

RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION

WHEREAS, the Tribal Council of the White Mountain Apache Tribe desires to further the overall Housing Improvement Program on the Fort Apache Indian Reservation, and

WHEREAS, the Tribal Council desires to obtain funds through Housing Programs under the Bureau of Indian Affairs for the furtherance of such Housing Programs, and

WHEREAS, pursuant to the requirements of the Bureau of Indian Affairs, a Program Outline Guide has been prepared for the White Mountain Apache Tribe setting forth in general, the Housing Improvement Program of the Tribe, and

WHEREAS, the Tribal Council has reviewed said Program Outline Guide and finds it satisfactory and in the best interest of the Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe, that it hereby approves the Program Outline Guide, a copy of which is attached hereto:

BE IT FURTHER RESOLVED by the Tribal Council, that the Chairman is hereby authorized and directed to submit this resolution to the appropriate officials or the Bureau of Indian Affairs in order that request for funds can be properly obtained.

The foregoing resolution was on May 3, 1972 duly adopted by a vote of 10 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



[Signature]  
Chairman of the Tribal Council

[Signature]  
Secretary of the Tribal Council

PROGRAM OUTLINE GUIDE  
FOR  
HOME IMPROVEMENT PROGRAMS  
TO BE OPERATED UNDER  
THE  
NATIONAL HOUSING POLICY  
OF THE  
HOUSING ACT OF 1949  
BY THE  
WHITE MOUNTAIN APACHE TRIBE  
WHITERIVER, ARIZONA

\* \* \* \*

May 3, 1972

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Fred Danashley Sr  
Chairman of the Tribal Council

Marion G. Condit  
Secretary of the Tribal Council

1. General Description of Objective and Program:

The Fort Apache Indian Reservation, the home of the White Mountain Apache Tribe, is a highly depressed community. By every test, poverty and lack of opportunity have been the lot of the Apaches for years. Employment opportunities have been limited and incomes are low. Health conditions and average educational achievement are far below national standards. A 1971 survey of housing conditions on the Fort Apache Indian reservation showed that only 435 out of a total of 1200 units were of sound construction and included all water and sanitation facilities.

The basic objective of the program is to see that every Indian family has the opportunity to obtain decent, safe, and sanitary housing.

These basic goals would be achieved through the Bureau of Indian Affairs Housing Improvement Program as set forth in the Commissioner's memorandum of June 19, 1970, revised to increase the financial limitations and to incorporate the new housing standards furnished by the Central Office memorandum of May 18, 1970, and the Commissioner's Policy for Grants pursuant to teletype of August 23, 1971.

2. Qualifications And Experience Of Sponsor:

A. The Sponsor

White Mountain Apache Tribe  
P.O. Box 708  
Whiteriver, Arizona 85941  
Telephone: 338-4371 (Area Code 602)

B. The person authorized to sign contracts for the sponsor is:  
Fred Banashley Sr., Chairman of the Tribal Council, White Mountain Apache Tribe, and/or his authorized representative.

C. Project Supervisor

The project will be directed by a committee known as the White Mountain Apache Home Improvement Committee. The committee will be composed of the Tribal Chairman and three other representatives of the Tribe.

The committee will select a project supervisor, who will be responsible for supervision of construction of the Tribe's Home Improvement Program. Within this frame work, the project supervisor plans, develops, and executes assignments to the extent necessary to insure achievement of objectives and compliance with policies set out in the Housing Act.

D. Sponsor's Regular Activity

The White Mountain Apache Tribe is an Indian Tribe. It is the entity of local government for the approximately 6,000 Indians living on the Fort Apache Indian Reservation.

E. Other Federal and Tribal Programs

a. The Tribe's Development Enterprise has constructed a large municipal center under HUD's Neighborhood Facilities Program.

b. The Tribe's Development Enterprise has also constructed 35 units of public Low-Rent Housing and is now constructing

another 65 units. The Tribe, in other words, entered into a contract with the White Mountain Apache Housing Authority to build the houses in accordance with the designs and specifications approved by the Department of Housing and Urban Development.

c. The Tribe operates its own maintenance program. Members of the Tribe are hired to do such jobs as install and repair water and sewer systems; repair and renovate dwelling units, commercial and office buildings owned by the Tribe.

d. The Tribe has been successful in operating and managing its own livestock and sawmill industries. Tourism and recreation will play an important part in the Tribe's overall economic development plan. The Tribe has recently completed the first phase of its resort complex at Sunrise Park on the reservation. The ski resort scheduled to open this year will make a full range of facilities available to the public, including overnight accommodations, cocktail lounge, dining room, and coffee shop. When further developed, the area can become an attractive week-end summer and winter resort for residents of Phoenix, Tucson, and environs.

