

1 U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
2 INDIAN HOUSING BLOCK GRANT FORMULA
3 NEGOTIATED RULEMAKING COMMITTEE

4

5 Tuesday, August 11, 2015

6 8:41 a.m.

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- 1 PARTICIPANTS
- 2 ANNETTE BRYAN, Co-Chair
- 3 JASON DOLLARHIDE, Co-Chair
- 4 LEON JACOBS
- 5 LOURDES CASTRO RAMIREZ
- 6 SARA FIALA
- 7 GARY COOPER
- 8 PETE DELGADO
- 9 RODGER BOYD
- 10 JEMINE BRYON
- 11 SAMUEL OKAKOK
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- 15 EARL EVANS
- 16 RUSSELL SOSSAMON
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- 18 ERIN HILLMAN
- 19 DEIDRE FLOOD
- 20 HEATHER CLOUD
- 21 MICHAEL REED
- 22 MARTIN SHURAVLOFF

- 1 PARTICIPANTS (continued)
- 2 CAROL GORE
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- 5 JACK SAWYERS
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- 16 ROBERTA ROBERTS
- 17 CHRISTINA LEWIS
- 18 WAYNE SIMMS
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- 20
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1 P R O C E E D I N G S

2 MR. DOLLARHIDE: Good morning, everybody. I'd
3 like to welcome everybody to the seventh session for
4 the negotiated rulemaking.

5 I have asked Leon Jacobs to open our meeting up
6 with a prayer.

7 MR. JACOBS: One of the important things, now that
8 I'm officially retired, is I get to do some of the
9 things that I always wanted to do. One of the things
10 that I do now is I do run an organization Seniors
11 Helping Seniors. And that is a lot of pleasure and a
12 lot of commitment.

13 One of the other things is, I get to visit
14 different churches and so forth. On Sunday, I was at
15 the Catholic Church, and the priest made an excellent
16 sermon on God's love to everybody. And one of the
17 things that, since we're here to work on the consensus
18 on a very, very important mission here for Indian
19 tribes I would like all of us to participate.

20 I know that all of you around the table here and
21 all of you in the audience have special needs, things
22 that you want to put before God and ask for his

1 blessings. So as we make our commitment and our
2 requests to God, I would like us all to do like they do
3 in the church, please say, "Lord, hear our prayer."
4 Okay? So we will ask all of you, when we make those
5 special requests. Now, let us pray.

6 Lord, we approach your courts with thanksgiving.
7 We thank you for love. We thank you for your blessings
8 to all of us. We thank you for the safe trip that has
9 brought us here for this meeting again to help tribes
10 throughout Indian Country to address the needs of their
11 membership, not only in housing, but other needs as
12 well.

13 We love you. We thank you for your presence with
14 us. And now, as we make our petitions to you, we ask
15 you to hear our prayer. I am asking you today to make
16 your presence known. And can we all say --

17 ALL: Lord, hear our prayers.

18 MR. JACOBS: I ask that you help the committee as
19 we address this important task to have the ability to
20 come through to consensus on things that are very
21 important for the tribes.

22 ALL: Lord, hear our prayers.

1 MR. JACOBS: And now, I'm asking the committee,
2 any of you that have a special need that you'd like to
3 make at this time, please.

4 I heard a request this morning for Mrs. Bouchenou.
5 I'm asking, Lord, that you would touch her body, Lord,
6 hear our prayers.

7 And now, Lord, anyone in the audience that has a
8 special request, you can make it at this time.

9 SPEAKER: I definitely have a prayer.

10 ALL: Lord, hear our prayer.

11 SPEAKER: We ask that God will watch over our
12 children, our babies, that's why we're here, that He
13 watch over our ones that are leaving and coming into
14 this world.

15 We love, thee, Father, our creator. We are
16 thankful for each one that have come here. We pray
17 your blessing upon them. Help them to keep their minds
18 open and their hearts strong. Let them know that women
19 would love to be with their families right now.
20 Because of circumstances, some of the fathers are
21 missing. We pray for them, pray that they will come
22 back and make families whole again.

1 Let us know how sacred our families are. That's
2 why we're here. We're here to have a safe tee pee, if
3 you will, for our people, that they will have the
4 beautiful hogans thou wants us to have in this lifetime
5 not be taken away from us, so that we don't have to be
6 sleeping in cars, so that we don't have to be sleeping
7 on the streets, so that we don't have to be having five
8 or ten families living in one home.

9 We pray a blessing this day upon this meeting,
10 upon this beautiful meeting that thou has given you
11 here that we all arrived here safely. We love thee,
12 Father. We say this in the creator's name, even Jesus
13 Christ. Amen.

14 ALL: Lord, hear our prayer.

15 MR. JACOBS: And we thank you, Lord, for this
16 opportunity again, and to bless us throughout this
17 week, in Jesus' name we pray. Amen.

18 ALL: Amen.

19 MS. BRYAN: Thank you, Leon. Good morning,
20 everybody. Welcome back. It's good to see all your
21 faces.

22 We'd like to welcome you, and got the opportunity

1 to sit into a data work group meeting yesterday, and I
2 just want to applaud all the work that group's been
3 doing, the study group, and all the work that you all
4 have been doing and do every day, I want to applaud
5 that also.

6 I am Annette Bryan. This is Co-Chair, Jason
7 Dollarhide, and at this time, we would like to
8 introduce Lourdes Castro Ramirez, the Principal Deputy
9 Administrative Secretary of HUD. Welcome to our
10 negotiated rulemaking.

11 MS. RAMIREZ: Good morning, everyone. Buenos
12 dias.

13 Thank you, again, for your work on this very
14 important process. Thank you for participating in
15 this, the seventh session, of what we call the Indian
16 Housing Block Grant Formula Negotiated Rulemaking
17 Process.

18 As mentioned by the Co-Chair, Annette Bryan, I am
19 Lourdes Castro Ramirez, and I have the distinct honor
20 of serving in the capacity of Principal Deputy
21 Assistant Secretary, which essentially means that I am
22 responsible for leading the Office of Public and Indian

1 Housing within the Department of Housing and Urban
2 Development.

3 So I think many of you had an opportunity to meet
4 Sandra Henriquez, also known as Sandy Henriquez. And
5 about a year ago, she left HUD, and in the interim, we
6 had Jemine Bryon, who stepped in as an Acting Assistant
7 Secretary.

8 And in the last five months, I have joined HUD and
9 have joined Secretary Castro in moving HUD's mission
10 forward and amplifying and elevating the importance of
11 the work that gets done at HUD and in partnership with
12 a number of public housing agencies but also in
13 partnership, in a government-to-government
14 relationship, with tribal communities across Indian
15 Country.

16 I'm also very honored to be here for the next
17 three days to finalize this important work that you all
18 have undertaken for the last two years or so. I do
19 want to express my appreciation and the Department's
20 appreciation to Annette Bryan and also to Jason
21 Dollarhide, who have provided very strong leadership to
22 this group in their roles as the Co-Chairs. Thank you.

1 (Applause).

2 MS. RAMIREZ: Additionally, I'd like to recognize
3 Jason Adams and Gary Cooper for their efforts in
4 leading the FCAS and the Need work group and the Data
5 Study group. I know that the Data Study group has been
6 working very diligently over the last year or so to
7 come up with a set of recommendations on the best use
8 of data sources. So thank you to the Data Study group
9 and to Jason Adams for your work on FCAS.

10 (Applause).

11 MS. RAMIREZ: And of course, there are many, many
12 individuals, professionals that have been involved in
13 this process. Just want to take an opportunity to
14 acknowledge the support staff that is in attendance and
15 to welcome the members of the public who will be
16 watching the proceedings. I also understand that the
17 proceedings will be recorded and shared widely.

18 So I commend you all for your dedication to this
19 negotiated rulemaking process and to improving the
20 housing conditions and the quality of life for native
21 communities across Indian Country.

22 Over the last two years, you all have made

1 incredible progress. You have reached consensus on a
2 solution to the undisbursed funds issue. You have also
3 proposed changes to the formula current assisted stock
4 and need components into the formula to promote
5 consistency and fairness as we allocate resources to
6 all tribes.

7 And you have also convened a study group that has
8 been looking at alternative sources of data to ensure
9 that we are using the best data available as we look at
10 the formula distribution for the next years ahead.

11 But we all know that there's still some work that
12 needs to be done. And so, over the course of the next
13 three days, the committee will be focused on what we
14 hope will be reaching consensus on the following items.
15 The proposed rule and preamble, of course, hearing from
16 the study group and listening to their report and set
17 of recommendations, so that the committee can reach
18 consensus or a decision around the use of data, and
19 also a review of the USDA Rural Development 515 cost
20 data to determine whether or not this would be another
21 source when we're computing local cost adjustments.

22 I have asked Jemine Bryon, who I'd like to

1 acknowledge for your dedication and leadership, and
2 also Jemine Bryon serves as the General Deputy
3 Assistant Secretary in the Office of Public and Indian
4 Housing, along with Roger Boyd, who is our Deputy
5 Assistant Secretary for the Office of Native American
6 Programs, I have asked them to continue to serve in the
7 negotiations table representing HUD, and so I want
8 thank you both for your work and your due diligence on
9 this. Thank you.

10 (Applause).

11 MS. RAMIREZ: I do intend to be here for the next
12 three days as a newcomer to HUD, not a newcomer to
13 affordable housing. I've spent the last 20 years of my
14 life working in the affordable housing and community
15 development arena, spent about 16 years working for two
16 different housing authorities. I worked for the San
17 Antonia Housing Authority as their Executive Director
18 for six years, and I also spent 10 years in Los Angeles
19 in various capacities, working for the LA City Housing
20 Authority.

21 So I firmly believe that everything that we do to
22 preserve, to create new, affordable housing units, and

1 also to develop greater opportunities for the people
2 that we serve, today, more than ever, it's very
3 important.

4 I have seen firsthand the impact of the work and
5 the importance of the resources that we all administer.
6 And so I want to acknowledge the commitment that each
7 of you have to improving housing conditions and to
8 creating greater opportunity.

9 And I know that there is a lot of work that lies
10 ahead, so I encourage you to continue to put your best
11 work forward, always keeping in mind the families who
12 you all represent, and to work collectively to reach
13 consensus, to further the goal of finding and
14 identifying a fair and equitable formula for the
15 distribution of funds.

16 I do look forward to meeting each of you. As I
17 mentioned, I will be spending the next three days here.
18 And I hope to get an opportunity to meet each of you
19 and to learn more about some of the challenges that
20 you're facing, but also some of the great work that is
21 taking place.

22 So with that, we know that the nation is watching

1 the work that is taking place. And I firmly believe
2 that we have the obligation to all those that we serve
3 to do our best and to finalize the work over the next
4 three days.

5 So good luck. Thank you for your work on this
6 effort. And again, our appreciation from the
7 Department of Housing and Urban Development. Thank
8 you.

9 (Applause).

10 MS. BRYAN: Thank you, Principal Deputy Assistant
11 Secretary. Welcome to our work group. And we look
12 forward to spending time with you over these next few
13 days.

14 Next, I would like to introduce Susan Podziba.
15 She is back and will be our facilitator. So welcome
16 back, Susan.

17 And I would like us to do--we have some logistical
18 housekeeping. Sara, would you like to go next, please.

19 MS. FIALA: Hello, everyone. Welcome back to
20 Phoenix. Nice cool weather for you, special ordered.

21 Everything is pretty much the same as last year in
22 terms of our meeting space. So this is the general

1 session, obviously, and then we have all of the
2 breakout rooms. If you exit and go down the right to
3 the hallway, you can see the rooms that we have.

4 And the only slight change is, if we do use the
5 room that is downstairs, it is the one next door. But
6 it's well marked, and if you have any questions, you
7 can ask any of the staff as well. If we do need to
8 assign rooms, I will make sure to post them up and then
9 keep this up, so everybody knows where to go.

10 And lastly, WiFi login information, the user name
11 and the password, they told me that you can select the
12 room signal that is the strongest where you are, and
13 that password should carry you over through all of the
14 meeting space on this floor.

15 And again, if you have any questions or issues,
16 please let me know, or we have staff. Elizabeth, Gesil
17 and Lauren are going to be floating around and can help
18 you out.

19 So thank you very much, and welcome back.

20 MS. BRYAN: Thank you, Sara, and thank you to
21 FirstPic for your great work in keeping us organized.

22 I would like to do a roll call as we've done in

1 past meetings, just to establish a quorum for the
2 record. We could start with Gary.

3 (Applause).

