADOPTED BY THE GENERAL MEMBERSHIP OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL AT ITS ANNUAL MEETING ON THE 24TH DAY OF JUNE, 1976.

ATTEST:

Marvin B. Abrams

SECRETARY

[Signature]
CHAIRMAN

ATTACHED: POSITION PAPER

BY: VIRGINIA TOEWS, NORTHERN CHEYENNE HOUSING AUTHORITY



National American Indian Housing Council

TELEPHONE (702) 882-1766

P. O. BOX 215

STEWART, NEVADA 89437

RESOLUTION

No. NAIHC 6/76-5

WHEREAS, THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL SEEKS TO ACQUIRE AND IMPROVE INDIAN HOUSING; AND,

WHEREAS, THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT INDIAN HOUSING RULES AND REGULATIONS, TUESDAY, MARCH 9, 1976 DISCRIMINATE AGAINST INDIANS AND PLACES UNFAIR RESTRAINTS ON THE VALUATION OF POTENTIAL INDIAN HOUSING SITES.

NOW THEREFORE, BE IT RESOLVED, THAT THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL HEREBY REQUESTS THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO CEASE ITS DISCRIMINATION AGAINST INDIANS AND TO IMMEDIATELY AMEND THE INDIAN HOUSING RULES AND REGULATIONS OF TUESDAY, MARCH 9, 1976 AS FOLLOWS:

- A. THAT THE EXTRACTED PORTION OF SECTION 805.219 OF SUBJECT RULES AND REGULATIONS BE DELETED: "AN ACCEPTABLE ESTIMATE OF THE VALUE OF THE LEASEHOLD SHALL IN NO EVENT EXCEED $\frac{2}{3}$ OF THE ESTIMATE OF THE VALUE AS IF ALIENABLE IN FEE." AND, THAT LEASEHOLD VALUE SHOULD BE ESTABLISHED AT 100% OF FAIR MARKET VALUE.
- B. THAT THE EXTRACTED PORTION OF SECTION 805.404 OF SUBJECT RULES AND REGULATIONS BE DELETED IN ITS ENTIRETY: "HOWEVER, IF THE COST OF A PURCHASED HOMESITE EXCEEDS \$1,500, THE AMOUNT OF THE EXCESS SHALL BE COVERED BY EITHER (1) ADDITIONAL MH CONTRIBUTIONS IN ACCORDANCE WITH SECTION 805.408, (B), IN WHICH CASE THE COST OF THE HOMESITE MAY NOT EXCEED \$2,500, OR (2) FUNDS FROM A SOURCE OTHER THAN PROJECT FUNDS."
- C. THAT OTHER SECTIONS OF SUBJECT RULES AND REGULATIONS ABETTING THE CURRENT INTENT OF THE ABOVE BE AMENDED TO CONFORM WITH THE COUNCIL'S RECOMMENDATIONS.

CERTIFICATION

THE UNDERSIGNED, ACTING AS THE DULY QUALIFIED AND ELECTED SECRETARY OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL, DOES HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS DULY AND PROPERLY INTRODUCED, CONSIDERED AND ADOPTED BY THE GENERAL MEMBERSHIP OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL AT ITS ANNUAL MEETING ON THE 24TH DAY OF JUNE, 1976.

ATTEST:

Marvin B. Abram

SECRETARY

[Signature]
CHAIRMAN



National American Indian Housing Council

TELEPHONE (702) 882-1766

P. O. Box 215
STEWART, NEVADA 89437

RESOLUTION OF ENDORSEMENT

No. NAIHC 6/76-6

THE GENERAL MEMBERSHIP OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL VOTED TO ENDORSE THE FOLLOWING:

1. THE LETTER FROM THE ONEIDA HOUSING AUTHORITY, DATED JUNE 17, 1976, WRITTEN AND SENT TO SECRETARY HILLS OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
2. RESOLUTIONS MADE PREVIOUSLY BY THE NATIONAL TRIBAL CHAIRMEN'S ASSOCIATION;

No. NTCA 5/76-1
No. NTCA 5/76-21

CERTIFICATION

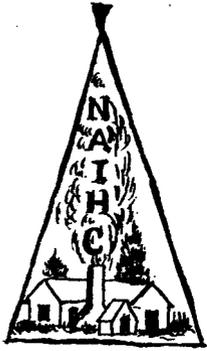
THE UNDERSIGNED, ACTING AS THE DULY QUALIFIED AND ELECTED SECRETARY OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL, DOES HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS DULY AND PROPERLY INTRODUCED, CONSIDERED AND ADOPTED BY THE GENERAL MEMBERSHIP OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL AT ITS ANNUAL MEETING ON THE 24TH DAY OF JUNE, 1976.