Each of the foregoing programs has a definite aim of striking at the poverty cycle of apathy, low attainment, lack of opportunity and despair by providing concrete opportunities for community and self-improvement.



**F. Powers of the Sponsor**

The White Mountain Apache Tribe is organized pursuant to federal law. Its Constitution and By-Laws were adopted and approved by the Secretary of the Interior pursuant to the Indian Reorganization Act of 1934, 25 U.S.C. 476. Under Article V, Section 1(a), 1(b), 1(j) and 1(s) of its Constitution, the White Mountain Apache Tribe has authority to enter into contracts and agreements of the type required under the Housing policy of the Bureau of Indian Affairs.

**3. Geographic Area Served And Need:**

**A. The Place and the People**

The Fort Apache Indian Reservation, the home of the White Mountain Apache Tribe, is located in east-central Arizona. The reservation extends into Navajo, Apache, and Gila counties. The reservation is approximately 75 miles long from east to west and about 45 miles wide from north to south in the extremes and contains 1,664,972 acres or 2,601 square miles. Terrain varies from hills and valleys to high mountains and deep canyons. The land is almost entirely devoted to cattle grazing. Less than 1% percent is farmed. The reservation was originally established for use and occupancy of Apache Indians by Executive Order of President Grant on November 9, 1871.

The total population residing on the reservation is approximately 6,000, the great majority being Indian. About 3,000 persons live

in Whiteriver, the largest community on the reservation. The rest of the population lives either in one of the eight small communities scattered through the reservation or in homes along the creeks, away from any settled community.

B. The Need for Housing

A recent B.I.A. survey reports:

"Housing. Our housing data reveals that there are approximately 1,200 dwelling units on the Fort Apache Indian Reservation. About 60% of these homes are substandard. The houses are generally of wood frame construction with many in a terrible state of repair. For insulation against the cold weather, many homes are insulated with cardboard boxes and almost all of the houses are heated with wood stoves. Most of the houses have less than three rooms and lack in paint and adequate water and sanitation facilities".

4. Number And Characteristics Of Applicants:

A. Applicant Statistics:

a. The following shows the number of applicants to be served by the program and the community in which they live.

	<u>Families</u>	<u>Persons</u>
Whiteriver	86	493
East Fork	60	291
Cibecue	36	198

	<u>Families</u>	<u>Persons</u>
Canyon Day	35	145
Seven Mile	25	97
North Fork	13	57
Cedar Creek	8	47
Garrizo	5	30
McNary	<u>1</u>	<u>4</u>
Totals	269*	1,362

b. Public Assistance provided by the State under the Social Security System.

	<u>Cases</u>	<u>Persons</u>
Old Age Assistance	114	120
Aid To The Blind	6	6
Aid To The Disabled	158	158
Aid To Dependent Children	<u>334</u>	<u>892</u>
Totals	612	1,176

c. General Assistance provided by the Bureau of Indian Affairs in cases where a person does not qualify for Public Assistance.

General Assistance 717 cases; 2,285 persons

#### B. Explanation of Statistics

a. Almost every applicant represents a family on Welfare Assistance or earning less than \$3,000 per year and will qualify.

\*Includes only those applications received by the Tribe through April 30, 1972 and is subject to change.

b. Recent health improvements and cultural traditions have produced large families. The average family size is six persons. Families with eight and ten children are not uncommon.

c. The most recent BIA figures indicate that the Tribe had a total labor force of 1970 persons. Of this number, 1170, or 60%, were unemployed.

5. Criteria And Administration Of Program:

A. Criteria

The criteria for the program will be in accordance with policies and guidelines provided by the Commissioner, BIA, in his memorandums of June 19, 1970 and September 21, 1970, and his teletype of August 23, 1971, which are attached hereto and made a part hereof.

B. Administration

The program will be directed by the White Mountain Apache Home Improvement Committee. The Committee will select a project supervisor, who will have overall supervisory responsibility for the program.

6. Recruitment And Selection Of Families:

A. Recruitment

Families who qualify and show willingness to participate will be recruited. The need and demand for housing is so great that recruitment is not expected to be a major problem.