4 MR. COOPER: Gary Cooper, Cherokee Nation,
5 present.

6 MR. DELGADO: Pete Delgado, Tohona O'Odham Nation,
7 present.

8 MR. BOYD: Rodger Boyd, HUD.

9 MS. BRYON: Jemine Bryon, General Deputy Assistant
10 Secretary, HUD.

11 MR. OKAKOK: Samuel Okakok, Native Village of
12 Barrow.

13 MS. VOGEL: Sharon Vogel, Cheyenne River Housing
14 Authority.

15 MS. FOSTER: Karin Foster, Yakama Nation Housing
16 Authority.

17 MS. PHAIR: Diana Phair, Lummi Nation Housing
18 Authority.

19 MR. JACOBS: Leon Jacobs, Lumbee Tribe of North
20 Carolina.

21 MR. EVANS: Earl Evans, tribal counselor for the
22 Haliwa-Saponi Indian Tribe.

1 MR. SOSSAMON: Russell Sossamon, Choctaw Nation of
2 Oklahoma.

3 MS. BRYAN: Annette Bryan, Puyallup Tribe of
4 Indians.

5 MR. DOLLARHIDE: Jason Dollarhide, Peoria Tribe of
6 Indians.

7 MS. DIFUNTORUM: Sami Jo Difuntorum, Housing
8 Director, Confederated Tribes of Siletz Indians.

9 MS. HILLMAN: Erin Hillman, Karuk Tribe Housing
10 Authority.

11 MS. FLOOD: Deirdre Flood, Washoe Housing
12 Authority.

13 MS. CLOUD: (Speaking in foreign language). And
14 my English name is Heather Cloud. Thank you.

15 MR. REED: Michael Reed, Cocopah Indian Tribe.

16 MR. SHURAVLOFF: Martin Shuravloff, Kodiak Island
17 Housing Authority.

18 MS. GORE: Carol Gore, Cook Inlet Housing.

19 MS. NUTTER: Teri Nutter, Copper River Housing
20 Authority.

21 MR. ADAMS: Good morning. Jason Adams, Salish
22 Kootenai Housing Authority.

1 MR. SAWYERS: Jack Sawyers, Paiute Housing. And
2 Leon, I'll be glad when I get old enough to do what
3 you're doing, seniors beating seniors.

4 MS. YAZZIE: Aneva Yazzie, Navajo Housing
5 Authority.

6 MS. BRYAN: Thank you. And I'm told that Lafe
7 will be joining us. His airplane got delayed, so we'll
8 look forward to him sitting at the table with us later,
9 but we do have a quorum to do our business for now.

10 I would like to propose on the agenda after some
11 discussion with our FCAS Committee Chairman and our
12 facilitators, before we approve the agenda, I would
13 like to propose that at 10:00, we break into work
14 groups, come back at 11:00, so the FCAS group can look
15 at the data before they decide whether or not to
16 present it to the full work group.

17 Anyone is welcome to sit in for that and hear
18 Todd's presentation on the 515 data assimilation. If
19 11:00 is not enough time, we will just check in with
20 the work group and extend the time, if needed. But I
21 propose that, from 10:00 to 11:00, we break into work
22 groups, and then we come back from 11:00 to 12:00 for

1 FCAS proposals, if there is one.

2 And then 12:00 to 1:00 would be lunch, or 12:00 to
3 1:15, so it looks like we have an hour and 15 for
4 lunch, and then we would move up the rest of the
5 agenda. So that's the draft proposal that we're
6 considering for approval.

7 I would like to know if there is discussion on the
8 agenda. And I would like to know if there is consensus
9 on the agenda with the proposed changes. I need
10 everyone's thumb on the consensus. All right. Yeah.
11 Good job, everyone. We have consensus first thing in
12 the morning.

13 And next, we have our meeting minutes. And if you
14 would like, do we need a moment to review the minutes
15 from August 2014, or have you had a chance to look at
16 them? I would entertain a proposal to approve the
17 minutes.

18 MR. ADAMS: Jason Adams. Madam Co-Chair, I'd make
19 that proposal to approve minutes.

20 MS. BRYAN: Thank you, Jason. We have a proposal.

21 MR. REED: Second.

22 MS. BRYAN: We have it seconded by Michael. All

1 in favor, consensus, with your thumb up. Thank you.

2 The minutes are approved.

3 MR. ADAMS: Madam Co-Chair, I would also like to
4 make a proposal. I don't know. We skipped over it on
5 the agenda, but Co-Chair election, I would like to make
6 a proposal that Annette Bryan and Jason Dollarhide
7 continue on as Co-Chairs through this meeting and the
8 final management.

9 SPEAKER: I second that.

10 MS. BRYAN: Thank you. Do we have a consensus?
11 Thank you for that formality. Motion passes.

12 And it looks like, on our agenda, the 9:00 to
13 10:00 took about five minutes, so we're at 10:00 now.
14 So we'll move the agenda up an hour. You guys are just
15 amazing. That's excellent.

16 So I would propose we'll break into work groups
17 for one hour and check back in, and see if we can get
18 some work done this morning.

19 Yes, Gary?

20 MR. COOPER: The Needs work group I think has
21 wrapped up everything, so I don't believe we believe we
22 will be needing a meeting.

1 MS. BRYAN: That is a good point that you just
2 made. I wanted to ask if the committee is interested,
3 the FCAS committee, is interested in staying in this
4 room, since the majority of people will likely be
5 watching the data runs explanation for 515. Or Jason,
6 would you prefer to go to another room?

7 MR. ADAMS: If it's just us, I mean, might as well
8 stay here.

9 MS. BRYAN: Okay. So we're going to formally
10 break into work groups, and the work group will take
11 place in this room. And we'll convene back here in one
12 hour. So let's go for 10:15 we'll try to finish that
13 work, and we'll check back in at 10:10 and see how
14 we're doing. Thank you.

15 (Recessed at 9:06 a.m.)

16 (Reconvened at 12:12 p.m.)

17 MR. DOLLARHIDE: If we could go ahead and get
18 seated in the room, we'll go ahead and get started.
19 We're about 15 minutes behind schedule, but we're right
20 on time with our agenda, so we'll get started.

21 (Recessed at 12:12 p.m.)

22 (Reconvened at 1:44 p.m.)

1 (Mr. Reed left the council table at this time and
2 did not return.)

3 MR. DOLLARHIDE: Good afternoon. We'll go ahead
4 and reconvene our meeting for this afternoon. I
5 believe that we've got two things before the full
6 committee that came out of the FCAS work group
7 pertaining to some regulatory language, is that
8 correct, Jason?

9 MR. ADAMS: Yes, Jason. Are we going there now,
10 or how do you want to handle this?

11 MR. DOLLARHIDE: Yeah, I believe we'll go and jump
12 right into that now, Jason.

13 MR. ADAMS: Okay. What's being handed out is you
14 had have two items -- well, we'll call them two.

15 One item is three sections of the regulations that
16 are changed, being proposed to be changed from our work
17 group. And then the second item is a recommendation
18 that we're asking for approval from the full committee
19 on.

20 The item that we have before you today is what we
21 had asked the committee for consideration from last
22 year during the study time for the other issue that

1 we're here for this week. We had asked for
2 consideration to take a look at the USDA 515 data and
3 try to get information from USDA to see how that
4 information for local area cost could be implemented or
5 considered as far as another local area cost adjustment
6 factor in the FCAS formula.

7 And so what we've done is we've, in this last -- I
8 think it was end of June, we received the data runs
9 that were requested, and so we've seen now how those
10 issues are going to impact each one of us. And also,
11 we've heard from HUD as to the opportunities to
12 difficulties that this data from USDA poses.

13 And so with that being kind of an overview of
14 where we've been, we met this morning, and we have
15 before you 1000.302, a definitions section, an addition
16 to the definitions section of that part of the
17 regulations. And I don't know if you want me to read
18 the language that would be inserted or be new to the
19 formula or to the regulations or what would be with
20 wishes of the group.

21 I know in our work group, there were some folks
22 further back in the room that had asked for me to read

1 it, because from the back of the room, you can't see
2 the screens too well, so that will -- we want to
3 continue? Okay.

4 So what we have first, and again, Co-Chairs, I'm
5 assuming that we're going to handle these sections of
6 the regulations in independent parts, each one on its
7 own? Okay?

8 MS. BRYAN: Yes.

9 MR. ADAMS: So the first change is the addition to
10 Section 1000.302, what are the definitions applicable
11 to for the IHBG formula?

12 This would be an additional definition to be
13 included, which states, "USDA Department of Agriculture
14 515, USDA 515 factor, USDA 515 is housing, operating,
15 maintenance, and property and liability insurance cost
16 data derived from the USDA Section 515 Rural Rental
17 Housing Program. USDA 515 factor is the relative
18 difference between a local area, USDA 515, and the
19 national weighted average for USDA 515. This data will
20 be update by HUD in the formula every five years,
21 provided that the data is available from the USDA. If
22 not, HUD shall use most current available USDA 515 cost

1 data."

2 So that whole section is new. It would be a new
3 insertion into the definitions at 302. So that's what
4 I have for you. Co-Chairs?

5 MR. DOLLARHIDE: Thank you. I have one question.
6 I think this would be a question to HUD. It says every
7 five years provided that the data -- do you guys
8 foresee an issue with getting that data in a time frame
9 that is suitable concerning the formula?

10 MS. BRYON: So we don't have any direct knowledge
11 that it would be a problem, but I think anytime you're
12 reliant upon another agency generating and providing,
13 you really want to be cautious about making commitments
14 when you're relying upon another agency.

15 We do feel like five years is enough for a cycle
16 that we can rely on the most current information. Even
17 if it's not ready on the fifth year, we can go back to
18 the year before.

19 MS. BRYAN: Jason, this is Annette. I'm sorry. I
20 have a question about the USDA 515.

21 So the Puyallup Tribe, for example, is a very
22 urban tribe. We don't participate with USDA, qualify

1 for, eligible for, report to in any way to USDA, so
2 does this number -- do all the tribes use this number
3 or just some tribes?

4 MR. ADAMS: Maybe we could have Todd give a brief
5 overview of the method by which they would gather this
6 data. He did that for us in his presentation.

7 What I understand, and a short answer that I can
8 give you, is that if a tribe or an area had four
9 projects, that they use those four, a minimum of four
10 projects, they use data from that. If they don't have
11 those, then they go to the county, and then to the
12 state to get an average for projects that are 515.

13 So it might not be that specific tribe or your
14 specific tribe that has a 515, but if your county does
15 -- because 515 projects aren't tribal-specific. It can
16 be the county, or somebody within the county could have
17 projects. Or, if not, worst case is the state.

18 And I hope Todd can correct all the things I just
19 said wrong.

20 MR. RICHARDSON: I'm sorry I'm not there. I'm
21 sure what you said was great, David.

22 MR. ADAMS: Thanks, buddy.

1 MS. BRYAN: Thank you. Thank you. That answers
2 my question.

3 I have a couple of logistics for us. I have
4 Robbie Hobgood sitting in for Russell Sossamon right
5 now. And also, could you please introduce yourself
6 when you speak for the court reporter? Thank you.

7 Are there any other questions on this proposal in
8 front of us? Aneva?

9 MS. YAZZIE: Madam Co-Chair, thank you.

10 Just a logic type of question here. We're
11 considering 1000.302 on the definition, yet 1000.320 is
12 a question that talks about operating subsidy. I just
13 wondered if .320 should be considered before the 302,
14 because the 302 assumes that we're going to consider
15 that as a matter to consider to be included as one of
16 the factors for the local area costs.

17 Just a logic question, I think, in terms of how
18 were proceed is are we going to include the USDA 515
19 factor, and if so, then we would then define that, I
20 guess. I don't know. That's a logic question.

21 Madam Co-Chair.

22 MR. ADAMS: We can handle it however you see fit.

1 Madam Chair, Jason Adams. Sorry.

2 MS. BRYAN: Is the committee ready to vote on the
3 proposal? Are there any other questions for
4 discussion?

5 MR. ADAMS: Jason Adams, again. In light of what
6 was just stated that maybe, in a practical sense, we
7 take action on 320, because that then implements the
8 new factor, and then we can take action on 302, the
9 definition of that additional factor, so that does make
10 sense to me actually, to do it that way.

11 MS. BRYAN: Thank you. Okay. Thank you, Aneva.
12 Gary Cooper?

13 MR. COOPER: No. Jason made a good point. And I
14 was going to just echo what AJ said, is I would feel
15 more comfortable --

16 MR. DOLLARHIDE: Please remember to identify
17 yourself for the court reporter. Thank you.

18 MR. COOPER: I'm sorry. Gary Cooper. AJ brought
19 up a good point that I think it would be more
20 appropriate to discuss the later sections, because
21 unless we can get consensus on those, I don't know that
22 we'd need a definition that addresses the first part,

1 and I just wanted to echo what AJ said.

2 MS. BRYAN: Thank you, Gary. So Jason, can you
3 have you introduce 1000.320.

4 MR. ADAMS: Yeah, 1000.320 is really the heart of
5 the issue, and this goes back to the issue that we
6 talked about at length last year through the FCAS work
7 group, is the inclusion of another local area cost
8 adjustment factor.

9 There's been concerns expressed over the
10 Negotiated Rulemaking Committees, at least that I've
11 sat in on, that one of the local area cost adjustment
12 factors, such as AEL, is frozen in time. I can't be
13 challenged. It just is.

14 And so in light of that, and in light of the
15 previous negotiated rulemaking on the formula, which
16 asked for a study to be done on local area cost
17 adjustments and its recommendation to look at 515, we
18 pursued this issue, and that's the work we wrapped up
19 this morning.

20 And some from that work, we got passage,
21 unanimously -- our consensus, I guess I should say, on
22 this additional language that would be included and

1 modified in section (a) of 320.

2 Section 1000.320 would read, "How is formula
3 current assisted stock adjusted for local area costs,"
4 and there's some language there that's not on your
5 page, but then (a) would state, "Operating subsidy as
6 adjusted by the greatest of the AEL factor, the FMR
7 factor, or the United States Department of Agriculture
8 515 factor, (AEL)(FMR)(515)." End.

9 So that is the inclusion of another local area
10 cost adjustment factor, USDA 515.

11 MS. BRYAN: And can I just assume commas in
12 between ALF, FMR, and 515 without making a proposal, a
13 formal proposal?

14 MR. ADAMS: That parentheses there around that is
15 what would appear as the factor in the appendixes, when
16 you look at the formula in the appendixes and how it
17 plays out, that is how it would appear, and that's why
18 we included that in there.