ATTEST:

Marvin B. Abrams

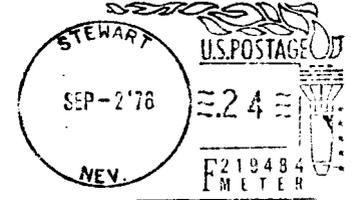
SECRETARY

[Signature]
CHAIRMAN



**National American
Indian Housing Council**

P. O. Box 215
STEWART, NEVADA 89437



WHITE HOUSE MAIL
RECEPTION & SECURITY
SEP 6 1976
Processed by: 2

President Gerald Ford
THE WHITE HOUSE
Washington, D.C. 20500

Washington,
17th September 1976.

Dear Mr. Patterson,

Enclosed is a copy of the draft Memorandum of Understanding between HUD-HEW-Interior regarding Indian Housing Projects; I located a copy in the Office of the Secretary here at HUD. It's my understanding that a final Memorandum has not yet been agreed to.

Previously I had suggested you could contact Dennis Blair, a Special Assistant to Secretary Hills and a White House Fellow, as a knowledgeable person about Indians in HUD; Dennis is no longer with the Department and a new White House Fellow came two weeks ago (Porter Briggs from Little Rock).

You sounded so busy yesterday when you returned my call! If the Task Force you are co-ordinating needs (additional) staff, please consider me...a detail from another Executive Department should be okay I hope. As an analyst in Office of Budget/Office of the Secretary at HUD I'm being exposed to a great many facets of Housing, Indian Housing, and litigation involving the Department.

I hope we can get together soon.

Best,



Ray Millard.



INTERAGENCY MEMORANDUM OF UNDERSTANDING
ON CLEARANCES FOR INDIAN HOUSING PROJECTS



1. This Memorandum of Understanding applies to housing projects undertaken by Indian Housing Authorities (IHAs) of Federally Recognized Tribes for which financial and technical assistance is provided by the Department of Housing and Urban Development (HUD), the Bureau of Indian Affairs, Department of Interior (BIA) and the Indian Health Service, Department of Health, Education and Welfare (IHS).

2. HUD is responsible for certifying compliance of the entire project with the provisions of the National Environmental Policy Act of 1969 (P.L. 91-190), the Flood Disaster Act of 1973 (P.L. 93-234) and Executive Order 11514. HUD procedures apply. BIA and IHS furnish to HUD the specifications of their parts of the project. HUD will not consider its environmental review complete until notified by BIA that the clearances in paragraphs 3 and 4 have been conducted.

3. BIA is responsible for compliance of the entire project with the Act for the Preservation of American Antiquities of 1906 and the National Historic Preservation Act of 1966 (P.L. 89-665) and Executive Order 11593. BIA procedures apply. HUD and IHS furnish to BIA the specifications of their parts of the project.

4. BIA is responsible for compliance of the entire project with the Archaeological and Historic Data Preservation Act of 1974 (P.L. 93-291). HUD and IHS will furnish to BIA the specifications of their parts of the project. Should the recovery, protection or preservation of scientific, pre-historical, historical or archaeological data prove necessary, BIA will reach agreement with HUD or IHS regarding funding responsibility.

5. If preliminary surveys are necessary to determine if any part of a project will affect scientific, prehistorical, historical or archaeological properties or data, they will be funded by the Indian Housing Authority from preliminary loan funds advanced by HUD.

6. All parties to this agreement will have the opportunity for review and clearance of documents and reports written by other parties.

Background

1. Original Draft 1/30/76
2. H&W's Comments 3/19/76
3. BIA redraft 4/28/76



INTERAGENCY MEMORANDUM OF UNDERSTANDING
ON CLEARANCES FOR INDIAN HOUSING PROJECTS

I. Principles

A. HUD is the designated lead agency for environmental clearance. HUD procedures and standards apply. BIA and IHS furnish to HUD the specifications of their parts of the project.