**B. Selection**

The White Mountain Apache Home Improvement Committee will make all final determinations with respect to eligibility and selection of families for the program.

**C. Data**

The BIA branches of Welfare and Employment Assistance have data adequate to determine the family income of most applicants. In case of doubt, the applicant's family will be required to execute a statement of family income.

**7. Other Supportive Services**

**A. Indian Health Service**

The Indian Health Service will provide water supply and sewerage facilities required to serve Indian houses constructed or improved with HAA or BIA funds as agreed upon under the terms of the Memorandum of Understanding, dated May 5, 1969, between the Bureau of Indian Affairs, the Housing Assistance Administration and the Indian Health Service. A copy of the Memorandum is attached hereto and made a part hereof.

**B. Tribal Programs**

The Tribe will support the program using other Federal Grant-In-Aid Programs, such as, Community Action Program (CAP), Neighborhood Youth Corps (NYC), and the Tribal Work Experience Program (TWEPP).

8. Budget, Work Performance, And Duration:

A. Budget

The project supervisor will prepare a development cost budget for review and approval by the Area Director, BIA, and will show the cost of supervision, labor, and materials of each dwelling unit to be constructed or repaired and renovated.

B. Work Performance

The Tribe will perform and complete each project in a workman like manner, within the times specified and in a manner consistent with the provisions of this document.

C. Duration

The Tribe proposes to be legally obligated to operate the program on a year to year basis, beginning with fiscal year July 1, 1971 and ending June 30, 1972. It intends to seek renewal each year, by tribal resolution, if it so desires.

9. Certificate Of Completion

Upon completion by the Tribe of the performance of its obligations under the provisions of this document, the Tribe will execute and deliver to the Bureau of Indian Affairs a Certificate of Completion. Said Certificate shall be in substantially the form attached hereto and made a part hereof.

CERTIFICATE OF COMPLETION

From : White Mountain Apache Tribe

To : Bureau of Indian Affairs

Reference: Project No. \_\_\_\_\_

Location \_\_\_\_\_

The undersigned hereby certifies that all work required under this project has been performed in accordance with the provisions of the Program Outline Guide and in accordance with all requirements applicable to the Fort Apache Indian Reservation insofar as they may be applicable to dwelling structures in such completed form.

In witness whereof, the undersigned has signed and sealed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST:

WHITE MOUNTAIN APACHE TRIBE

\_\_\_\_\_  
Secretary of the Tribal  
Council

\_\_\_\_\_  
Chairman of the Tribal Council



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
WASHINGTON, D.C. 20212

BUREAU OF INDIAN AFFAIRS  
RECEIVED

JUN 25 1970

PHOENIX

RECEIVED

JUN 26 1970

BRANCH OF HOUSING

IN REPLY REFER TO:

Housing Assistance

*P*  
PHOENIX

JUN 19 1970

Memorandum

To: Area Directors; Superintendents, Cherokee & Seminole  
From: Commissioner of Indian Affairs  
Subject: HHP Criteria and Administration

The enclosed Housing Improvement Program - Criteria and Administration has been revised to incorporate the new Housing Standards furnished by Central Office Memorandum of May 18, 1970.

Please also note that the financial limitations for Categories IV and V have been increased from a maximum of \$12,500 to \$16,000.

*George D. Scott*  
Acting Associate Commissioner

Enclosure



MEMORANDUM OF UNDERSTANDING  
PERTAINING TO THE PROVISION OF WATER SUPPLY  
AND SEWERAGE FACILITIES BY THE INDIAN HEALTH  
SERVICE FOR INDIAN HOUSING PROJECTS SUPPORTED  
BY THE HOUSING ASSISTANCE ADMINISTRATION AND  
THE BUREAU OF INDIAN AFFAIRS

INTRODUCTION

The Indian Health Service has the general responsibility to provide water supply and sewerage facilities for those Indians and Alaska Natives who are eligible to receive such benefits under P.L. 86-121. The Indian Health Service will exercise this responsibility with respect to facilities required to serve Indian houses constructed or improved with the support of the Housing Assistance Administration or the Bureau of Indian Affairs to the extent that funds are specifically appropriated by the Congress for such facilities and as agreed upon under the terms of this Memorandum of Understanding, which sets out the specific functions and procedures of each agency concerned.