19 MS. BRYAN: Okay. Thank you.

20 MR. ADAMS: Because the factor would be that.

21 MS. BRYAN: Are there questions or discussion
22 about this 1000.320? Sami Jo?

1 MS. DIFUNTORUM: Thank you. I'm Sami Jo
2 Difuntorum. So I need to make sure I correctly
3 understood your response to Annette's question, because
4 I'm thinking maybe I didn't. Because USDA 515 isn't
5 widely used in Indian Country, the information is
6 gathered in public housing and then applied to tribal
7 housing in this scenario, is that what I understood?

8 MR. ADAMS: Again, maybe I can Todd get up and
9 explain exactly how that's gathered, because there are
10 tribal programs, but in absence of that, then it goes
11 to the county and then the state, as I understand, but
12 we'll let the expert give the correct interpretation.

13 MS. BRYAN: So will you yield your time to the man
14 at HUD? Will HUD yield their time to HUD?

15 MR. ADAMS: I suppose, yeah.

16 MR. RICHARDSON: So do you want me to answer the
17 question there? So the 515 properties are largely in
18 rural area, and they may or may not be in tribal areas.

19 But the way we get these data is we say, okay,
20 let's first take all the counties and say, if a county
21 has four properties in it, then we'll take the average
22 data from those four properties. If the county doesn't

1 have four 515 properties, we'll then look at
2 surrounding counties and aggregate a group of counties
3 together with at least four properties. And if that
4 doesn't do the trick, we then do the whole statewide
5 average of all of the USDA properties in the state.

6 So if you're a tribe in an area that doesn't have
7 515 properties, you'll probably have the state 515
8 average used for this indicator as far as the measure.
9 And that's an issue here, 515 is certainly not in every
10 place. In fact, there are very, very few in Alaska,
11 for example, so you're definitely not going to cover
12 Alaska with 515.

13 So it can't be a standalone, by itself indicator
14 for this, but it does cover some areas very well. So
15 that's the balance there. I can give details on the
16 form that it's collected on and how the USDA audits the
17 information, but I assume you don't want to know that.

18 MS. BRYAN: Carol and then AJ.

19 MS. GORE: Todd, I would like to follow up. I
20 asked a similar question in the work group. What is
21 the tension on the operating costs from USDA? Are they
22 monitored? Because what I heard in the work group was

1 you looked at audits. Well, audits are simply, are the
2 costs relevant, were they actually spent on that
3 development, and they're aggregated, but they're not
4 necessarily as an audit function, they don't have any
5 tension on them.

6 So does USDA monitor the operating costs? Do they
7 have criteria and some control functions, I guess is
8 what I'm asking. I'm not familiar with 515.

9 I have a second question. Is 515 just new
10 construction, or is it also rehab? Do you know? Thank
11 you.

12 MR. RICHARDSON: So I didn't pull the data myself.
13 As you know, Ben did that. My understanding, I think
14 there is four USDA separate programs that are included
15 as part of this data.

16 So the question on what is the oversight that USDA
17 has on these forms, I don't know the answer to that.
18 They do provide guidance to auditors in a USDA form on
19 how to fill out this form, which is Form RD3560-7. I'm
20 glad USDA uses arcane form numbers like HUD does.

21 So that's what I do know. I do know that they do
22 have guidance on how auditors are to do it. So if HUD

1 does oversight on documents that are submitted to us, I
2 presume USDA does the same as well, but I don't know.

3 MS. YAZZIE: Thank you, Madam Co-Chair, Aneva
4 Yazzie, Navajo Housing.

5 After the discussion, I think for full
6 clarification from the committee members, I received a
7 request to caucus for some of the members in the region
8 that were not able to participate in this as it
9 pertains to the runs that were made relative to the 515
10 factor. If we can request respectfully for a quick
11 caucus, I mean, maybe no more than 10 minutes, I guess
12 just to bring some of the membership up to speed that
13 didn't participate in this discussion relative to the
14 515 factor.

15 Mr. and Madam Co-Chair, thank you.

16 MS. BRYAN: Thank you. Gary Cooper?

17 MR. COOPER: Gary Cooper again, and I have a
18 question for Todd. Did anyone look at, like, the
19 number of counties within a formula area that this data
20 is collected for? Do we have any idea of how many
21 formula areas this data is available in or how many
22 it's not?

1 I know you said that it goes to, like, a state
2 level if there's not more than, like, four in an area,
3 but do we have any inclination on what the number might
4 be?

5 MR. RICHARDSON: So if I understand, the question
6 might be if we were to divide the geography into -- is
7 this data coming from USDA properties that are actually
8 in the county with the tribe versus one that's an
9 aggregation of multiple properties over multiple
10 counties versus a statewide, how does that break out
11 for tribes?

12 I don't have that, and I don't have it easily at
13 my fingertips, and I'm looking at Peggy, and she says
14 no as well, I think.

15 MS. CUCITI: I don't have it pulled, but I might
16 be able to figure out the number of counties that are
17 at the state average, because they'd all have the same
18 number.

19 MS. BULLOUGH: So I'm reading from the operating
20 costs study.

21 It says, "Some 515 units are located on
22 reservations and operated by tribes. However, Figure

1 8-1 shows the geographic spread. 515 projects does not
2 cover all locations with tribes with 1937 Act units.
3 This is particularly true in Alaska, where 11 out of
4 the 14 regional corporations have three or fewer 515
5 projects within their formula area counties.
6 Approximately one-third of tribes/TDHEs in the
7 Southwest and Southern Plains regions each have three
8 or fewer 515 projects in their counties. In the other
9 regions, at least 90 percent of tribes have four or
10 more 515 projects located within their formula area
11 counties."

12 So there is data in the operating costs study on
13 the coverage of the 515, and it's on page 89 and 90.
14 And the study is available on the Neg-Reg website.

15 MS. BRYAN: Thank you, Jennifer. Are there any
16 other questions for the HUD staff on the 515?

17 MR. ADAMS: I don't have a question. I just
18 wanted to clarify, too, I think it's important to point
19 out that the information that's being cited from the
20 study is 2008 data, and the data that was used to make
21 the formula run was 2012 and 2013 data.

22 So there's still some aged data being used here,

1 and so that's something I think that the full committee
2 needs to understand is that there is some aged data
3 here. So that 2008 data, I don't know what today's
4 numbers would say about that, if there would be more.
5 But I know since that time, we built a 515 project.

6 MS. BRYAN: Thank you. Other questions while HUD
7 has the mic to answer our 515 questions? Okay.

8 With that, I heard a request for a regional
9 caucus. I would propose 15 minutes, so we have time to
10 get into our rooms.

11 And just to clarify, Sarah, the rooms are just
12 right next door here? Are all the caucus rooms right
13 over here? Okay.

14 And so your caucus room assignments are up above,
15 and I propose we adjourn and come back, if it's 2:10,
16 at -- recess, thank you, that we come back at 15
17 minutes from now.

18 (Recessed at 2:06 p.m.)

19 (Reconvened at 2:38 p.m.)

20 MS. BRYAN: We've all had an opportunity to
21 caucus, so at this time, I believe it would be
22 appropriate for perhaps --

1 MR. DOLLARHIDE: Marty's got a question.

2 MS. BRYAN: Yes, Marty?

3 MR. SHURAVLOFF: Thank you, Annette.

4 Before we go on, I've got one question of HUD that
5 maybe somebody can answer, maybe Todd or somebody, and
6 it's got to do with -- well, it's got to do with the
7 formula.

8 It's my understanding, as we calculate the
9 formula, that the current assisted stock portion of the
10 formula is calculated first, and then the remaining
11 goes into the unmet need pot.

12 So my question is, by introducing a new variable,
13 515, with the language that we're going to take the
14 greatest of those factors, does that then not reduce
15 the unmet need portion of the pie and shift additional
16 money to the current assisted stock portion of the
17 formula?

18 MS. BRYAN: Yes, HUD.

19 MR. RICHARDSON: So this Todd Richardson from HUD.

20 It does not. So the FCAS pot does not change with
21 this addition. The reason for that is, you might
22 remember the slide show which had 150 little dots

1 across how the formula piece works.

2 And essentially, when we take the best of, whether
3 it's two or three factors, we'll look and say, all
4 right, some people get 3, some get .8, some get 4, or
5 whatever, and then we average that across all of the
6 tribes, and so we get to a number like 1.2. So it
7 should be -- on each of the individual measures, 1 is
8 the average across all the tribes. But because we're
9 doing the best of, it's not 1.2, say.

10 We then divide that best of by the 1.2, so
11 everybody's best of gets reduced a little bit, so you
12 stay within the same FCAS pot without taking any funds
13 away from the needs. So if I had a chalkboard. It
14 didn't seem to make sense.

15 MR. SHURAVLOFF: No. No. Not if you're
16 calculating the FCAS pot first. If you're trying to
17 keep that static, then you're not --

18 MR. RICHARDSON: Well, we do maintain it. It does
19 stay static. So this is -- I'm trying to think about
20 how to say it.

21 Let's say if your best of was fair market rent,
22 and it was twice the national average for fair market

1 rent, and that goes across -- under the fair market
2 rent, the way it's set up, that ratio is set up, that
3 if we just did the allocation on fair market rent, it
4 would transfer money from -- sort of basically move
5 funds from the folks that have a higher cost -- I mean,
6 folks that have the lower cost into the higher cost.
7 Okay?

8 So those below 1 would get a reduction, those
9 above 1 would get an increase. All right? That's how
10 this works.

11 With the best of, you find that that average,
12 which was 1, suddenly becomes 1.2. So effectively,
13 what we've set this thing up to do is, if you're in the
14 group that is above the 1.2, your grant will go up
15 some, but if you're in the group that's 1.2 or less,
16 your grant will go down some as a result on the FCAS.

17 And so that keeps it so only the FCAS funds --
18 you're not changing the size of the FCAS part of the
19 pot. So that won't change as a result.

20 MR. ADAMS: So every year, when mutual help units
21 are convene, what's happening to the pot?

22 MR. RICHARDSON: Well, when that happens, the FCAS

1 pot does get reduced, because then we're taking out the
2 number of units that are part of the calculation, so
3 then we are reducing the amount of FCAS when we're
4 reducing the number of units that are covered by FCAS.
5 But this cost adjustment factor does not cause FCAS to
6 get larger.

7 SPEAKER: Because that happens anyway, right?

8 MR. RICHARDSON: Right. Taking units out will
9 reduce the cost of FCAS but not the cost adjustment
10 factor.

11 MR. ADAMS: Co-Chairs, I have a point of order.
12 The time clock -- and I know we've got two hours to
13 talk about all of these proposals that came out of our
14 work group for the last year's worth of work, and the
15 time clock continued to run through the break, I
16 believe, and so now, it's down to an hour, 14.

17 I'm concerned that we're going to stick to this
18 time clock, and in an hour, we're going to be rushing
19 to finish this work, when we had time run off the clock
20 that shouldn't have. And so I'm just concerned about
21 that.

22 MR. DOLLARHIDE: Thank you, Jason.

1 I'm trying to think about how we proceeded that in
2 the past, if whenever we did take a break, we did stop
3 that, or did we not? Could you refresh our memory on
4 that?

5 SPEAKER: We did.

6 MS. BRYAN: Did we? My memory was that we did not
7 stop the clock during caucuses, because when we were
8 talking, if I remember correctly, and I could be wrong,
9 that there was concern that people would run the clock
10 by calling for breaks.

11 But the ground rules to provide for the committee
12 to extent the time to discuss a matter by consensus of
13 the committee.

14 That was my memory. If someone has a different
15 memory of that, I could be wrong.

16 MR. ADAMS: Well, what I record is that when we
17 called for caucuses or breaks, the clock stopped.
18 Because you could say, oh, I want a caucus, and I'm
19 going to need an hour and 12 minutes and 44 seconds,
20 and you run the clock out. You don't get to negotiate
21 anymore.

22 MS. BRYAN: We could restore the clock. That's

1 not a problem, if that's the sense of the group. Yeah?

2 Okay.

3 So the timekeepers have added the time onto the
4 clock. Was that your recollection of what we did last
5 time? I honestly don't remember. And the rules don't
6 say when we break for time one way or the other.

7 MR. DOLLARHIDE: I'm fine with that. I mean, if
8 we need to extend the time after our two hours is up,
9 we have that discretion to do that also.

10 I think Sami Jo is up.

11 MS. BRYAN: Okay. Sami Jo?

12 MS. DIFUNTORUM: Thank you. Sami Jo Difuntorum.
13 Marty raised the same issues that I was going to raise
14 with respect to funding FCAS first and introducing
15 another data, 515 would reduce the amount left for
16 needs.

17 And so I need to clarify, if you would repeat this
18 just one time. So the tribes that are not shown on the
19 data runs are the tribes that don't have FCAS, right?
20 The one that just receive funding from needs are not on
21 here. And to clarify, they will not receive a
22 reduction in needs funds by the introduction of 515.

1 MR. RICHARDSON: That's correct.

2 MS. DIFUNTORUM: Thank you.

3 MS. BRYAN: Thank you. Karin? Thank you. Any
4 other questions or discussion?

5 Would someone like to move the proposal forward?

6 MR. ADAMS: Madam Chair, I would call for a
7 consensus on this item, 320.

8 MS. BRYAN: Thank you. We have called for a
9 consensus. Do we need a second? We don't, do we?
10 Second on the proposal, do we need a second?

11 SPEAKER: Jack.

12 MS. BRYAN: We have a second with Jack. Now,
13 we're going to take a vote. I'm not seeing consensus.
14 Would some of the dissenters like to offer their
15 comments? AJ?

