

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

**WHEREAS,** the White Mountain Apache Tribe operates the Bureau of Indian Affairs' Housing Improvement Program (HIP) under the authority granted in Public Law 93-638, the Indian Self-Determination and Education Assistance Act, as amended; and

**WHEREAS,** the Bureau of Indian Affairs has directed by its 12-12-97 memorandum to its area offices attached hereto, that for Indian tribes to receive their share of Fiscal Year 1998 HIP funds, an inventory of current housing needs must be submitted prior to release of such funds; and

**WHEREAS,** the Public Law 93-638 Annual Funding Agreement between the White Mountain Apache Tribe and the Bureau of Indian Affairs contains no provision to conduct this inventory as a prerequisite for receiving funds; and

**WHEREAS,** this directive is contrary to the spirit of the Indian Self-Determination Act; and furthermore, the Bureau of Indian Affairs did not provide administrative funds necessary to compile such an inventory; and

**WHEREAS,** the White Mountain Apache Tribe completed such an inventory in Fiscal Year 1993, which revealed the following:

1,838	Total number of existing housing units
1,048	Number of housing units in standard condition
790	Housing units in substandard condition
592	Housing units needing renovation
198	Housing units needing replacement
1,232	Families needing housing
1,430	Total new housing units required

**WHEREAS,** the foregoing inventory prepared in the fiscal year 1993 is now dated due to the population growth of the Tribe and more accurate census figures which now indicate a Tribal population of approximately 13,000 members; and

**WHEREAS,** the above is the most current information available and should be used by the Bureau of Indian Affairs to release the Fiscal Year 1998 funds to the tribe so that it could proceed with the construction of new housing units, as provided for under the Public Law 93-638 Annual Funding Agreement.

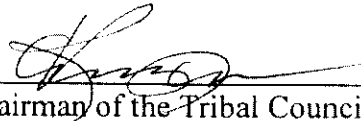
Resolution No. 04-98-52

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Bureau of Indian Affairs is directed to use the attached Fiscal Year 1993 consolidated Housing Inventory of the White Mountain Apache Tribe and immediately release the Fiscal Year 1998 funds for inclusion in the Public Law 93-638 Annual Funding Agreement.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that if the Bureau of Indian Affairs is to require a Consolidated Housing Inventory as an annual prerequisite to receiving new funds, that it is directed to make available HIP administrative funds on annual basis, over and above the amount of the Fiscal Year 1998 funds due to the White Mountain Apache Tribe; and in the amount which is necessary to conduct a new Consolidated Housing Inventory.

**BE IF FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Bureau of Indian Affairs release the Fiscal Year 1998 funds and modify the Public Law 93-638 Annual Funding Agreement without delay to ensure the continuity of the Housing Improvement Program.

The foregoing resolution was on April 8, 1998 duly adopted by a vote of ten for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (c), (j), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
Chairman of the Tribal Council

  
Secretary of the Tribal Council

TRIBE/AGENCY/AREA	TOTAL NUMBER EXISTING HOUSING UNITS	HOUSING UNITS IN STANDARD CONDITION	HOUSING UNITS IN SUBSTANDARD CONDITION	HOUSING UNITS IN RENOVATION	HOUSING UNITS NEEDING REPLACEMENT	FAMILIES NEEDING HOUSING	TOTAL NEW HOUSING UNITS REQUIRED	
North Fork	145	106	39	20	19	47	66	
McNary	53	5	48	29	19	25	44	
Hon-Dah	11	9	2	1	1	4	5	
Rainbow City	171	139	32	28	4	96	100	
Whiteriver	626	458	168	118	50	526	576	
East Fork	155	58	97	81	16	88	104	
Seven Mile	104	42	62	50	12	56	68	
Canyon Day	139	62	77	51	26	68	94	
Cedar Creek	46	13	33	31	2	28	30	
Cibecue	336	134	202	156	46	267	313	
Carrizo	37	9	28	25	3	22	25	
Ft. Apache	14	12	2	2	0	5	5	
Forestdale	1	1	0	0	0	0	0	
<b>TOTAL</b>	<b>1,838</b>	<b>1,048</b>	<b>790</b>	<b>592</b>	<b>198</b>	<b>1,232</b>	<b>1,433</b>	

APPROVED:

*[Signature]*  
SUPERINTENDENT  
*Fort Apache Agency*  
AGENCY

Date:

*5/18/93*

APPROVED:

AREA DIRECTOR

Date:

## CONSOLIDATED HOUSING INVENTORY

FISCAL YEAR 19 93Privately Owned Homes  
347 HUD Homes - Paid off units

TRIBE/AGENCY/AREA	TOTAL NUMBER EXISTING HOUSING UNITS	HOUSING UNITS IN STANDARD CONDITION	HOUSING UNITS IN SUBSTANDARD CONDITION	HOUSING UNITS IN RENOVATION	HOUSING UNITS NEEDING REPLACEMENT	FAMILIES NEEDING HOUSING	TOTAL NEW HOUSING UNITS REQUIRED
North Fork	40	1	39	20	19	18	37
McNary	50	2	48	29	19	25	44
Hon-Dah	3	1	2	1	1	1	2
Rainbow City	38	6	32	28	4	26	30
Whiteriver	181	13	168	118	50	91	141
East Fork	102	5	97	81	16	60	76
Seven Mile	63	1	62	50	12	44	56
Canyon Day	79	2	77	51	26	48	74
Cedar Creek	38	5	33	31	2	23	25
Cibecue	216	14	202	156	46	130	176
Carrizo	29	1	28	25	3	18	21
Ft. Apache	2	0	2	2	0	1	1
Forestdale	1	1	0	0	0	0	0
<b>TOTAL</b>	842	52	790	592	198	485	683

APPROVED:

\_\_\_\_\_  
SUPERINTENDENT\_\_\_\_\_  
AGENCY

Date: \_\_\_\_\_

APPROVED:

\_\_\_\_\_  
AREA DIRECTOR

Date: \_\_\_\_\_

CONSOLIDATED HOUSING INVENTORY

FISCAL YEAR 19 93

HUD - Rental Units

TRIBE/AGENCY/AREA	TOTAL NEW HOUSING UNITS REQUIRED	FAMILIES NEEDING HOUSING	HOUSING UNITS NEEDING REPLACEMENT	HOUSING UNITS IN RENOVATION	HOUSING UNITS IN SUBSTANDARD CONDITION	HOUSING UNITS IN STANDARD CONDITION	TOTAL NUMBER EXISTING HOUSING UNITS
North Fork	0				0		
McNary	0				0		
Hon-Dah	0				0		
Rainbow City	43				36		
Whiteriver	385				344		
East Fork	3				1		
Seven-Mile	0				0		
Canyon Day	0				0		
Cedar Creek	0				0		
Cibecue	116				74		
Carrizo	0				0		
Ft. Apache	0				0		
Forestdale	0				0		
<b>TOTAL</b>	<b>547</b>				<b>455</b>		

APPROVED :

\_\_\_\_\_  
SUPERINTENDENT

\_\_\_\_\_  
AGENCY

Date: \_\_\_\_\_

APPROVED :

\_\_\_\_\_  
AREA DIRECTOR

Date: \_\_\_\_\_

CONSOLIDATED HOUSING INVENTORY

FISCAL YEAR 19 93

HUD - Mutual Help Units

TRIBE/AGENCY/AREA	TOTAL NUMBER EXISTING HOUSING UNITS	HOUSING UNITS IN STANDARD CONDITION	HOUSING UNITS IN SUBSTANDARD CONDITION	HOUSING UNITS IN RENOVATION	HOUSING UNITS NEEDING REPLACEMENT	FAMILIES NEEDING HOUSING	TOTAL NEW HOUSING UNITS REQUIRED
North Fork		105					29
McNary		3					0
Hon-Dah		8					3
Rainbow City		97					27
Whiteriver		101					50
East Fork		52					25
Seven-Mile		41					12
Canyon Day		60					20
Cedar Creek		8					5
Cibecue		46					21
Carrizo		8					4
Ft. Apache		12					4
Forestdale		0					0
TOTAL		541					200

APPROVED :

\_\_\_\_\_  
SUPERINTENDENT

\_\_\_\_\_  
AGENCY

Date: \_\_\_\_\_

APPROVED :

\_\_\_\_\_  
AREA DIRECTOR

Date: \_\_\_\_\_

TRIBE/AGENCY/AREA

People that weren't home  
and/or missed

People that have refused

TRIBE/AGENCY/AREA	People that weren't home and/or missed	People that have refused
North Fork	12	1
McNary	2	2
Hon-Dah	0	3
Rainbow City	4	1
Whiteriver	9	2
East Fork	9	2
Seven Mile	2	0
Canyon Day	10	1
Cedar Creek	8	1
Cibecue	9	2
Garrizo	2	0
Ft. Apache	3	1
Forestdale	0	3
<b>TOTAL</b>	70	19