PLANNING FOR BUDGET PURPOSES

By March 1 of each year the HAA and the BIA will advise the IHS with respect to the number and, where possible, the location of housing starts and units of housing improvement that will be initiated in the fiscal year beginning a year from the following July, for which the IHS will be required to provide sanitation facilities. The IHS will use this information in developing its budget request to assure that adequate funds are included to support all necessary sanitation facilities construction for new and improved Indian housing units.

EVALUATION OF HOUSING SITE AND DETERMINATION  
OF TYPE OF FACILITY TO BE PROVIDED

1. Since the ability of the IHS to provide needed water supply and waste facilities is dependent largely on the availability of a water source of suitable quantity and quality and the ability to handle the resulting sewage safely, both within reasonable cost limits, it is imperative that the IHS be consulted with respect to the general site plan for new housing units and concur in the site selection before being committed to providing assistance.

2. It shall be the responsibility of the IHS to determine, following its review of the site in each case, whether community or individual type facilities or a combination of these shall be provided to serve the housing units concerned. In arriving at this decision the IHS will be guided by the basic decision as to whether the Indian houses are to be located on widely separated plots or whether they will be arranged in more compact groups or clusters. In the interest of economy of facilities development and operation, wherever conditions and circumstances permit, site plans will be chosen which allow for buildings to be arranged in such compact groups or clusters.

TECHNICAL REQUIREMENTS

1. To minimize the cost of providing water supply and sewerage facilities the following criteria shall apply:

- a. Wherever possible, project sites will be on or adjacent to existing community water and sewer systems.

- b. Unless agreed upon in advance by the IHS, project sites shall not be selected which require sewage lift stations, costly or complicated water pumping stations, sewage treatment plants or other expensive and complex utility installations.
- c. Whenever possible and practicable, dwelling units within a clustered project site will be located on both sides of the street.

2. Water supplies constructed for Indian housing will provide a minimum water pressure of 15 pounds per square inch in each dwelling unit to be served, whether the supply is from a well, storage tank, spring, main or pumping plant.

SPECIFIC RESPONSIBILITIES OF THE LOCAL HOUSING AUTHORITY, THE HAA, THE BIA, AND THE IHS

1. Test well drilling - Whenever it is determined by the IHS that test drilling for wells to provide water for individual water facilities for housing projects supported by the HAA is necessary before a decision on site concurrence can be given, such test drilling shall be performed by and at the expense of the HAA program. All test drilling shall be carried out in accordance with accepted practices in the area concerned, and the data obtained shall be furnished to the IHS. The IHS will perform any test drilling required for individual wells to be provided for BIA sponsored houses, and for all community water facilities.

2. Soil percolation tests - Whenever it is determined by the IHS that soil percolation tests are necessary to ascertain the suitability of a home site for septic tank and drainfield facilities the tests will be conducted by, or at the expense of, the IHS. The data obtained will be provided to the local housing authority.


3. Individual house facilities - In those instances where the IHS determines that the home sites are suitable for individual water and/or waste facilities, recommendations regarding location and design of the facilities will be furnished by the IHS to the local housing authority and the HUD Regional Office.

4. Community Facilities - When community type facilities are installed by the IHS, water mains and sewers will be extended through the streets or other public easements of the project site and lateral connections will be extended to the curb line or edge of the home site of each project structure. Curb stops will be provided and installed by the IHS on water service lines. House service lines located on the building lot will be provided by the local housing authority or by the BIA, in the case of HIF housing.

5. On-site responsibilities - Where the IHS has agreed, after review of the house sites, that individual waste and/or water supply facilities are feasible and should be provided, the following special considerations will apply:

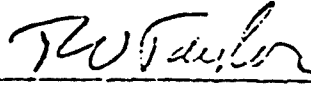
- a. The agency financing the house construction or improvement will be responsible for the installation of all plumbing facilities within the dwelling and the service lines to a point five feet outside the building.
- b. In accordance with a determination made by the Bureau of the Budget, the local housing authority will be responsible for installing any water supply and/or sewage disposal facilities which are to be located on the individual house sites for those housing units supported by funds from the BAA. These facilities would include individual water supplies,

APPROVED

  
\_\_\_\_\_  
Director, Indian Health Service

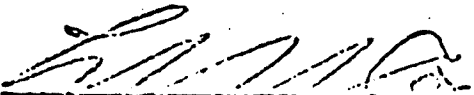
MAY 8 1969

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Commissioner, Bureau of Indian Affairs