16 MS. YAZZIE: Thank you, Madam Co-Chair. Aneva
17 Yazzie, Navajo Housing.

18 When we met in caucus, it was very surprising when
19 we did finally meet to talk about this, or some that
20 were not participating was surprising to learn that
21 there are no 515 properties in the Southwest, which is
22 the largest region, I think, in the country.

1 So the representatives from the various tribes
2 within the region really had concerns. And so for that
3 reason, and in looking at the numbers -- I mean, though
4 I know it's a zero sum game, the very fact that some
5 didn't truly understand the 515 and how it affected,
6 and the runs, the best of, even though I think we had
7 some discussion on that, there was just almost
8 unanimous agreement that it's just not representative
9 for the largest region in the country. And not
10 knowing, too, the details, intimate details, of how the
11 USDA program 515 works.

12 That was the main concern in that regard, but
13 there were some other -- I think some of the folks that
14 dissented will also remark on this, too.

15 Madam Co-Chair.

16 MS. BRYAN: Thank you. Other comments from
17 dissenters, or would you like to respond?

18 MR. ADAMS: Well, I guess I'd like to respond.

19 MS. BRYAN: Okay. Response?

20 MR. ADAMS: I thought by protocol, when you
21 dissented that you had to offer a compromise position
22 or some language that could get us towards a

1 compromise. Again, with the idea being that this issue
2 came up not necessarily started at this negotiation and
3 this Negotiated Rulemaking Committee, but previous
4 Negotiated Rulemaking Committees, when previous
5 committees acknowledged that AEL is an outdated factor.

6 And so, instead of eliminating that factor in its
7 entirety, the idea has been that we introduce something
8 else that has more current data that can be tracked and
9 can be utilized, again, acknowledging that the AEL
10 factor has shortcomings, the FMR factor has
11 shortcomings, and the USDA 515 factor has shortcomings,
12 that's why you get the greater of the three.

13 And so that, again, is a pitch from our work group
14 as far as why we moved this forward and trying to
15 understand if there is a compromise or a position that
16 can be taken from the dissenters that gets us somewhere
17 along the lines of what was proposed here from the work
18 group. Thank you. Jason Adams, Salish Kootenai.

19 MS. BRYAN: Thank you, Jason. And I'll let Aneva
20 respond.

21 MS. YAZZIE: Thank you, Madam Co-Chair, and thank
22 you, Jason.

1 You're right in terms of the previous discussions.
2 I think the concern was, even though we're introducing
3 and looking at a new factor, the lack of understanding
4 as to why we're looking at a downward trend, I guess,
5 in the Southwest region for all the tribes that
6 participated, as we found out in the caucus, the
7 alternative was also discussed, and that would be
8 retaining -- because not much was known of the USDA 515
9 and even how the audits are done, I think with some
10 unknowns in that area.

11 The alternative would be to modify the proposal to
12 keep the AEL factor and the FMR factor while also
13 knowing the fact that -- and I think there's going to
14 be another proposal that Navajo had offered in the FCAS
15 work group discussion for looking at the AEL or the
16 operating cost language, too. Some recommendations
17 were made therein.

18 That would be the alternative, is to just strike
19 the USDA 515 factor in the language and retain the AEL
20 factor and the FMR factor as is.

21 Madam Co-Chair.

22 MS. BRYAN: Thank you, AJ.

1 So we have an alternative proposal introduced. We
2 can see that language.

3 And then Erin.

4 MS. HILLMAN: Erin Hillman, from the Karuk Tribe
5 Housing Authority. Thank you for the opportunity to
6 make these comments.

7 I was just going to state that Aneva did bring up
8 the issue about the audits, and the alternative
9 proposal was to strike the 515 from the adjustment.

10 MR. ADAMS: Just again for -- Jason Adams, Salish
11 Kootenai -- clarification. That's not an alternative
12 proposal, because that's existing practice. So I don't
13 think the existing practice is the alternative. That's
14 what we have anyway.

15 MS. BRYAN: Karin.

16 MS. FOSTER: I guess I would respectfully disagree
17 that status quo is an alternative. I believe that it
18 is and that the proposal probably is just to keep 320
19 the way it is now, probably not the language exactly
20 there, but I would see that as an alternate.

21 MS. BRYAN: I would agree, but I'm not a lawyer.

22 So we have an alternative proposal to keep it the

1 way that it is by AJ.

2 Erin, was that a second that you were commenting
3 on to the proposal, or was it different than AJ's?

4 MS. HILLMAN: Erin Hillman. Yes. That is a
5 second.

6 MS. BRYAN: Okay. We have a proposal and a
7 second.

8 Yes, Jason.

9 MR. ADAMS: I guess why do we have to vote? If I
10 vote against this, what does that leave us? This is
11 the original language that we operate under now.

12 MS. BRYAN: That is true.

13 MR. ADAMS: So it can't be an alternate proposal.

14 MS. BRYAN: You told her she had to make it in the
15 form of a proposal, but she did offer an alternative,
16 which was to leave it the same. So where does that
17 leave us in terms of process?

18 Thank you, Jason. Carol?

19 MS. GORE: I was just going to agree with Jason
20 and say that the charter and protocols make it very
21 clear that the alternate proposal is just based on the
22 proposal and not about going back to status quo. If we

1 don't reach agreement, we don't reach consensus, then
2 there is no change.

3 And if there's no alternative that's acceptable to
4 the proposer, then there's no consensus. And that's
5 okay for us to not have consensus on some things. We
6 don't have to work it until we find something that gets
7 us back to where we already are.

8 But I think the charter and protocols of the right
9 guidance for that.

10 MS. BRYAN: Thank you for that. So our dissenters
11 are stating that their alternative is to leave it the
12 way it is, and the vote got voted down, there was no
13 consensus. And that would leave us with no change.

14 Jason?

15 MR. ADAMS: Okay. So I guess we're done with that
16 item, because we can't consider 302 or 336, because
17 there are issues there.

18 MS. BRYAN: Thank you.

19 MR. ADAMS: Then the last item we have from our
20 work group is a recommendation to be put forward, and I
21 think we have language that came out of the work group
22 this morning, and the language -- and I can go ahead

1 and read it. It will be put on the board. The
2 language and this paper was handed out.

3 It states, "Tribal representatives of the
4 Negotiated Rulemaking Committee recommend to HUD the
5 establishment of a HUD taskforce that includes tribal
6 representatives to develop a methodology to collect
7 operating cost data from IHBG recipients in a
8 consistent and accurate manner that could be used to
9 adjust for local operating costs and the adjustment to
10 the operating subsidy under the current assisted stock
11 portion of the formula, i.e., replace the current
12 factors under section 1000.320(a)."

13 MS. BRYAN: I second that proposal, Puyallup
14 Tribe.

15 Earl?

16 MR. EVANS: Thank you, Madam Chair. Earl Evans,
17 Haliwa-Saponi Indian Tribe.

18 I have a question for HUD. Based on the document
19 that Jennifer stated as is Negotiated Rulemaking
20 website, the operating cost subsidy study, that one was
21 done in '08. There was one prior to that that was done
22 in '03. So is that something that HUD normally does,

1 on average, about every five years already?

2 MS. BULLOUGH: The proposal, I don't believe, is
3 to conduct a study. But no, it is not something that
4 HUD does on a routine basis. The proposal is to
5 develop a methodology to collect the data from the IHBG
6 recipients.

7 MR. EVANS: Right. But I needed -- the answer to
8 that question kind of impacts my thought about the
9 proposal, so that was why --

10 MS. BULLOUGH: The study is not something we do on
11 a consistent basis at all.

12 MR. EVANS: It's not?

13 MS. BULLOUGH: No.

14 MR. EVANS: Okay. Thank you.

15 MS. BRYAN: Thank you. Carol?

16 MS. GORE: Thank you. I'm going to repeat a
17 couple of things that I brought up in the working
18 committee and maybe ask a question I did not ask.

19 One is, in our conversation in the work group, we
20 did talk about adequate resources. And maybe I'm not
21 clear based on the last discussion about developing
22 methodology. To me, that's not something I know how to

1 do. It's not my core talent. And so I don't see it as
2 a brainstorming session with a bunch of folks across
3 the country. I see it as technical experts helping us
4 to develop methodology.

5 So the idea that we would have an appropriate
6 level of resources to consider that is important, and I
7 think it should be included in the proposal. I will
8 oppose it if it did not.

9 I don't really seek to establish another study
10 group where we're all paying out of our IHBG funding to
11 do the same thing we just accomplished.

12 Secondly, I do want to follow up on a comment that
13 was made in the work group, that said the Congress is
14 seeking some report on our operating cost studies, and
15 I wanted to know if HUD would expand further on that.
16 I'd like to know the impetus for that, so I understand
17 it.

18 And if I could frame this more clearly, I do often
19 pay attention to what's happening on the public housing
20 side, and on the public housing side where they have
21 studied their operating costs, they're not being forced
22 to use a common chart of accounts that would fit into

1 methodology. There are now some control functions on
2 those costs.

3 And I want to make sure that we have the right
4 impetus going into this, that we clearly understand the
5 potential outcome of some sharing of our operating
6 costs. That's a lot to ask, and it's also an
7 administrative burden both on HUD and the tribes.

8 So maybe, Jennifer, you made the comment that
9 Congress would sure like to see the numbers. I'd like
10 to understand that. Often, providing them information
11 just results in more confusion. So I just want to be
12 crystal clear about the intent.

13 I think we're crystal clear in this language, but
14 I'd like to know if it's going to be public if it's
15 developed. Thank you.

16 MS. BULLOUGH: So Carol, we are not aware of any
17 requests from Congress for this information. Okay? So
18 there is no current request from Congress for this kind
19 of information, no formal request.

20 MS. GORE: May I also ask the committee to
21 consider adding some language that includes resources
22 for this task force?

1 MS. BRYAN: You're proposing a friendly amendment
2 to Jason, or the proposer?

3 MR. ADAMS: Excuse me, sorry?

4 MS. BRYAN: We have a friendly amendment to the
5 proposer for the proposal. And it had to do with
6 funding of the -- where did you want to put that? What
7 are you asking?

8 MR. ADAMS: What's the language, though? That's
9 what I'm asking. What's the language? Where is it
10 going to be included, and what are we saying? I don't
11 have that or see it. Sorry.

12 MS. GORE: I could throw something out, and I'm
13 not married to this, and someone may have a better
14 idea.

15 Maybe the second line, "Establishment of a HUD
16 taskforce including resources to fund technical
17 experts, costs for taskforce committee members, and
18 other support that might be identified." Just throwing
19 that out. Modify.

20 MS. BRYAN: And pay for work or taskforce members,
21 is that what you said?

22 MS. GORE: Taskforce members and other costs that

1 might be identified that are relevant to this.

2 MS. BRYAN: Jason?

3 MR. ADAMS: I think she was still working on this.

4 MS. GORE: Yeah.

5 MS. BRYAN: Okay.

6 MS. GORE: So I think highlighted, "that includes
7 tribal representatives," that phrase should be deleted.

8 I think that's redundant. See if that works better.

9 Let's try that.

10 And then I just had maybe a smart comment that
11 said, "other than IHBG funds," for those resources.

12 MR. ADAMS: We need some wordsmiths here, because
13 that's all one sentence.

14 MS. BRYAN: Karin, help us, please.

15 MS. FOSTER: I like that. I guess I would suggest
16 moving the highlighted sentence down to the end and
17 making it a new sentence. But I would leave, "that
18 includes tribal representatives" in, because I think
19 that's important. Even though it may be obvious to
20 some, it may not. So it obvious it's something that we
21 would need.

22 And so if that were left in, and then you move,

1 "including resources other than IHBG funds" down to a
2 second sentence, could you say -- well, you could use a
3 passive sentence and say, "Resources other than IHBG
4 funds shall be made available."

5 That's my proposal, to take off the including,
6 make the R capital.

7 MS. GORE: Thank you, Karin.

8 MS. BRYAN: Thank you. Does that capture your
9 intention, Carol? Okay. Jason?

10 MR. ADAMS: I'm fine on it. I'm assuming the work
11 group members are going to be fine with it, or if they
12 have -- I mean, I can't speak for them, because we're
13 now at the committee level. But as the proposer, I'm
14 fine with it.

15 MS. BRYAN: Thank you. Jemine?

16 MS. BULLOUGH: Thank you. Committee members,
17 while we are very respectful of this being a
18 recommendation from the tribal representatives, I just
19 want to make sure that it is understood, especially now
20 with the added last sentence, that HUD make no
21 commitment to being able to do this, not the funding
22 nor the immediate availability of time to do it.

1 So I just want that to be clearly understood. But
2 if it's put forth as a recommendation from the tribal
3 representatives, we accept that as a recommendation.

4 MS. BRYAN: Thank you. Jason? Teri?

5 MS. NUTTER: I yield my time to Jim Anderson.

6 MR. ANDERSON: Good afternoon, everybody. It's a
7 pleasure for me to be here. I hadn't planned to talk
8 about any of this Indian Housing Cost Study work. I
9 was involved in it for three or four years, maybe only
10 three.

11 And when you talk about, in this recommendation,
12 establishing a taskforce to develop a methodology to
13 undertake this, I'm struck by the amount of time that
14 it took us to develop the method for simply conducting
15 the study itself, and the amount of time that it took
16 us and the travel that it took us to meet with various
17 regional housing associations and then travel to tribes
18 to actually obtain the information.

19 I recall that one of the things we found and one
20 of the things that's going to make developing a
21 methodology difficult is the variety of activities that
22 happen from tribe to tribe. Some tribes provide only

1 housing as a physical artifact, and that's what they
2 want to count as part of their cost. Others provide
3 services, programmatic services, and are insistent that
4 that should be part of the cost.