6-38

# memorandum

DATE: January 9, 1998

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REPLY TO  
ATTN OF: ~~AC 2129~~

Phoenix Area Director

*Tribal HIP*

SUBJECT:

Fiscal Year (FY) 1998 Housing Improvement Program (HIP) Distribution

TO: Agency Superintendents and Officers-in-Charge, Phoenix Area  
Attention: Tribal Leaders

*[Signature]*  
*1/13/98*

Attached is a memorandum dated December 12, 1997, from the Acting Deputy Commissioner of Indian Affairs, on the above subject. This memorandum will supercede the memorandum dated October 6, 1997(also attached for your reference). As stated in the December 12, 1997, memorandum, Central Office will distribute the Housing Improvement Program funds to the Area Offices, in turn the Area Offices will distribute the funds to the Tribes who have submitted their FY 1997 inventory of housing needs, who have viable work plans, and who are in compliance with the intent of the program. Due to the limited funds, it is important that only eligible applicants be served. Areas are authorized to move funds from Tribes which are unable to expend some or all of their FY 1998 funding to Tribes which are capable of expending the funds.

If you have any questions please contact Mr. Victor Velasquez, Area Housing Officer, at (602) 379-3083.

*Larry W Welch*

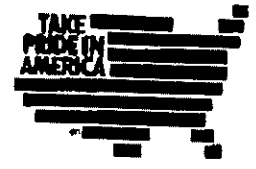
Attachments





# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
Washington, D.C. 20240



IN REPLY REFER TO:

Housing Assistance  
MS-4603-MIB

DEC 12 1997

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## Memorandum

To: All Area Directors  
Director, Office of Self-Governance

From: ACTING Deputy Commissioner of Indian Affairs

Subject: Fiscal Year (FY) 1998 Housing Improvement Program (HIP) Distribution

The Central Office (CO) will distribute to the areas and the Office of Self-Governance all HIP funds available in the FY 1998 appropriations.

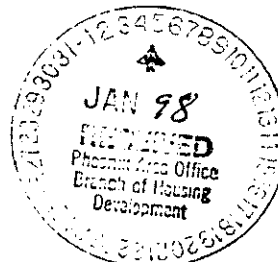
The areas will distribute HIP funds to the Tribes within their respective areas who have submitted their FY 1997 inventory of housing needs, who have viable work plans and who are in compliance with the intent of the program. A viable work plan means that planned work projects fall within the scope and framework of the HIP and that the Tribe has eligible HIP applicants. Funds will be distributed only to Tribes with eligible HIP applicants. The areas will advise the Office of Self-Governance of the amount of HIP funds to be distributed to Tribes with annual funding agreements that will also be based on eligible HIP applicants.

Areas are to ensure that distributed amounts are sufficient to fund at least one complete project. Therefore, areas must devise a plan to rotate funds between Tribes with projects requiring two or more years funding

The intention is to fund as many HIP projects as possible, while curtailing the amount of unexpended funds to ensure the Bureau of Indian Affairs attains goals outlined in the FY 1998 strategic plan. Areas are authorized to redistribute funds from the Tribes unable to expend some or all of their FY 1998 funding to Tribes capable of expending the funds. The area must notify CO of such actions. In addition, the areas will be required to submit a report to CO in May 1998, identifying the funds obligated/expended and the funds available to be withdrawn for reallocation to other locations because of lack of HIP eligible applicants. CO will provide additional information at a later date.

Reprogramming of HIP funds to other Tribal Priority Allocation (TPA) programs is prohibited, however, tribes may supplement their HIP funds from other funding within their TPA.

Should you or your staff have questions concerning this information, please contact June Henkel, at 202-208-3667. Tribes are invited to contact their local agency area office housing representative.



*Vertical stamps:*  
BUREAU OF INDIAN AFFAIRS  
RECEIVED  
DEC 18 3 04 PM '97  
PHOENIX AREA DIRECTOR

uv. 10/9/97



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
Washington, D.C. 20240



IN REPLY REFER TO:

Housing Assistance  
MS-4603-MIB

OCT 6 1997



## Memorandum

To: All Area Directors  
Director, Office of Self-Governance

From: Deputy Commissioner of Indian Affairs *Richard J. ...*

Subject: Housing Improvement Program - Extension for Submission of Consolidated Tribal Inventories and Annual Work Plans

Reference is made to the May 9, 1997, memorandum concerning the submission of FY 1997 tribal inventories of need and work plans. As a result of requests from various tribes and discussions concerning this issue at the recent Housing Improvement Program (HIP) meeting in Phoenix, Arizona, the date for submission of this information to the Central Office Housing Assistance office has been extended to October 15, 1997.