MAY 15 1969

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Assistant Secretary for Renewal and  
Housing Assistance, DHUP

MAY 26 1969

\_\_\_\_\_  
Date

## HOUSING IMPROVEMENT PROGRAM

### CRITERIA AND ADMINISTRATION

#### Introduction

The housing policy of the Bureau of Indian Affairs is in line with the Declaration of National Housing Policy set out in the Housing Act of 1949, that is, the Bureau's policy is that every Indian should have (or should have the opportunity to obtain) decent, safe, and sanitary housing in a suitable environment. To the extent that Indian families lack sufficient income and assets to enable them to achieve such housing, the primary sources of assistance in obtaining such housing are the Federal housing programs which are designed to meet needs of low income families such as the conventional low-rent, mutual-help and Turnkey III housing programs of the Department of Housing and Urban Development; the direct and insured loan programs of the Farmers Home Administration; and the below market interest rate loan, rent supplement programs and the home ownership and rental housing programs for lower income families of the Federal Housing Administration.

The primary purpose of the Bureau's Housing Assistance activity is to assist Indian communities and families to participate in Federal housing programs (in cooperation with the Bureau's Credit staff where appropriate) and to provide for the planning and implementation of the Housing Improvement Program.

The Housing Improvement Program is intended to:

- I. Provide repairs, renovations, and enlargements to improve existing substandard housing (see "Housing Standards" below) to make it more livable and less hazardous to live in until the families have the opportunity to obtain decent, safe, and sanitary housing;
- II. Provide repairs, renovations, and enlargements to existing structurally sound but substandard or deteriorating housing which can economically be placed or maintained in decent, safe, and sanitary conditions by the performance of such work;

- III. Provide newly constructed housing which constitutes improved or more adequate shelter (but which does not meet the standards for Category V) for families living in unrepairable, grossly substandard housing until the families have the opportunity to obtain decent, safe, and sanitary housing;
- IV. Provide grants to reduce the amounts of loans required to provide decent, safe, and sanitary housing under a tribal credit or Federal housing program (or other credit sources with low interest rates and standards for housing comparable to such a program) where the grant will enable families in substandard housing to obtain housing loans which would otherwise not be available to them because of their low incomes and limited financial resources; and
- V. Provide newly constructed decent, safe, and sanitary housing for needy families for which there is no reasonable prospect of their having the opportunity to obtain such housing by any other means.

The above categories shall be used for HI program reporting purposes and are referred to herein by number.

#### Administration

The Area Directors are responsible for the administration of the HI program in their areas in a manner consistent with the provisions of this document and with policies, criteria, and guidelines hereafter provided by the Commissioner.

To the extent that Area and Agency Housing Assistance, Plant Management, or other staff is assigned or diverted to the HI program, the costs of such staff may be charged to the cost of the Area's or Agency's HI program. Where the services of the Field Technical Office are requested, the cost of such services may be covered by a transfer of HI allocation and any necessary ceiling positions from the requesting Area to the FTO.

### Methods

yes

To the extent that the Area Director deems it feasible to do so, preference should be given to contracting with tribal organizations and Indian or non-Indian private contractors, and to the making of grants to individuals (for example, by depositing funds in IIM accounts) to enable them to accomplish their own purchasing or contracting (with or without Bureau technical assistance). Performance of work by the Bureau may be accomplished where no other method is deemed feasible.

Every effort should be made to utilize III program funds in conjunction with training or other programs where the result will be the accomplishment of a greater amount of housing improvement than would be possible with III program funds alone. In such cases the III funds might be limited to provision of materials and perhaps, to providing inspection and technical assistance inasmuch as the training program can be expected to include funds for labor (trainees) and skilled supervisors (instructors).

Projects may involve undertakings included in one or more of the categories listed above and described individually below.

### Housing Standards

Housing in standard condition means housing which is decent, safe and sanitary in that it meets the following minimum standards:

1. General construction will conform to appropriate building standards for the region. The structure will be in sound condition and deterioration, if any, will not be at a level to create a health, safety or comfort problem.
2. The heating system will have the capacity to maintain a minimum temperature of 70 degrees in the dwelling during the coldest weather experienced in the area. The system shall be safe to operate and maintain, and shall deliver a uniform distribution of heat. The local adopted heating codes may be used as an alternative.