B. BIA is responsible for coordinating and insuring compliance of the entire project with the Act for the Preservation of American Antiquities of 1906 and the National Historic Preservation Act of 1966 and Executive Order 11593, Protection and Enhancement of the Cultural Environment. The notification from BIA that these clearances have been completed will be necessary before HUD can consider its environmental review complete.

C. BIA is responsible for coordinating and insuring compliance with the Archeological and Historical Preservation Act of 1974 and mitigation commitments made during the compliance phase of program or project planning.

D. Responsibilities and Funding

1. If preliminary surveys are necessary to locate or inventory historical or archeological resources or to determine if any part of the project will affect historical or archeological

resources, then such surveys will be funded by the IHA from preliminary loan funds. If the results of these surveys and evaluations indicated any part of the project will have an effect on archeological or historical resources, then the BIA will initiate the appropriate procedures of 36 CFR Pt. 800 based on data provided by the surveys funded by the preliminary loan.

2. If salvage of archeological or historical values in a project area is required or warranted, then the funding for the salvage operations will be in accordance with Section 3(a), 3(b) or 4(a) of the Historic and Archeological Preservation Act of 1974, as may be appropriate. If the salvage is within the lot lines or along a roadbed, then Interior will be responsible for funding; if the salvage is along a water or sewer line then IHS will be responsible for funding.

II. Process

It is anticipated that the following process of actions will take place for a typical Indian housing project.

A. Generally an Indian Housing Authority approaches a local BIA representative for advice on site selection before it submits an application to HUD, because the BIA is

responsible for the trust, providing for leases and recording of final site surveys and right away easements. The Indian Health Service at this time can make an estimate of the areas in which it would be necessary to run water and sewer lines for sites under consideration. At this time the BIA representative after consulting with the Regional Director of the appropriate National Park Service Office, the State Historic Preservation Office, and state archeologists and historians should make and document a preliminary assessment of the need for detailed professional surveys of the project site.

B. When HUD approves the IHA's program application for a particular number of units and advances a preliminary loan, the IHA will advise BIA of the specific sites under consideration for the project. The BIA representative, after consulting with the Indian Health Service, the IHA will contact the National Park Service or their contract representatives to examine the construction area to determine whether archeological clearance can be given or determine where further professional examination should be conducted.

C. Based on the professional report, and the recommendations of the NPS, the BIA will advise the housing authority which parts of the project will cause substantial damage to important archeological or historical resources. The BIA will attempt

to work out alternative ways to complete a project so as not to disturb those resources.

D. If it is not feasible to find alternative sites for the project, then the housing authority will, based on appropriate professional advice, formulate a plan to mitigate the adverse effects of the project. Generally this plan will involve some degree of salvage or preservation operations. The BIA will be responsible for compliance with the Advisory Council on Historic Preservation's regulations contained in 36 CFR Pt. 800.

E. Once a Memorandum of Agreement has been negotiated with ACHP, HUD will be informed by BIA that historical and archeological evaluations and compliance actions are completed and, having completed the other environmental clearances in accordance with its own procedures, HUD can make a tentative site approval.

F. Salvage will be accomplished prior to the initiation of actions which will disturb the archeological and historical values determined to require further study or investigation.

G. A schematic flow-process diagram illustrates the procedures envisioned by this agreement.

MEMORANDUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY

TO : Dennis Blair
Special Assistant to the
Secretary for the
Department of Housing
and Urban Development

DATE: MAR 19 1976

FROM : Director
Office of Environmental Affairs

SUBJECT: Comments on the Proposed HUD/BIA/HEW Lead Agency Agreement

This Office received subject draft document on February 9, 1976, and after reviewing it, is providing you with comments and suggestions for consideration in undertaking a revision. As you requested, I am attaching a copy of the lead agency agreement format used by HEW.