5 And so part of this is going to have to deal with
6 that. Also, with different methods of accounting.
7 Some people do accounting the way I do in my checkbook,
8 and it's a real-time kind of thing. There's a name for
9 that among accountants. Other accountants have
10 different ways of posting things forward and backwards.

11 The point is that this is not a simple kind of
12 brainstorming activity. But if it's to be taken
13 seriously, it will require a number of staff for some
14 period of time working with tribes to develop a method.
15 And then if you're going to have a method, no method
16 should be implemented without testing.

17 This method should be tested. The testing should
18 recognize the variety of housing situations in the
19 various regions, the variety of sizes of housing TDHEs.
20 And I'm concerned that you don't think that just
21 creating a taskforce is going to address the problem
22 that you want to address. I'll stop there.

1 MS. BRYAN: Thank you. Earl?

2 MR. EVANS: Earl Evans, Haliwa-Saponi Indian
3 Tribe.

4 The question that I have, I guess to Jason, as the
5 proposer, is this sounds, just on the surface to me,
6 like something that would eventually be a reporting
7 issue.

8 Is there any reason why some type of look at
9 methodology could not occur as a part of the next round
10 on negotiated rulemaking whenever the remainder
11 portions of the regulations are considered?

12 MR. ADAMS: I guess to answer your question, I
13 think the discussion we had briefly on this this
14 morning on this issue is that this would not be an
15 extension of this Negotiated Rulemaking Committee, it
16 would depend on HUD's ability to put the taskforce
17 together, and then that information would be made
18 available to the next Negotiated Rulemaking Committee,
19 because the statute requires the formula to be looked
20 at every five years.

21 And so here in just a few short years, we're going
22 to be back at the table doing this all again.

1 Hopefully, by then, we would have a taskforce that had
2 done this work.

3 I think that was the intent of the proposer that
4 was from Navajo.

5 MS. BRYAN: Thank you. Karin? Thank you. Gary?

6 MR. COOPER: I'm Gary Cooper. I appreciate Jim's
7 comments. And one of the things that I wanted to be
8 sure to mention, and I think it needs to be included in
9 here somewhere, is before the data study group was
10 given its task and all of the work that we had to do,
11 there was five separate things that we had to look at,
12 and I think at least three of those five need to be
13 mentioned in here.

14 The three that I think needs to be included in
15 here, if someone is going to develop a task force to
16 look at methodology to collect operating cost data,
17 part of that needs to be that it minimizes -- that
18 whatever methodology it develops in the end minimizes
19 disruption of tribal housing programs, recognizes
20 tribal sovereignty, and also a practicality factor
21 including cost.

22 And I think that goes to Jemine's deal, too, not

1 only cost on our side, but also probably cost on HUD's
2 side, that I think those are three factors that would
3 have to be included in here.

4 As I tribal representative, I don't want something
5 to be forced upon me that's going to create an undue
6 burden or extra and added cost back home for me to have
7 to change what we're doing and change what it's costing
8 us to do it just to provide additional data.

9 And also, I think that something needs to be
10 included in there from a tribal sovereignty standpoint,
11 that parts of that data probably needs to be protected
12 in some way, form, or fashion. Thank you.

13 MS. BRYAN: Thank you. Were you making a comment
14 or providing a friendly amendment?

15 MR. COOPER: I was making a comment right then,
16 because I don't have -- and I was looking for maybe
17 someone else to maybe come up with -- I was just
18 throwing something out there right now as a comment and
19 hoping maybe someone would come up with some particular
20 language to add.

21 MS. BRYAN: Thank you. Sharon.

22 MS. VOGEL: Sharon Vogel, Cheyenne River. This,

1 of course, is new to me, but I'm just curious, the
2 highlighted section that we have there, first of all,
3 are there other resources that HUD has to fund things
4 like this, because there are a lot more other important
5 things to fund, if there's extra money laying around
6 out there?

7 The other is, I don't want to vote for something
8 that's going to sound silly. If there isn't money out
9 there, why are we putting it out there? Thank you.

10 MS. BRYAN: Thank you, Sharon. Aneva?

11 MS. YAZZIE: Thank you, Madam Co-Chair.

12 I appreciate all the comments relevant to the
13 proposal at hand. This is not just a mechanical
14 process just by creating a taskforce that really is to
15 look at all of the operating costs that we all are
16 incurring as Tribal Housing Authorities.

17 I think it's incumbent upon us we have a formula
18 that generates an allocation to every tribe. And right
19 now, that's based on an old factor, and we just had a
20 discussion on that. But I think it's incumbent us and
21 government to look at what are the current costs of
22 operations for all tribes, and that's what really is

1 the impetus of this taskforce, is to come to that full
2 analysis.

3 And I believe there are technical assistance funds
4 that we can request from HUD, I mean, to help us do
5 this in part.

6 This has been long overdue. We're using an old
7 factor. We have the data. We know what our operating
8 costs are, each and every one of us. So it's just a
9 matter of, I think, identifying the method in which we
10 would collect that information and make rhyme and
11 reason as to what that would mean to all of us.

12 And so in that regard, I wanted to respond to some
13 of the questions of why a taskforce. And I know it's
14 going to be extensive, but I think we need to put our
15 energies towards that, so that we are really looking at
16 what funding should be fair and equitable to everyone,
17 given the inflation that has occurred over time, and
18 we're talking over 10 years, what does that look like
19 for us.

20 So I think this is doable, resource wise. I think
21 we're all put our heads together, there is going to be
22 some compromise where we would make some contributions,

1 too, from each of us, as we have in the needs data
2 study. We had to look at part of our own budget to
3 participate and make our contribution relative to
4 coming up and arriving at the conclusions that we did
5 with the needs study work group.

6 So there are some sacrifices I think we all need
7 to make, but I think it's on behalf of our tribal
8 members that we have something fair, and current, and
9 reflective of what the needs are when we start running
10 numbers.

11 So just wanted to provide those comments, Madam
12 Co-Chair.

13 MS. BRYAN: Thank you.

14 MS. YAZZIE: Thank you.

15 MS. BRYAN: What was your last question? I'm
16 sorry.

17 MS. YAZZIE: The question was to HUD, whether
18 their technical assistance funds could, in part, help
19 with the funding for something like this.

20 MS. BRYAN: HUD?

21 MS. BRYON: At this time, no.

22 MS. BRYAN: Thank you. Karin? Your name is up.

1 Okay.

2 Hearing all the proposals or all the comments, is
3 this a proposal you're moving forward, Jason, from the
4 work group, with the friendly amendments as accepted?

5 MR. ADAMS: If there is no other amendments or
6 discussion on this.

7 I just feel compelled to say that, in one regard,
8 there is an issue here that we, as members of
9 Negotiated Rulemaking Committee, can't ignore forever.
10 We have to find some way to gauge local costs, because
11 that's a part of our funding formula.

12 Right now, we are relying on FMR, which is not
13 covered in every tribe, and so we cover that by HUD
14 updating that information per county across the nation
15 on a yearly basis, and AEL, which is a factor that
16 stopped being utilized in the late-80s, early 90s, and
17 is frozen time, you can't challenge.

18 And so if we can't come to the agreement on a
19 taskforce to look at this methodology, in my opinion,
20 and this is my comment, is that we've got to find a way
21 to take a look at local area cost adjustment, because
22 it's a part of our formula. And that was the idea

1 behind 515, because it's not perfect, but it was an
2 idea that was out there to reach and affect the formula
3 in some manner.

4 I'm hearing some dissent on this idea. So I just
5 throw it out for the Committee's consideration that I
6 would hope that, in future negotiations on these
7 issues, that somebody would come to the table with some
8 new bright ideas that could be considered on how to get
9 to this information.

10 I know there's a mountain of issues that have to
11 be tackled with trying to get at this, the first being
12 no two programs run the same across this country, no
13 two tribes do housing the same anymore.

14 And so I think it's important that we just
15 consider that as an issue that has to be considered at
16 some point in time, acknowledging that every year, FCAS
17 units are going down, tribes with FCAS units are
18 decreasing every year, the amount of funding in the
19 FCAS side of the portion of the funding formula is
20 decreasing every year and will continue until it's
21 gone.

22 MS. BRYAN: Lafe?

1 MR. HAUGEN: Yes, Madam Co-Chair. I'd like to
2 give some time to the Vice Chairman from the Fort Peck
3 Tribe.

4 MS. IRON CLOUD: Thank you so much. I appreciate
5 that.

6 One of the things I see, as a tribal
7 representative of my tribe, we are elected into these
8 positions. We sit here, and we're elected, and we're
9 supposed to meet with the representatives of our
10 President of the United States. That's what we do. We
11 meet with them, and we negotiate, and we're here.

12 And I hear no negotiations with you. I hear HUD
13 coming up here saying, no, no, no, no, no. That's what
14 I hear today. Where is the government to government to
15 government? Where is that today? That's why I'm here.
16 I'm here to speak on behalf of 14,000 members of my
17 tribe.

18 I have 43 grandchildren that are coming up there.
19 Each one of them need a home. Each one of them need to
20 be able to live a good life as part of it.

21 As I am reading this very last proposal, it's so
22 odd for me to hear this just tribal representatives.

1 That's so degrading for us. We are elected officials
2 of this tribe. We go, and we meet with Senators. We
3 meet with Governors. We meet the President of the
4 United States. To have a proposal here, tribal
5 representatives of Negotiated Rulemaking Committee, for
6 this here, we are elected officials. We belong to the
7 Fort Peck Assiniboine and Sioux Tribes. We are that.

8 As far as a tribal, it could be tribes from Asia,
9 Japan. But it says just tribal. It has to be more
10 specific. We need to have representatives that show
11 pride in this. Even right before this, it said right
12 on here, it says, natives, Indian tribes. It could
13 even say that, but it doesn't. Tribal, for all I know,
14 there's people sitting here that are from truly a
15 different tribe other than United States of America
16 tribe.

17 I always consider my brothers and sisters from
18 Alaska as natives. I've never understood why they call
19 themselves Alaska natives, because they are our
20 brothers and our sisters the same.

21 That's my thing for today. If they had that, and
22 truly, I am here requesting that HUD will truly work

1 with a government to government. We need this. We
2 need to have a say-so. We need to be able to open one
3 another's hearts and minds. How can you ever meet if
4 you don't come into my tribe? We come to you. We
5 implore you to come and understand that we have to come
6 to the same table. We have to have that. That's so
7 important.

8 I'm grateful for the time that has been given me,
9 but that's what I would truly change today. It should
10 never say tribal representatives. We should always
11 have government to government, truly government to
12 government to government. Thank you so much.

13 MS. BRYAN: Thank you. And could I have you state
14 your name and tribe for the record, please?

15 MS. IRON CLOUD: I'm Patricia Iron Cloud. I'm the
16 Vice Chairman of the Fort Peck Assiniboine and Sioux
17 Tribes, Northeast Montana. Thank you.

18 MS. BRYAN: Thank you. We have a proposal. We
19 also have the time clock ticking, and I'm very
20 cognizant that we're a little behind schedule today.

21 So does this need extra language added to it? I
22 know Gary brought up some comments. Are we going to

1 try to put that in there for a friendly amendment
2 before we vote, with your promise of voting it down
3 without the language?

4 Karin, did you have a --

5 MS. FOSTER: Yes. Karin Foster, Yakama Nation
6 Housing Authority.

7 In response to and out of respect to our last
8 comment would make a proposal that tribal
9 representatives be replaced with non-HUD members.

10 MR. ADAMS: We'll accept that.

11 MS. BRYAN: Thank you. Earl?

12 MR. EVANS: If I may, in the last sentence that
13 was added, "resources other than IHBG funds," would it
14 acceptable to the proposer to say, "resources other
15 than recipient IHBG funds?"

16 And what I'm getting at here, if HUD wants to use
17 their administrative funds that they take for what they
18 do out of the block grant, then I want them to be free
19 and available to use those as opposed to limiting them
20 from using their own resources that they already take
21 out of the allocation.

22 And I think that, if were to add that language,

1 then I think that would allow them to be able to do
2 that, if that makes sense to everyone.

3 MS. BRYAN: Friendly amendment to the friendly
4 amendment.

5 MR. ADAMS: What I understand, though, is that
6 HUD's administrative portion can be taken first, so if
7 they need more, they can take a bigger piece to
8 accomplish this. I mean, net effect is the same.

9 MR. EVANS: If that is the case, then I'll
10 withdraw my suggested amendment, and we can just have
11 them write a check from somewhere else if they'd like.

12 MR. ADAMS: Well, Roger was reaching for his
13 wallet earlier.

14 MS. BRYAN: Thank you. Karin, your name is up.
15 Did you want to speak again?

16 MS. FOSTER: Sure. I'd be happy to.

17 I just received a suggestion from the floor that
18 I'd like to make in terms of wording. I think it's
19 worth considering.

20 The recommendation was, it's really kind of
21 wordsmithing, but after recommend would read,
22 "recommend HUD establish a joint taskforce that

1 includes tribal and HUD representatives."

2 "And tribal and HUD representatives." And I'm
3 very impressed with the typist over there actually
4 hearing what I had to say, remembering it. Well, I
5 guess I had said HUD rather than federal. Thank you.

6 MR. ADAMS: I don't have any reason to oppose
7 that.

8 MR. DOLLARHIDE: Annette?

9 MS. BRYAN: Annette Bryan, Puyallup Tribe.

10 I just wanted to say for the record that I feel
11 like we are using outdated data, and all data is BAD,
12 best available data. But I do think it's incumbent
13 upon the federal government who funds us to come up
14 with a methodology that distributes the funds in an
15 equitable way using real-time data.