3. The plumbing system will include a properly installed system of piping and fixtures supplied with cold and hot water in adequate volume for cooking, bathing, and toilet purposes. Minimum fixtures will consist of a kitchen sink, and a partitioned bathroom with lavatory, toilet and bath or shower. The water supply, plumbing system and sewage disposal system will meet the Indian Health Service standards.
4. The electrical system will include wiring and equipment properly installed to safely supply electrical energy for adequate lighting and for the operation of appliances. There will be a minimum of two circuits per dwelling and provision for at least one additional circuit for future use. The state or tribal electrical code may be used as an alternative.
5. Overcrowding will exist if the following is exceeded:
  - One bedroom dwelling - One to three persons (husband, wife and child up to 24 months).
  - Two bedroom dwelling - Up to six persons (husband, wife and child up to 24 months in one, and three children of same sex in other).
  - Three bedroom dwelling - Adequate for all but very largest families (the first bedroom will have 100 sq. ft. and a minimum of 80 sq. ft. for others).

#### Costs

As used here, the term "cost" refers only to costs charged to the HI program for construction supervision, procurement, contract inspection and supervision, labor, materials, etc., and does not include costs borne by the Indian Health Service or OEO-assisted training programs.

Variations from Criteria

Proposals for variations from the criteria contained herein should be submitted to the Central Office.

Reports

Reports for each Category utilized are to be submitted by the Area offices to the Central Office at the end of each quarter of the fiscal year in a format such as the following: (Show actual information for past quarters and estimated information for future quarters.)

	<u>1st</u> <u>Qtr.</u>	<u>2nd</u> <u>Qtr.</u>	<u>3rd</u> <u>Qtr.</u>	<u>4th</u> <u>Qtr.</u>
No. Underway at Start				
No. Starts During Quarter				
No. Completions During Quarter				
No. Underway at End				
Cumulative Completions				

For each Category there shall be one form indicating Area totals and separate forms for each reservation and Agency involved. Each form should also state the estimated cost of the Category undertaking and the estimated total number of man years of temporary employment involved.

## CATEGORY I

*Temporary Families*

### Definition

Category I includes undertakings to provide economical repairs, renovations, and enlargements to improve existing substandard housing to make it more livable and less hazardous to live in until the families have the opportunity to obtain decent, safe, and sanitary housing. It should be noted that Category II includes those cases where repairs, etc., result in existing housing being brought up to decent, safe, and sanitary condition and that the distinction between Categories I and II is only for purposes of reporting.

### Methods

Category I undertakings may be accomplished by contracting with tribal organizations or private contractors or by the making of grants to individuals (for example, by depositing the grant funds in IHM accounts) to enable them to accomplish their own purchasing or contracting. Where grants are made to individuals, the Bureau may provide assistance in obtaining reasonable prices and in determining the adequacy of contract specifications and will inspect to make reasonably certain that value is obtained by the use of the grant funds. The work may also be accomplished by Bureau purchasing materials, employing labor, and supervising the work.

Preference should be given to HI program undertakings in conjunction with OEO-assisted training and other programs where the result will be the accomplishment of a greater amount of housing improvement than would otherwise be possible with HI program funds alone.

### Standards

In the case of Category I undertakings, the standard to be used is improvement in the condition of the house although it may be obvious that such undertakings will not improve the housing involved to the extent that it could meet the "decent, safe, and sanitary" standard. As indicated in the definition, these undertakings should result in

improving livability and reducing health and safety hazards and may involve weathertightening; re-roofing; installing of electrical wiring; repairing chimneys, foundations, etc.; installing heating and sanitary facilities; painting; providing additional living or sleeping space; adding kitchens or bathrooms in conjunction with Indian Health Service projects; and other similar items.

#### Cost Limitations

Category I undertakings should not involve an expenditure of HI program funds of over \$3,500 for any one dwelling.

#### Eligibility and Selection

Families and individuals eligible for Category I benefits are those which would be eligible for continued occupancy in public housing and which the Agency Superintendent determines to be living in substandard housing and to have insufficient resources to accomplish the housing improvements themselves. Preference should be given to families with the greatest needs and in the most crowded conditions. In determining eligibility the tribes should be involved and the selection of families should be made by or concurred in by the tribal governing body or by an agency or committee of the tribe such as the tribal housing authority, unless the Area Director determines in a specific situation that selection by such methods is not feasible.

#### Miscellaneous

There shall be no requirement for transfer of title to housing improved by Category I undertakings and there shall be no restrictions on the future use of such housing because of assistance under this Category.