Overall, the memorandum needs restructuring if you are going to follow the format of the draft, i.e., a section on Principles and one on Process or Procedures. The principles should be succinctly stated and cover all aspects of the action to which this agreement applies. They should also indicate the degree of agency responsibility with respect to each principle. As a minimum this section should include the following:

1. The kinds of actions that are covered by the agreement (i.e., all new housing projects, upgrading existing housing by providing services such as water, electricity or sewage systems, etc.).
2. The agency responsible for obtaining environmental, historical, and archaeological clearances.
3. Responsibility of each agency for providing information and/or data to the agency assigned clearance responsibility.
4. A statement regarding who will pay for costs associated with survey, recovery of data, and printing of EIS's, case reports and other required documents.
5. A statement regarding the opportunity for review and clearance of documents and reports by all parties to the agreement.

6. A statement that no action shall be taken by any party to the agreement with respect to approving all or a part of any proposal, application or grant for a project covered by this agreement until such time as all required clearances have been obtained.
7. Definitions for specific words or terms associated with clearances which are important to understanding the principles or process set forth in this agreement. (See B. under General Comments.)

As presently written the section on process does not address the procedures that will be followed for obtaining the various clearances as set forth under Principles. It only addresses those relating to archaeological clearances. Some of the information is inaccurate and there are certain provisions with which we cannot concur. The section should incorporate each of the principles into the flow of documentation and actions which occur throughout the various steps of the clearance process. The entire section needs to be restructured and rewritten in accordance with the above and the general comments which are listed below.

General Comments

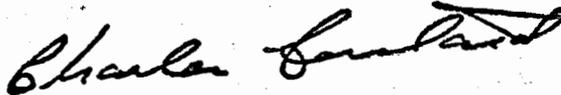
These comments include concerns of this Department with respect to elements of the principles as well as suggestions for improving and clarifying the substantive content of the Principles and Process sections of the agreement. This Department does not necessarily care whether or not a process section is included in the agreement. However, if it is, it must be consistent with the substantive legal requirements of the acts covered by the agreement, i.e., in the case of NEPA this means insuring that no approval of a program application occurs prior to completing the environmental review process.

- A. It is recommended that the following title be used in referring to P.L. 93-291 on archaeological preservation: National Archaeological Scientific Data Preservation Act. By including scientific data in the title, emphasis is directed at one

of the major concerns of this Act as opposed to that of NHPA; i.e., preservation of scientific data as opposed to historical objects.

- B. Data should be defined as it is in the NASDPA, i.e., includes scientific, historic, prehistoric, and archaeological data.
- C. The Advisory Council on Historic Preservation does not administer the National Archaeological Scientific Data Preservation Act and should not be consulted with respect to the recovery of archaeological data. This is the responsibility of the Department of the Interior (DOI). The NASDPA implicitly requires that the Secretary of DOI be informed whenever a Federally assisted project is undertaken which may result in significant data being irrevocably lost or destroyed. References to historic or archaeological sites are confusing as mentioned in the draft. Any references to the National Historic Preservation Act (NHPA) should be distinguished from those of NASDPA.
- D. Suggest deleting Funding as a sub-heading under Principles. Also, as presently written, paragraphs C. 1, 2, and 3 are a mixture of principles and process. All that need be said here is who pays for what.
- E. What is the Indian Housing Authority (IHA) and what is its relationship to BIA? Will IHA be obtaining and utilizing preliminary loan funds prior to all clearances being completed (this is not clear in the draft)? If so, whose funds? BIA's?
- F. We cannot agree to the provision that IHS will fund the recovery of archaeological data based on an agreement with the Advisory Council on Historic Preservation for two reasons. The first is based on comment C, above. The second concerns the fact that since BIA procedures would be followed in obtaining the archaeological clearance, including determinations with respect to the need for recovery, then they should also provide the funds for the recovery operations particularly since DOI is authorized by NASDPA to receive funds for this program.

- G. The statement should be included under Principles which will clearly indicate that the Indian Health Service (IHS) will not provide information beyond the project specification. Since the procedures being used for clearances will not be those of this Department, the IHS should not be required to provide data and information beyond that which is necessary to comply with the procedures of this Department.



Charles Custard

Attachment

LEAD AGENCY AGREEMENT
RESEARCH TRIANGLE PARK, NORTH CAROLINA

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
ENVIRONMENTAL PROTECTION AGENCY

It is hereby agreed that the Department of Health, Education, and Welfare is designated as the lead agency for purposes of preparing an Environmental Impact Statement on the development of the U. S. Public Health Service Research Park at Research Triangle Park, North Carolina. The procedures to be followed in developing this document shall be those of the Department of Health, Education, and Welfare.