16 And my understanding of the AEL is it's very
17 outdated, and we continue to use it. So that's why I
18 like the idea of this proposal. It really gets us
19 thinking about it, whether or not we can fund it today.
20 And I know we can't make that commitment at this table,
21 but it puts it on the record that we've asked for it,
22 and HUD can take it back and consider that as part of

1 their work when they do their strategic planning and
2 meet the needs of the tribe, this is a need that we
3 obviously have.

4 So I feel like it's important that we somehow try
5 to find a way to allocate the funds using data that's
6 more updated. Thank you.

7 Jack?

8 MR. SAWYERS: I'm looking back here, but had we
9 passed the 515, a lot of this stuff would have been
10 done, because it had to be done because that 515 is in
11 place. So consequently, we may have missed an
12 opportunity here.

13 I'm not opposing this. I think this is a great
14 idea. But I do believe that if you look at that, part
15 of that would already have to be done. And Todd could
16 tell me. I mean, he could rebut it, if he wants, or if
17 he thinks that's wrong. But I do believe that they
18 kind of go hand in hand.

19 However, we've passed that. I just wanted to
20 mention that. Thank you.

21 MS. BRYAN: Thank you, Jack.

22 We have a proposal. I would like to call for a

1 vote.

2 Okay. We have dissention. May we have the
3 dissenters offer an alternative proposal?

4 MR. BOYD: Thank you. Our alternative proposal
5 would be to strike the last sentence of that draft.

6 MS. BRYAN: Thank you.

7 We have an alternative proposal that we need to
8 vote on.

9 MR. ADAMS: No. We don't need to vote on it. It
10 needs to be accepted by the proposer.

11 MS. BRYAN: Yes, sir.

12 MR. ADAMS: And I accept that.

13 MS. BRYAN: Yes, sir. It needs to be accepted by
14 the proposer, and he does accept it. So now, we can
15 vote on it.

16 Excuse me, I'm sorry. Jason has a question.

17 Never mind. All right.

18 We have an alternative that's been proposed, and
19 it's been accepted by the proposer, so we need to vote
20 on the proposal in front of you.

21 MS. BRYAN: It does not have consensus. And I
22 might enlist the help of the facilitator to remind us,

1 when we've had a proposal, an alternate proposal, die
2 by non-consensus, what the next steps are.

3 Do you have your question now?

4 MR. ADAMS: I do.

5 MS. BRYAN: Jason?

6 MR. DOLLARHIDE: I believe, coming out of our
7 caucus, I think what our biggest concern was going to
8 be the cost of the study or the taskforce and then
9 where that money was going to come from.

10 I would be in favor of this. I have no issues
11 with it. But if we are going to do this, before we
12 make that decision, and maybe this is something for the
13 next Negotiated Rulemaking Committee, because I'm sure
14 we can't do it, we don't have the time to do it now,
15 but before that decision is made, I think that we need
16 to have a taskforce made to determine what the cost and
17 what the time frame is going to be able to get this
18 methodology that folks are wanting to get included.

19 So that's where my concerns are set, and I believe
20 that's where the concerns of whenever we caucused
21 earlier.

22 MS. BRYAN: Jason?

1 MR. ADAMS: Jason Adams, Salish Kootenai. I
2 guess, from my perspective as a Committee member, I'm
3 concerned about the issues of cost, and especially if
4 HUD raises that issue, because I remember here, not too
5 many years ago, there was an idea and a concern from
6 HUD that they wanted to streamline and improve the
7 Indian Housing Plan in the APR.

8 And so that issue was significant enough to HUD
9 that funds were found, and a taskforce was assembled
10 and made available. And what I recall in that is we
11 had a couple of meetings, and HUD made that happen.

12 So I'm concerned that we're haggling here over who
13 pays for this. I would hope that HUD would see the
14 value in such a study, especially since the points that
15 have been made on AEL and the non-passage of 515, and
16 that funds could be found that aren't -- and I don't
17 believe IHP APR work that was done and the resulting
18 improvements to that process were taking out of the
19 IHBG formula.

20 And so again, I'm just hoping that HUD would see
21 the value in this and would advocate for some funds to
22 be made available for this task group to be put

1 together and have a few meetings and try to -- I
2 understand the concerns that were raised by some folks
3 that it's not something that can easily be done. But
4 if we don't make one step, we don't make any further
5 steps.

6 I mean, we've got to start somewhere. And I'm
7 just concerned that we're going to step away from this
8 table in the next couple of days and not do anything.
9 I would hope that we'd at least acknowledge the need to
10 investigate and study this issue and find a methodology
11 and take a look at this issue, because what we're
12 currently doing is a concern. Thank you.

13 MS. BRYAN: Thank you.

14 Jemine?

15 MS. BRYON: Thank you, Jason.

16 I just want to really have all the Committee
17 members and the audience understand that we do see the
18 value in doing this. We do understand the importance
19 of it. We do understand that the data may not truly
20 reflect the operating costs that you bear today.

21 I think our concern about the last sentence is
22 that it constrains us. Okay? Even if we wanted to do

1 or to at least start looking at this matter, that last
2 sentence constrains us.

3 We are receptive of the recommendation. We
4 support this recommendation being part of the preamble.
5 We just cannot be constrained by the last sentence.

6 So again, I just wanted to make it very, very
7 clear that we do support the fact that we need to look
8 at this issue, we, collectively, need to look at this
9 issue.

10 MS. BRYAN: Thank you for that.

11 Karin?

12 MS. FOSTER: Karin Foster, Yakama Nation Housing
13 Authority.

14 Would you consider a change to that sentence? Is
15 it the "resources should be made available" part of it
16 that is disconcerting to HUD? Would it be acceptable
17 to say, "resources other than IHBG funds should be
18 considered"? Is that still too constraining? Or is
19 there a way to address the cost issue without binding
20 HUD to a position that you can't take today?

21 MS. BRYON: So definitely that. And then also
22 "fund technical experts and taskforce members and costs

1 that may be identified."

2 I just think the whole thing, it sort of pre-
3 describes the way that we will go about forming the
4 taskforce, the decisions that the taskforce may come up
5 with on how to proceed. I think that entire sentence
6 does bind us.

7 MS. BRYAN: Earl? His card is up from before.
8 Unless yours is in the queue. Is that -- okay.

9 MR. ADAMS: There are two Jasons at the table, so
10 I was assuming it was me. Sorry. Jason Adams, Salish
11 Kootenai.

12 I guess, again, getting back to the point I tried
13 to make earlier, it seems to me, Jemine, that the
14 sentence there, the only limiting factor that I see is
15 the issue of IHBG funds, because if it's a taskforce,
16 and I think from our work group we specifically -- we
17 haggled over the use of that term "taskforce" and
18 didn't call it a study group, to the point that it
19 would be a HUD-funded activity.

20 And so that's why we went at it from the
21 perspective of a HUD taskforce, because I believe
22 that's, again, recollecting back to the IHP APR

1 taskforce, that's what we were called is a taskforce.
2 It was folks across the country that were asked to help
3 HUD work on that issue.

4 I was previously part of a taskforce years before
5 that that took a look and development the total
6 development cost. And so there has been these efforts
7 over the years that HUD has established a taskforce and
8 asked tribes to come and participate and be involved in
9 a discussion, where you pay for the effort.

10 And so that's, I think, what we're getting at here
11 with this proposal, is that it's HUD funding, coming up
12 with the resources to make this happen.

13 This is only a recommendation, and if you can't
14 fund it, then the recommendation goes by the wayside,
15 is how I see this. But again, I'm pleading for us to
16 do something from this Negotiated Rulemaking Committee,
17 let it at least be this.

18 MS. BRYAN: Thank you.

19 Earl?

20 MR. EVANS: Did our facilitator have something?

21 MS. PODZIBA: Just as a process point, given that
22 you asked me before.

1 So at the moment, there is no proposal on the
2 table, because the proposal was voted down. It was
3 voted down. And so HUD did offer the rudiments of a
4 proposal, though they didn't say it as that. And as
5 dissenters, they may offer that proposal as something
6 to put on the table as an alternative.

7 MS. BRYAN: Thank you.

8 So we'll let you consider that and then hear from
9 Earl.

10 MR. EVANS: Earl Evans, Haliwa-Saponi Indian
11 Tribe.

12 There is, within HUD, an Assistant Secretary of
13 Policy Development and Research. Is there any reason
14 why we couldn't simply say that, as a recommendation of
15 the full Negotiated Rulemaking Committee, which
16 includes HUD, that the Assistant Secretary for Policy
17 Research and Development include, as a part of their
18 strategic plan, to do this, and make that request from
19 the Negotiated Rulemaking Committee? Because again,
20 it's just a recommendation, as Jason pointed out and
21 it's something that -- well, I'll assume policy
22 development and research means they do research

1 concerning policy development.

2 (Laughter).

3 MR. EVANS: I don't know. Maybe I'm overstepping.
4 But it just kind of seems to make sense at the moment.
5 Maybe HUD can enlighten me as to why it may, perhaps,
6 not make sense.

7 MS. BRYON: So PD&R is part of HUD, so any time
8 you use the word HUD, that would be one of the ways we
9 could execute, help execute, is to go to PD&R. There's
10 other ways that we can do it, but we're speaking on
11 behalf of HUD as a whole. Okay?

12 SPEAKER: So is that this?

13 MS. BRYON: Right. So we wouldn't say HUD makes a
14 recommendation to PD&R. PD&R is part of HUD. Policy
15 Development and Research is part of HUD.

16 MR. EVANS: Well, I was asking, could we say the
17 Negotiated Rulemaking Committee recommends to PD&R that
18 they do this.

19 MS. BRYON: It would change the taskforce and all
20 the other language.

21 MR. EVANS: Right. In other words, could we say
22 the Negotiated Rulemaking Committee recommends that

1 HUD's Secretary of Policy Development and Research do
2 this?

3 MS. BRYON: I'll get back to you.

4 MR. EVANS: Think about it.

5 MS. BRYAN: Can I offer a solution? I said it
6 sounds like, if HUD wants to make an alternative, we
7 can continue to move this proposal forward. Can I
8 propose we take a 15-minute break, because we're past
9 our break time on the agenda, and this thing is kind of
10 going around?

11 I think we can get somewhere from here, I'm
12 hoping. So I don't want to see this thing die. But I
13 also feel like we're putting pressure on HUD to make
14 some verbiage right this specific, and you might need a
15 few minutes to figure out what can work for you. Is
16 that fair?

17 SPEAKER: Sure.

18 MS. BRYAN: Okay. So take a bathroom break, get a
19 snack, and we'll be back in 15 minutes, please.

20 (Recessed at 3:47 p.m.)

21 (Reconvened at 4:04 p.m.)

22 MS. BRYAN: All right. Let's reconvene here.

1 So at this time, we are starting with a fresh
2 proposal. The proposal and the alternative were off
3 the table. So we're going to open up with a reconvene,
4 and HUD will make a proposal for us.

5 MS. BRYON: Thank you. So coming up on the screen
6 is a proposed amendment to the language. I will read
7 it.

8 "Non-HUD members of the Negotiated Rulemaking
9 Committee recommends that HUD identify available
10 resources to support the establishment of a joint
11 taskforce that includes tribal and HUD representatives
12 to develop a methodology to collect operating cost data
13 from IHBG recipients in a consistent and accurate
14 manner that could be used to adjust for local operating
15 costs and the adjustment to the operating subsidy under
16 the current assisted stock portion of the formula,
17 i.e., replace the current factors under section
18 1000.320(a)."

19 MS. BRYAN: Thank you.

20 We may have a very short discussion on this
21 proposal. They are now the proposal, so you don't need
22 to accept it, but comment.

1 MR. ADAMS: So I'm just wondering about your
2 language as far as we had the original proposal, we had
3 amendments to it, we accepted, then we voted on pieces
4 of that, and it didn't go by. Aren't we back to the
5 original proposal? No?

6 MS. BRYAN: We talked initially at one of the
7 first meetings about having a proposal with three
8 alternatives and amendments, and then after an
9 alternative is made, the proposal gets voted down, then
10 the introduction of a new proposal has to come to the
11 table, and that's what this is.

12 MR. ADAMS: I'm fine with that.

13 MS. BRYAN: Okay. Leon? Okay. That was from
14 before. Jemine, was yours from -- okay.

15 Jason?

16 MR. DOLLARHIDE: I would like to offer a friendly
17 amendment. After resources to included "other than
18 IHBG funds."

19 MS. BRYAN: HUD, will you accept that friendly
20 amendment.

21 MS. BRYON: I'm sorry, but we can't, for exactly
22 the same reasons I mentioned before, that it does

1 constrain us.

2 MS. BRYAN: Thank you.

3 Sharon?

4 MS. VOGEL: If we use that language, do we not
5 limit ourselves as TDHEs to participate, if the IHBG
6 funds are not allowed? So if we put that in there, and
7 if we wanted to participate, and you're saying don't
8 use IHBG funds, then we wouldn't be able to
9 participate, right?

10 MS. BRYAN: Thank you.

11 Carol?

12 MS. GORE: Yes. As I read the language, I think
13 this is resources to support the establishment of a
14 joint taskforce and not any participation we chose.
15 That's how I would interpret it.

16 But I guess I want to understand, because I've
17 sort of started the flow of the resource conversation,
18 and I really want to get to yes. So let me maybe say
19 out loud what I'm trying to prevent, so what I'm trying
20 to keep from happening, and that is a precedent that
21 takes money out of our formula to fund recommendations
22 that come from us, where we think it truly is a

1 government-to-government relationship and we should be
2 working together.