## CATEGORY II

### Definition

*PERMANENT Families*

Category II includes undertakings to provide repairs, renovations, and enlargements to existing structurally sound but substandard or deteriorating housing which can economically be placed or maintained in decent, safe, and sanitary condition by the performance of such work.

### Methods

Category II undertakings may be accomplished by the same methods as described for Category I undertakings.

### Standards

Upon completion of work on housing in Category II undertakings, the housing should meet the "decent, safe, and sanitary" standard (page 3).

### Cost Limitations

The cost limitations for Category II undertakings are the same as for Category I.

### Eligibility and Selection

Eligibility and selection criteria for Category II undertakings are the same as for Category I.

### Miscellaneous

There shall be no requirement for transfer of title to housing improved in Category II undertakings and there shall be no restrictions on the future use of such housing because of assistance under this Category.

## CATEGORY III

### Definition

Category III includes undertakings to provide newly constructed housing which constitutes improved or more adequate shelter (but which does not meet the standards for Category V) for families living in unrepairable, grossly substandard housing until the families have the opportunity to obtain decent, safe, and sanitary housing.

### Methods

Category III undertakings may be accomplished by the same methods as described for Category I undertakings.

### Standards

Each Category III undertaking must be expressly approved in writing by the Central Office. Category III proposals should include information as to the applicability of any housing codes to the proposed housing.

### Cost Limitations

Category III undertakings should not exceed cost of \$5,000 per dwelling.

### Eligibility and Selection

Eligibility and selection criteria for Category III undertakings are the same as for Category I.

### Miscellaneous

Each Category III proposal should indicate whether the benefiting families will make any contribution (cash or labor) to the undertaking, who will own the homes, what maintenance requirements will be imposed and who will be responsible for enforcement, who will collect any periodic payments required of the families, and what disposition will be made of the funds collected.

## CATEGORY IV

### Definition

Category IV includes the provision of grants to families to reduce the amounts of loans required to provide them with decent, safe, and sanitary housing under Federal housing programs or other credit source with low interest rates and standards for housing comparable to such a program, including U. S. direct loan and tribal credit programs. These grants will be made in those cases where the Agency Superintendent determines that the grant will enable families in substandard housing to obtain loans which would not otherwise be available to them because of their low incomes and limited financial resources. "Federal housing programs" includes those programs providing insured, guaranteed, or direct loans to families through the Federal Housing Administration, Veterans Administration, and Farmers Home Administration.

### Methods, Limitations and Eligibility

Category IV grants of up to \$3,500 each may be made in cases where the Agency Superintendent determines that a family could not obtain a loan without the reduction of the loan by way of a grant because of its low income and limited financial resources. The cost of housing provided in connection with Category IV grants should not exceed \$16,000 excluding closing costs.

The method of payment of the grant should insure that the funds are used for the purpose intended. No lien need be taken on the house because of a grant.

The selection of families should be concurred in by the tribal governing body or by an agency or committee of the tribe such as the tribal housing authority, unless the Area Director determines in a specific situation that selection by such method is not feasible.

### Inspection

The Agency Superintendent shall provide inspection of the housing provided through assistance under this Category where inspection is not provided pursuant to the requirements of a Federal housing program.

## CATEGORY V

### Definition

Category V includes undertakings to provide decent, safe, and sanitary housing for needy families living in unrepairable, grossly substandard housing and for which there is no reasonable prospect of their having the opportunity to obtain such housing by any other means.

### Methods

Category V undertakings may be accomplished by contracting with tribal organizations or private contractors or by Bureau directed construction. Where it is feasible to do so, the undertakings may be in connection with OEO or MDTA-assisted training programs.

### Standards

The minimum housing provided under Category V should meet the requirements of housing standards outlined previously (page 3). In the case of PL 280 or possible termination reservations the housing should meet the appropriate codes which would apply to non-Indian housing in the locality.

Subject to the above, the Category V housing may be of the type included in the suggested HI materials prepared by the FFO for the 1968 HI program, the type used in the mutual-help program, or any house which has been approved for use in the Farmers Home Administration, the Federal Housing Administration, Veterans Administration housing programs, or tribal credit programs.

In addition, the following criteria shall also apply to Category V undertakings subject to exceptions approved by the Agency Superintendent on an individual basis:

- A. Locations which would not be adverse to occupants, such as: residence next to a saloon, town dump, locations which would be unacceptable environment for children, etc.
- B. Locations accessible to school bus routes where children are involved.