RESPONSIBILITIES

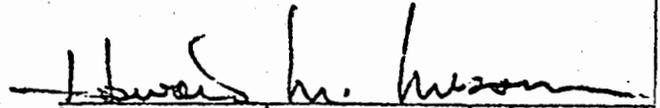
The following is an assignment of responsibilities and activities associated with the development of the Environmental Impact Statement:

1. Development, coordination, and preparation of EIS - HEW.
2. Technical documentation on environmental matters, air pollution, water pollution, noise, etc. - EPA, HEW.
3. Facility information and requirements associated with proposed EPA research center - EPA.
4. Facility information and requirements for environmental health sciences laboratory - HEW.
5. Printing and reproduction costs associated with reports, impact statement, etc. - shared equally - EPA, HEW.
6. Approval of draft and final impact statements - EPA, HEW.

APPROVED



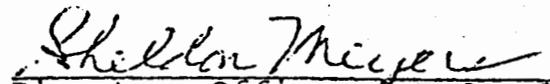
Director, Office of Facilities
Engineering and Property Management,
Department of Health, Education,
and Welfare



Deputy Assistant Administrator
for Administration, Environ-
mental Protection Agency



Director, Office of Environmental
Affairs, Department of Health,
Education, and Welfare



Director, Office of Federal
Activities, Environmental
Protection Agency

Interagency Memorandum of Understanding
on Clearances for Indian Housing Projects

I. Principles

A. HUD designated lead agency for environmental clearance. HUD procedures and standards apply. BIA and IHS furnish to HUD specifications of their parts of the project.

B. BIA responsible for insuring compliance of the entire project with the Act for the Preservation of Historical Antiquities of 1906, the National Historic Preservation Act of 1966 and the Historic and Archaeological Data Preservation Act of 1974. The notification from BIA that these clearances have been completed will be necessary before HUD can consider its environmental review complete.

C. Funding

1. If BIA determines that preliminary surveys are necessary to determine if any part of the project site will cause damage to historical or archaeological sites, then such surveys will be funded by the IHA from preliminary loan funds.

2. If BIA determines that any part of the project will cause damage to an archaeological or historical site, then BIA will approach the Advisory Council on Historic Preservation with a plan for mitigating the effects and negotiate an agreement with the Council.

3. If a negotiated settlement with the Council includes salvage of relics in part of a project area, then the funding for the salvage operations will be in accordance with Section 3

of the 1974 Historic and Archaeological Data Preservation Act: if the salvage is within the lot lines or along a roadbed then Interior will provide funding; if the salvage is along a water or sewer line then IHS will fund.

II. Process

It is anticipated that the following process of clearances will take place for a typical Indian housing project.

A. Generally an Indian Housing Authority approaches a local BIA representative for advice on site selection before it submits an application to HUD, since BIA provides legal assistance in clearing title to the land. The Indian Health Service at this time can make an estimate of the areas in which it would be necessary to run water and sewer lines for sites under consideration. At this time the BIA representative after consulting with the local National Park Service personnel and state historians should make a preliminary assessment of the need for detailed archaeological surveys of the project site.

B. When HUD approves the IHA's program application for a particular number of units and advances a preliminary loan, the IHA will advise BIA of the specific sites under consideration for the project. The BIA representative after consulting with the Indian Health Service will advise the IHA which parts of a project should be surveyed by an archaeologist and the IHA will arrange to have the survey conducted.

C. Based on the archaeologist's report, BIA will advise the housing authority which parts of the project will cause

substantial damage to important archaeological evidence. BIA will attempt to work out alternative ways to complete a project so as not to disturb those sites.

D. If it is impossible to find alternative sites for the project, then the housing authority will commission the archaeologist to formulate a plan to mitigate the damage of construction. Generally this plan will involve some degree of salvage or preservation operations. BIA will be responsible for taking this plan to the Advisory Council on Historic Preservation and negotiating an acceptable agreement with them. Funding for the salvage operations will be as provided in Section 3 of the 1974 Historical and Archaeological Data Preservation Act.

E. Once the agreement has been negotiated, HUD will be informed by BIA that historical and archaeological clearances are complete and, having completed the other environmental clearances in accordance with its own procedures, HUD can make a tentative site approval.