3 So that's our task. Really two goals here. One,
4 there's no sense creating or even recommending a
5 taskforce if there's no resources to support it. And
6 secondarily, really try to help HUD to give you some
7 ammunition to identify funds that don't reduce our own
8 funding.

9 So those are the two parameters that I'm trying to
10 figure out why, including IHBG as an exclusion to
11 resources, is the barrier, and is there a way around
12 that with that explanation. Thank you.

13 MS. BRYAN: Thank you.

14 Jason?

15 MR. ADAMS: Well, I'm Jason Adams, Salish
16 Kootenai.

17 I don't mean to offend anyone with this comment,
18 but I think we're overthinking this process, because
19 this proposal, and even the proposal that was
20 originally put on the table, was an attempt to make a
21 recommendation to HUD without HUD having to vote.

22 I mean, as you read the language, it's "the non-

1 HUD members of the Negotiated Rulemaking Committee
2 recommend to HUD," and how I saw this plan out was that
3 HUD would just abstain from voting, because it's the
4 rest of us asking something of you, and it's a
5 recommendation, and you can take it or you can leave
6 it.

7 You can find the dollars -- and maybe this answers
8 the question on cost. We can't find any other dollars
9 but IHBG, and you come back to the tribes and say that.
10 And we say, well, we don't want it. I mean, that's how
11 I saw this playing out, is that it was going to be the
12 rest of us asking something of you. You wouldn't have
13 the ability to vote us down, because it's the rest of
14 us and not you in the recommendation.

15 MR. DOLLARHIDE: But according to the protocols,
16 Jason, since they are at the table and part of this
17 Negotiated Rulemaking Committee, they don't have the
18 luxury of abstaining from the vote.

19 MR. ADAMS: Any one of us has the luxury of
20 abstaining. We just sit back and don't give a thumbs
21 up. That's what an abstention is.

22 And again, that was the idea coming out of the

1 work group was that it would be the rest of us asking
2 something of HUD.

3 MS. BRYAN: So what you're saying is, they don't
4 have to vote yes, but technically, they can't abstain
5 on the record.

6 MR. ADAMS: I mean, there's certain things that
7 I'm anxious to vote on, and there some things that,
8 over the years, that I've just withheld my consent--or
9 not withheld my consent, withheld my vote, and I have
10 not voted for something. I mean, I've done that, and
11 any of us can.

12 We can take a phone call and leave the room. You
13 guys vote on something. I've just excused myself from
14 voting. I guess that was my idea or thought behind
15 this is that HUD would see that the rest of us are
16 asking this of them, and they would not vote no.

17 MS. BRYAN: Thank you for that clarification.

18 Karin?

19 MS. FOSTER: I guess along that same line, it
20 seemed to be -- this is Karin Foster, Yakama Nation
21 Housing Authority.

22 It seemed that the addition of the last sentence

1 was the sentence that troubled HUD, if I'm
2 understanding it correctly. Is that because it wasn't
3 clear that the non-HUD members were recommending that
4 resources other than IHBG funds should be made
5 available?

6 I mean, I guess I would offer this as a friendly
7 amendment to the proposal, that we go back to the
8 original language before the red insert and add by the
9 last sentence, but say, "non-HUD members recommend that
10 resources other than IHBG funds be used or should be
11 made available," so that it is clear that HUD isn't
12 making that recommendation. I don't know if that would
13 satisfy the concerns of HUD.

14 Since this is my suggestion, I also would strike
15 the word "should," just grammatical.

16 MS. BRYAN: Is that captured, Karin, the way you
17 wanted it?

18 MS. FOSTER: That captures what my intent was.

19 MS. BRYAN: Okay.

20 MS. FOSTER: Again, I don't know what HUD's
21 response is.

22 MS. BRYAN: We'll give them a minute to look at

1 it, and talk about it, and respond.

2 Jemine?

3 MS. BRYON: I apologize. I wasn't listening. So
4 the amendment, the friendly amendment -- what happened
5 to the blue -- is, "non-HUD members recommend," is that
6 the amendment?

7 MS. FOSTER: Yes.

8 MS. BRYON: Okay. We accept that.

9 MS. BRYAN: The friendly amendment is accepted.
10 Earl, you good now?

11 All right. Are we feeling ready? I'm feeling
12 ready. I would like to take a vote on the proposal in
13 front of you with the friendly amendments.

14 Thank you. Good job. We have consensus.

15 (Applause).

16 MS. BRYAN: And I would like to ask a logistical
17 question from Todd. How long is your presentation for
18 your study group? Thirty hours. We got it. Yes.
19 Could pull some all-nighters and get it done.

20 MR. RICHARDSON: It's about 30 minutes.

21 MS. BRYAN: Thirty minutes. I would like to see
22 the presentation before the end of the day, because

1 perhaps some people came to the meeting today from the
2 public that want to comment on this specific issue or
3 came for this topic which is on our agenda today.

4 And depending on how time is, we all can break
5 into caucuses after we see the presentation and maybe
6 have some discussion, depending on how much time we
7 have. So I'm going to move right into the presentation
8 from the IHBG data study group.

9 Gary, would you like to introduce it?

10 MR. COOPER: Actually, Madam Chair, I think you
11 did an excellent job, because that was going to be my
12 recommendation if, for no other thing, that we could at
13 least have the presentation by Todd today, because I
14 think that would be appropriate, even if we had to stay
15 late.

16 But I think with the time that we have and
17 everything, I'd just like to go ahead and yield such
18 time, as Todd needs to give the presentation. He has a
19 pretty good overview, and the entire report is posted
20 online. And his report does a really great job over
21 summarizing that thick --

22 MS. BRYAN: Thank you.

1 Todd, please give us your wonderful presentation.

2 Todd Richardson.

3 MR. RICHARDSON: Happy to do that.

4 All right. So if we could go to the next slide,
5 the overview slide.

6 So what I'm going to do here is I'm going to first
7 start with the recommendations of the study group,
8 which there were two, and then I will go onto discuss
9 the process, then the nominated data sources, the
10 characterization phase for the study group, how we
11 evaluated those that made it through the process up to
12 that point, and then revisit the recommendations with
13 some more detail, as well as discuss the non-consensus
14 items.

15 And if we have time and the group has energy,
16 there's an additional chapter we added to this report
17 about recommendations for improving the ACS that I
18 could comment on if folks want that. But we'll wait
19 until we get to the end before I do that.

20 All right. Next slide. So I'm not going to spend
21 a lot of time on this now. I'm just going to tell you
22 there were two recommendations that came out of the

1 study group by consensus.

2 Those two recommendations were that the AIAN
3 population variable, which is weighted at 11 percent in
4 the formula for the needs variables, that that variable
5 be calculated as the greater of the most recently
6 available ACS, the decennial census or challenge data,
7 and that we stop aging those data.

8 There was a 1A recommendation, and that 1A
9 recommendation was to discuss, as a group, the full
10 committee, whether or not we should exclude some folks
11 to self-identify, in addition to being AIAN, that their
12 tribe is not a US-based tribe.

13 And then the second recommendation was that the
14 group evaluated the total development cost, tribal
15 enrollment and formula response form, and the group
16 agreed by consensus to recommend that they continue to
17 be used as they are presently used in the formula.

18 So with that, I'm going to move onto the guiding
19 principles.

20 So this group set some guiding principles in July
21 of 2014 for how the data study group should proceed.
22 And that guidance, as a reminder, is on this slide,

1 it's to look at the data sources, to achieve a balance,
2 an optimal balance of a number of different
3 requirements.

4 They included that the data is relevant to Native
5 American housing needs, that the methodology's
6 objective is transparent, etc., that the data is
7 collected by folks who are proficient at doing so, that
8 the data are collected on a recurring basis or at
9 reasonable intervals, that we don't impose undue burden
10 or financial burden upon tribes and TDHEs, and that it
11 would be implementable by fiscal year 2018.

12 So that was the charge of this group for the study
13 group, as a reminder.

14 Next slide. The members of the study group --
15 actually, if I say your name, could you say, "Aye?"

16 But Heather Cloud, Jason Adams, Gary Cooper. And
17 Gary was study group chair, and thank you, Gary, you
18 did a great job, just really great.

19 (Applause).

20 MR. RICHARDSON: Actually, you'll appreciate how a
21 great a job it was when I tell you how many meetings we
22 had. Karin Foster, Deirdre Flood, Carol Gore, and

1 Glenda Green.

2 Next slide. So technical experts. The study
3 group had brought some folks on board to provide
4 technical guidance to the study group, technical
5 experts. And those technical experts are here today.

6 So we had Jim Anderson. Jim, do you want to wave
7 your hand? You saw Jim earlier, and he was the
8 technical expert for Alaska, Eastern Woodlands, the
9 Southern Plains, and the Southwest region.

10 Kevin Klingbiel. Kevin? Kevin's in the back
11 here, who was technical expert for Northern Plains.

12 Pat Boydston back in the back here, technical
13 expert for the Northwest region.

14 And then Ben Winter was technical expert for about
15 two-thirds of this, and then when he left to go to Los
16 Angeles, I took over that job.

17 I think it's helpful for me to give you a little
18 background for each of us. I won't go into a lot of
19 detail.

20 But my background, I'm Associate Deputy Assistant
21 Secretary for Policy Development and Research. I've
22 developed a lot of formulas at HUD. I was involved

1 with the negotiated rulemaking back in 1997 that came
2 up with the formula that we're discussing today.

3 Jim Anderson is retired from the University of
4 Illinois, where he held many positions. And he has
5 extensive experience with implementing an evaluation of
6 federal housing programs. In fact, he's responsible
7 for some of the reports we've discussed today. He also
8 supported the Negotiated Rulemaking Committee in 2004.

9 Kevin Klingbiel is the managing director of Big
10 Water Consulting, and they specialize in building data
11 collection analysis and utilization capacity for Indian
12 tribes, nonprofit organizations and others. He's a
13 geographer and a former Executive Director of the Jean
14 Monnet Center -- Jean Monnet Center, he reminds me,
15 Jean Monnet Center -- at the New York University School
16 of Law, Indian housing lawyer, and was regional manager
17 for the US Census Bureau during the 2010 census.

18 Pat Boydston is currently Executive Director of
19 the Cowlitz Indian Tribal Housing. She retired from
20 ONAP in 2012 after 22 years with the federal
21 government. She has degrees in accounting and finance
22 and is a certified public accountant and a member of

1 the Associated Certified Fraud Examiners.

2 So that's who we had as our technical experts.

3 Next slide. So as a first rule of business for
4 this study group was to establish some rules of order,
5 how would the meetings be run and such. There were 24
6 total meetings that were open to everyone who wanted to
7 participate. Three of those meetings were in person,
8 21 were by telephone. I think Gary chaired almost all
9 of them, and maybe missed one.

10 The meeting notices were provided on the IHBG
11 website, and minutes were maintained, etc. But it was
12 a very transparent process, very available to anyone
13 who wanted to participate.

14 Next slide. So after the establishing the rules
15 of order, we needed to get a complete list of possible
16 data sources. So we issued a federal register notice
17 with a deadline in September of 2014 with one month for
18 people to submit submissions.

19 The notice stated that, "HUD's Negotiated
20 Rulemaking Committee is reviewing whether the current
21 data sources for the needs variables, which is the US
22 decennial census, should be updated or revised. HUD

1 and the Committee are considering all relevant data
2 sources, including the American Community Survey, and
3 how each data source might be used or modified to serve
4 as the source of the data upon which the needs variable
5 of the IHBG formula would be based."

6 After that month period, we had 49 total
7 nominations. In the study group report, which I hope
8 you all have, it's available online, the list of all of
9 those nominations are presented there. It's Section 6
10 of the study group report that you'll see that list.

11 All right. Next. So the initial screening. So
12 the first stage was to see, for those nominated data
13 sources, do they pass an initial screen? So the
14 technical experts went through each of the nominated
15 data sources and did some research on them.

16 And they wanted to define -- they wanted to
17 compile some information for the study group on whether
18 or not these sources, these 49 sources, passed these
19 initial screens, is it an independent, verifiable data
20 source, is the data collection project active, does
21 this source measure some aspect of Indian housing need,
22 is the project national in scope?

1 So if the answer was no to these, then the
2 technical experts -- if the technical experts were
3 consensus, so we have all these different -- if they
4 had a consensus recommendation that this be screened
5 out, because it doesn't pass these requirements, they
6 brought that list to the study group and presented that
7 to the study group. And if the study group agreed,
8 yes, we should screen those out, then those were
9 dropped.

10 So the data study group agreed unanimously that 30
11 of the 49 nominated data sources did not meet this
12 criteria.

13 Next slide. So for those 19 data sources that did
14 meet this criteria, they moved forward to the data
15 characterization phase. This is a phase where the
16 technical experts really dug into the data source,
17 really looked into a lot of aspects. So they needed to
18 go and do research about each one, to identify purpose
19 and methodology, the accuracy and precision,
20 implementation and funding, transparency, other
21 potential concerns about the data.

22 This was a lot of work, and in the study group

1 report, you see a summary in Section 8 about all of
2 those that were rejected and why -- all of them,
3 including why those were rejected that were rejected.
4 But of those 19 sources, 10 of them were at the
5 characterization phase after presented to the study
6 group, ended up being identified as not viable data
7 sources for this purpose.

8 And so those, too, were agreed to unanimously to
9 be not considered. If there was not unanimous decision
10 by the study group to remove a data source from
11 consideration, it moved onto the evaluation stage. So
12 if you want a lot more detail on each of those, it's in
13 Section 8 of the report.