The purpose for this extension is to provide additional time for tribes to complete the update of their inventories and work plans in conjunction with similar activities for the new Housing and Urban Development block grants. Additionally, the extension will provide sufficient time for completion of the task for those tribes that are faced with other scheduling conflicts.

As you are aware, the Bureau of Indian Affairs (BIA) FY 1998 strategic plan calls for the HIP to improve the quality of life for eligible needy Indians by providing improvements to five percent of the existing substandard housing by the year 2003. In order to meet this goal, the BIA is establishing new eligibility criteria via updated HIP regulations to aid in identification of the "neediest of the needy." Additionally, the BIA needs to distribute HIP funding to ensure timely and appropriate expenditure of available funds. The current distribution formula utilizes total tribal housing inventories as its basis, which can result in funds being provided for tribes without any eligible applicants or which may not provide sufficient funds to complete a project. As a result, the program is failing to operate in an effective and efficient manner and is at risk of failing to meet its stated goal.

The appropriations for HIP are not in the Tribal Priority Allocation base and are distributed by formula on a needs basis. To maximize the use of available funding and to ensure efficient and effective operation of the program, FY 1998 funds will be distributed to Areas

based on tribal inventories of housing need, as justified by the number of eligible HIP applicants and the costs associated with their respective HIP projects. Therefore, it will be necessary for your office to provide, along with the Consolidated Report of Tribal Inventories of Housing Need, the following additional information, derived and consolidated from the annual work plans, by Tribe: 1) the number of eligible HIP applicants; 2) the total number of housing repair projects; 3) the total costs for the housing repair projects; 4) the total number of housing replacement projects; and, 5) the total costs for the housing replacement projects. As necessary, the Area Office will redistribute the HIP funds among the tribes within the jurisdiction of the Area Office, based on viable annual work plans and tribal compliance with the intent of the program. HIP funds must be distributed in a manner that provides sufficient funding for the completion of a HIP project in its entirety, as identified in the annual work plan.

Tribes with unexpended prior year HIP funds, due to one or more distribution amounts that were insufficient to fund a single HIP project, must be provided a distribution of FY 1998 funding that, when combined with the unexpended funds, will enable accomplishment of that project. In cases where there are not adequate resources to provide funds for all tribes with documented needs (work plans), you will have to devise a methodology for ensuring that tribes not provided funding in FY 1998, will be given priority for funding of work plans in FY 1999 or beyond. Additionally, we recommend that all Pub. L. 93-638 contracts of the HIP, work plans, and other pertinent documentation, including expenditure and annual reports related to tribal operation of the HIP, be reviewed to ensure that tribes are in compliance with the intent of the program. We would remind you that a tribally redesigned HIP cannot obviate or eliminate the rules of the program defined in 25 CFR 256, but can be used to refine or tailor the program within the existing rules to better meet the needs of the Tribe. Pub. L. 93-638 contracts for the HIP found to be in non-compliance with the intent of the program will require negotiation with the appropriate Tribe for the desired remedy(s). Tribes found in non-compliance with the terms of their contract should be given every opportunity to correct the deficiency(s).

As a reminder, tribes must submit a current inventory of housing needs and an annual work plan to be considered for inclusion in the distribution of FY 1998 HIP funding. If a tribe has not submitted an inventory and work plan or requested an extension, to date, we suggest that you ensure that they are aware of this requirement. Also, the inventory is to be maintained by the tribe as a part of normal tribal business as well as the Housing Program operations. Keeping the inventory current should be an ongoing process, precluding the need for a major effort for routine submission of current housing needs. In fact, the issue of keeping an updated inventory is especially critical in view of the Government Performance Results Act which requires annual measurement of the success of a program toward meeting its stated goal. Annual measurement of the success of the HIP will require that tribes commence annual reporting of housing inventories of need, as well as annual work plans and program accomplishment reports.

Should you or your staff have questions concerning the FY 1997 housing inventory, please contact Ms. June Henkel at (202) 208-3667.