



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Accepting Household Survey Data and Authorizing WMAHA to File a Challenge of Census and American Community Survey Data with the US Department of Housing and Urban Development)

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- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(s) that the Tribal Council (“Council”) shall exercise the power “To...regulate subordinate organizations...”; and
- WHEREAS,** The White Mountain Apache Housing Authority (“WMAHA”) was established by the Tribe as its Tribally-Designated Housing Entity (“TDHE”); and
- WHEREAS,** The Tribe receives its share of annual Native American Housing Assistance and Self-Determination Act (“NAHASDA”) funding via the Indian Housing Block Grant (IHBG) formula, which relies, in part, on census data;
- WHEREAS,** Pursuant to 24 CFR 1000.336, “an Indian tribe, TDHE, or HUD may challenge data used in the IHBG formula...An Indian tribe or TDHE that has data in its possession that it contends are more accurate than data contained in the U.S. Decennial Census or American Community Survey (ACS), and the data were collected in a manner acceptable to HUD, may submit the data with proper documentation to HUD”; and
- WHEREAS,** The Tribe believes that the decennial census and American Community Survey (ACS) data used by the Department of Housing and Urban Development (“HUD”) to calculate IHBG allocations for prior years did not accurately reflect the population and housing needs of the American Indian and Alaska Native households living within the Tribe’s IHBG formula area; and
- WHEREAS,** In accordance with the guidelines set forth in “Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula” (Form HUD-4119; exp. 11/30/2022), the White Mountain Housing Authority conducted a household survey on behalf of the Tribe from late November 2019 until early February 2020 to collect housing needs data that could be used to challenge and replace the data incorporated by HUD into the IHBG formula to determine the Tribe’s IHBG allocation for Fiscal Year 2021 and up to four subsequent annual grant cycles; and

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WHEREAS, The Tribe's own Household Survey data indicates inaccurate counting of population in the 2010 U.S. Decennial Census and ACS, which resulted in underfunding for the Tribe's HUD-funded programs; and

WHEREAS, WMAHA, this day, proposes that the Council authorize it to file a challenge with HUD to the census data used to calculate the Tribe's IHBG allocation; and

WHEREAS, The Council has reviewed the request by WMAHA and finds that authorizing the challenge will help secure accurate funding amounts for the Tribe's housing programs, and is in the best interests of the Tribe and its members.

THEREFORE BE IT RESOLVED by the White Mountain Apache Tribal Council that it accepts and approves the Tribe's household survey data set, as summarized for the Council by White Mountain Apache Housing Authority and its consultant, Big Water Consulting.

THEREFORE BE IT FURTHER RESOLVED by the White Mountain Apache Tribal Council that it hereby authorizes the Executive Director of the White Mountain Apache Housing Authority to submit the Tribe's household survey data set, and supporting forms and documentation, to HUD on its behalf, for the purpose of challenging the decennial census and American Community Survey data incorporated in the Indian Housing Block Grant formula.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **APRIL 8, 2020** duly adopted by a vote of **ELEVEN** for, **ZERO** against, and **ZERO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

 4/9/2020
Gwendena Lee-Gatewood, Chairwoman Date

 4/9/2020
Doreen T. Numkena, Tribal Secretary Date