### Cost Limitations

The cost of housing provided under Category V should not exceed an average of \$16,000 per unit.

### Eligibility and Selection

Housing provided under Category V is intended for use by families and elderly persons who are at the time of their selection receiving or are eligible for welfare assistance or who have a record of dependence upon assistance during part of the year and for whom it is not possible to provide housing under the public housing or other programs. Preference should be given to families with minor children in the home.

There should be a maximum tribal involvement in the selection of the initial occupants of the housing provided under this Category, unless the Area Director determines that such involvement is not feasible. The initial proposed selections should be made by the tribe (or tribal entity designed for this purpose) or the proposed selections may be made by the Superintendent and the tribe jointly. All selections will be subject to approval by the Area Director based on documentation indicating present housing conditions, financial situation, and other factors supporting the selection.

### Miscellaneous

Housing provided under Category V should be placed on tribal land or land leased to the tribe or tribal organization (such as a housing authority) for at least 25 years. The housing should be on sites which would facilitate use of the housing by families other than those selected for initial occupancy. Where possible the sites should be in clusters or located in or adjacent to existing communities.

Ownership and responsibility for management of Category V housing should be turned over to the tribe or a tribal organization such as a housing authority. The Bill of Sale transferring title to the housing should specify that in the selection of any replacements for the initial occupants, the transferee will give first preference to families and individuals eligible for welfare assistance and such selections will be subject to the concurrence of the Agency Superintendent. The Bureau will not require the imposition of income limits for continued occupancy. The owner of the housing should carry adequate fire insurance where feasible.

*K. Keche  
J. Johnson*

Housing Assistance

SEP 21 1970

Memorandum

To: Area Director, Aberdeen

From: Commissioner of Indian Affairs

Subject: Housing Grants to Indian Tribes for Implementation of HIP

We are in agreement with your proposal to utilize the grant method for allocating funds for the Housing Improvement Program to those tribes who desire this method of funding. We also agree that experience has demonstrated that management and administrative know how are mandatory criteria for using the grant method.

The tribe(s) should also be thoroughly familiar with the policy, program, and procedures of HIP. Towards this end the HIP criteria should be explained to the full satisfaction and understanding of the grantee and made a part of the grant agreement. It is also of utmost importance that the tribes be thoroughly knowledgeable concerning the policy and intent of the program, i.e., at present it is intended that efforts be concentrated on repairs; that the HIP is not to be in competition with HUD programs, etc. We suggest that policy memorandums and letters also be made a part of the grant agreement.

The tribe(s) should be well aware that accurate and correct progress reports as required by the criteria and other policy directives of the Central Office must be submitted in a timely manner. Should reports not be forthcoming steps must be taken immediately to work with the grantee, explain and correct the situation.

Another important element in managing the HIP when responsibility and control of the effort is passed to the tribe is to insure proper programming. Toward this end we feel that the tribes should have a planned program for repair and renovation as well as new housing. Goals should be determined in line with the policy objectives of the housing program and a course of action should be outlined which is reasonable in terms of funding and in terms of ability to do the job.

When you are aware of your tentative funding allowance and are able to make a reasonable judgment as to the division of funds in your area, this information should be given to the tribe. The housing program finally agreed to by you and the tribe(s) should reflect the planning allowances. This will give you a rational basis for allocating the funds as well as being able to identify a course of action in order to determine whether the funds are being used wisely and within the overall intent of the program.

If you are able to accomplish the procedures and utilize the methods of operation outlined above, this memorandum will be your authority to proceed with the granting of funds to the tribes for the purpose stated.

SGD/ ANTHONY P LINCOLN

Acting Associate Commissioner

cc: Surname 460  
Chron 460  
Mailroom

GRPeake:mp 9/15/70

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INCOMING- HOUSING  
8-23-71 Time: 08:00 A.M.

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THE MATTER OF GRANTING AUTHORITY UNDER HIP IS BEING SUBMITTED TO  
THE SOLICITOR S OFFICE. IN THE MEANTIME AND UNTIL FURTHER  
NOTICE GRANTS FOR HIP ACTIVITIES MAY CONTINUE TO BE MADE  
DIRECTLY TO INDIAN TRIBES OR COMMUNITIES FOR THE BENEFIT OF  
INDIANS.

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