14 Now, I'm going to spend some time on the last nine
15 data sources here and go into some detail about them.
16 The nine data sources that moved onto the evaluation
17 phase, for these, the technical experts divided them
18 into two categories.

19 Core data. So the core data are data that could
20 replace the Census 2000 data currently used in the
21 formula.

22 The support data are the data that are used to

1 make adjustments, such as construction cost
2 adjustments. So aging the data -- these two variables
3 are aging the data. Tribal enrollment data is used to
4 cap the data. The total development costs are used to
5 adjust the cost for construction. And the formula
6 response form is currently used to identify the areas
7 that are used for collecting the data.

8 So we evaluated these separately in these two
9 categories, core data and support data.

10 Next slide. All right. I'm going to spend a
11 little time on this slide. And so the data sources
12 were each -- and actually for this, I also advise that
13 you look on page 50 and 51 of the study group report.
14 There's actually sort of the details about these items
15 here.

16 But the data sources were each evaluated by the
17 non-HUD technical experts. To the extent possible,
18 technical experts aggregated and reconciled their
19 answers to provide their final assessments to the data
20 study group. They compiled full narratives to all of
21 the set of questions I'm about to explain to you. And
22 to the extent they couldn't reach agreement, the

1 technical experts couldn't reach agreement, the views
2 of all parties are included there.

3 So in the summary in the study group report, we
4 summarize sort of difference of views about the -- and
5 I'll go into that in a little bit in a moment -- about
6 some of these data sources. But a great deal more
7 detail is available in the full evaluations which are
8 available to you on the IHBG website.

9 So we evaluated these using criteria excellent,
10 good, fair, poor, and unknown. And we evaluated them
11 on relevance. So there were four questions, extent
12 that the data collected reflect the needs, other
13 factors, such as administrative capacity and coverage
14 of state-recognized tribes, variables used in the
15 current regulations for the formula, and other measures
16 of housing need. Again, this is all on page 50 and 51
17 of the report.

18 Currency. These questions relate to frequency of
19 data collection, time it takes for the data to be
20 available after they are collected, and stability of
21 the data over time.

22 Accuracy and precision. Six questions.

1 Geographic coverage, protocols to address respondent
2 misunderstandings, data collection instruments and
3 protocol, cultural sensitivity, protocols to verify
4 accuracy, precision of the estimate, such as margins of
5 error, accuracy of the estimates.

6 We also reviewed it for completeness. Does the
7 data source collect data for all covered Indian tribes?
8 The appropriateness and effectiveness of outreach
9 efforts. The representativeness of the data source for
10 all populations.

11 Availability, whether collection and analysis
12 could be completed with no significant additional
13 resources, whether there is a source of funding for
14 data collection and analysis, and an estimate of
15 resources needed, the extent of additional
16 administrative burden on TDHEs, and ease of integrating
17 the data into the funding formula.

18 And finally, transparency, two questions. If the
19 data source had been subject to a previous study
20 evaluation and whether these data sources were
21 available for review, and if it was possible to find
22 answers to most of the data screening characterization

1 and evaluation questions.

2 So a lot of different questions that had to be
3 answered, so it's fairly extensive, the evaluations.
4 So I'm not going to go into all the detail for each of
5 these factors. I bet you you're grateful for that at
6 5:00 p.m. But I do want to go through a summary of
7 each of these.

8 So we'll go onto the next one. Core data. So the
9 first of the core data we evaluated is the decennial
10 census. So for each of these, I'm going to talk about
11 how the data is currently used, what it might be used
12 for, and then I'll go in a little bit more detail into
13 the major caveats, because that relates to the ratings,
14 as you'll see on the chart here.

15 Now, one of the things to note about these ratings
16 is that if they were unanimous among the technical
17 experts, and these ratings are the technical experts'
18 ratings that they presented to the study group, if the
19 technical experts' ratings were not consensus, we
20 presented all of the technical experts' different views
21 on rating.

22 So for example, the overall rating for decennial

1 consensus received a mix of excellent and good from the
2 technical experts. And then you can see how we have --
3 so some on relevancy, was excellent and some ratings of
4 good. And you can see down the list here. So
5 currency, fair, was a consensus measure among the
6 technical experts on this measure.

7 So as noted, the 2010 Decennial Census was rated
8 as excellent to good overall. It is an attempted 100
9 percent count of all individuals in the US, and it
10 collects race data for all people at very small
11 geographies. The activity is mandated by the US
12 Constitution. The data will next be updated in 2020.
13 We're largely comprehensive in coverage. We did note
14 there was an undercount in some tribal areas. Also,
15 the race question for AIAN is not limited to Native
16 Americans eligible for IHBG assistance.

17 So before I move on, do you have any questions on
18 the decennial census?

19 All right. We'll move onto the American Community
20 Survey. So the American Community Survey is not
21 currently used in the formula. It would replace the
22 Census 2000 long form needs data. Decennial census

1 data, as noted before, no longer collects the needs
2 data. It is the ACS that collects the needs data. So
3 this is what it would be used for.

4 And you can see that there is quite a mix of
5 ratings here and different ratings. The technical
6 evaluators unanimously rated the ACS as good as a
7 replacement for the overall Census 2000 long forms.

8 And I have the wrong version of my notes. Could
9 you give me a second? Well, I have to wing it.

10 So the ACS was generally rated very well, because
11 it's available. Right? These data are available at no
12 additional cost. You've seen these data. They're
13 reasonably transparent, although there is some concern
14 about how the data are imputed for some folks. It is
15 reasonably current.

16 It is five-year average data, which is different
17 data than we've used in the past. Usually, we use a
18 point in time count, so we're using five-year average
19 data. The advantage of five-year average data is it
20 does get updated annually, and you don't need to age
21 the data anymore with the ACS, because it's capturing
22 population change over time.

1 Where its challenges lie is, in some places,
2 because of small sample sizes, the precision has large
3 confidence interval issues. And so you can get a count
4 that is plus or minus, and the smaller the sample size,
5 the more that's an issue. The ACS has been working on
6 that, increasing sample sizes, but that still is an
7 issue here.

8 Next slide. Actually, go back. Any further
9 questions about American Community Survey? Anything I
10 overlooked from my technical experts?

11 All right. So the National Tribal Survey,
12 federally administered. So as with the ACS, this is
13 not currently used. Like the ACS, it would be used to
14 replace the Census 2000 population and long form needs
15 data. There were a mix of reviews from the technical
16 experts.

17 This data source did present a challenge to
18 reviewers, and this is a caveat about this data source,
19 because it does not currently exist. As a result, the
20 responses, answers, and ratings that the reviewers did
21 were based on assumptions and projections about the
22 stated purposes, goals, and other factors associated

1 with what this would be.

2 That said, this proposal would be for a national
3 tribal survey administered by a federal agency every
4 five years, so make it a point in time count. If
5 adequately funded, it could have a sample size in
6 excess of the ACS, survey questions sensitive to issues
7 in tribal areas, and a sampling frame more reflective
8 of the eligible population for NAHASDA funding.

9 The reviewers had a mix of ratings ranging from
10 good to fair to poor overall.

11 The good rating comes, because it could certainly
12 collect all necessary data to support the current IHBG
13 formula variables. It could have the added benefit of
14 being able to collect data that it's more targeted to
15 the specific families. It would have the benefit of
16 having tribes closely involved with the development of
17 the survey instrument.

18 The biggest area of concerns, and the source of
19 the fair to poor rating overall, are the amount of
20 funds required to undertake this survey every five
21 years, the time and negotiations needed to develop a
22 survey and methodology acceptable to all tribes and

1 satisfying the methodological rigor, the need for a
2 pool of professionals for all tasks, and maintaining
3 the pool of professionals, and burnout that might occur
4 for having to do two similar surveys, the tribal survey
5 and the ACS.

6 So any further questions about the National Tribal
7 Survey, federally administered?

8 Okay. Next slide here is the National Tribal
9 Survey, tribally administered. So the same caveat
10 applies for this survey as with the federally
11 administered survey in that it doesn't exist in the
12 form proposed.

13 So one note, what is proposed is a new survey that
14 would likely have new questions that are different than
15 what's currently collected on the ACS to some degree.

16 So today, tribes may currently challenge the ACS
17 or the census data that's currently used, but that has
18 to comply with meeting the requirements to make it
19 apples to apples with the census data. So this would
20 be slightly different, if this was a tribally
21 administered national survey. It could potentially
22 have different survey questions.

1 Like the other core data, it would replace the
2 Census 2000 population and long form needs data. Many
3 of the same issues apply for the tribally administered
4 as with the federally administered National Tribal
5 Survey, many of the same benefits, and many of the same
6 challenges.

7 So it would be a new survey administered by each
8 tribe, instead of by one federal agency, every five
9 years following established protocols using the same
10 set of questions.

11 The reviewers had different overall ratings,
12 ranging from good to fair, the reviewers giving the
13 data source a good overall. It was because it could
14 certainly collect all the necessary data to support the
15 IHBG formula, it would be developed with close
16 collaboration with the tribes, it would have the added
17 benefit of being able to collect data potentially more
18 targeted to the specific families that can be served by
19 the funds, and potentially, it would make improvements
20 in the address file for the tribal areas as well as
21 have more culturally sensitive questions.

22 The biggest area of concern and the source of the

1 fair rating are the amount of funds required to
2 undertake this survey every five years and the
3 challenge of implementing and ensuring consistency
4 across more than 500 separate tribes.

5 Questions on that? All right.

6 So that's it for the core data. Now, we're going
7 to move onto the support data.

8 So the support data, again, are data that are used
9 to somehow cap or adjust the core data that we were
10 just discussing.

11 So tribal enrollment data. So these data are
12 currently used to cap the needs data. So tribes can't
13 receive funding for more than two times their
14 enrollment. What it could be used is for the same
15 purpose. It could be used as a variable itself in the
16 formula potentially. And if enrollment data were
17 available for the tribe's service area, then it could
18 be used, potentially, to replace the census AIAN
19 population count or be used to re-weight the ACS tribal
20 survey data.

21 So in its current function of capping the
22 allocations for tribes, so that they can't receive

1 funding for more than twice their enrollment, all of
2 the reviewers rated that as excellent, that it serves
3 as an excellent tool in that purpose.

4 However, as a variable representing need directly,
5 such as a count of Native American persons within a
6 tribal area, the reviewers think, in its current form,
7 it rates as fair to poor. It could possibly be used as
8 a variable if tribes reported the data, had addresses
9 for all of their members, current addresses for their
10 members, and could report the data in a way that would
11 distinguish members living within the tribal area from
12 those living in other tribal areas or outside their
13 tribal area.

14 Questions on that? All right.

15 Next slide. IHS population projection. So now
16 the next two data sources, if you will, are somewhat
17 competing data sources. They both estimate population
18 change over time, and they have some similarities and
19 some differences, but this is what we use currently to
20 age the data. From the Census 2000 population count,
21 we increase it every year based on the IHS population
22 projections for birth and deaths. What it could be

1 used for would be the same purpose.

2 It generally received relative low ratings by the
3 technical experts. So a few things to note.

4 First off, it's still based on the 2000 Census.
5 It hasn't been updated to the 2010 Census, although it
6 may be. Since the 2000 Census is still the underlying
7 data, the data source is reliable, it's a very long
8 time. Whenever aging or other strategies are used to
9 estimate changes in a data set, the further away from
10 the original data you are, the less reliable and
11 accurate is the resulting information.

12 Even with a move to 2010 Census with this data
13 source as the base, there are potential underreporting
14 concerns in tribal areas in its failure to address the
15 migration of AIAN persons.

16 It also has some difficulty distinguishing between
17 AIAN alone or AIAN alone in combination. And the need
18 for AIAN person data at the formula area rather than
19 the county level, since this is reported at county
20 level, also makes this a problematic data source.

21 So that's the IHS population projections that are
22 currently used to age the 2000 Census data.

1 Questions on that? Okay.

2 So US Census population estimates, this is
3 essentially the same -- would be used for the same
4 purpose. It's not currently used in the formula.

5 One big thing that's different from this -- two
6 things that make this data source different from the
7 IHS is that it starts at the 2010 Census, so it's been
8 updated to 2010 Census as its base data, and it does
9 attempt to take into account migration.

10 However, many of the same concerns that apply to
11 IHS also still apply here about the underlying data
12 source on births and deaths and migration, about how
13 they capture race, and it's at the county level and not
14 at tribal area. So it has a mixed of ratings there.
15 That's why you see both excellent and fair ratings on
16 this one.

17 Questions on this? All right.

18 Next slide. Total development cost. I know I'm
19 losing folks. I know it's late. Time to have dinner.
20 So it's okay if you fall asleep. I fell asleep on many
21 a professor, so it's quite all right. I kind of earned
22 that.

1 So total development costs. All right. How this
2 is currently used. This is currently used in both the
3 needs formula and FCAS to adjust grants so that higher
4 cost places -- and we discussed this a little bit with
5 the 515 and AEL factors, it has the same effect, but it
6 adjusts costs higher for places that have higher
7 construction costs.

8 It adjusts the grants higher, and it adjusts the
9 grants less for places with lower construction costs.
10 Proposal would be to continue to use it for that
11 purposes.

12 Now, the big sort of issue with this data is the
13 lack of transparency and the absence of tribal area
14 specific construction costs get it a bit of a fair
15 rating on here. On the other hand, the importance of
16 taking construction costs into consideration when
17 allocating funds and the widespread use of these
18 estimates in the private sector leads to an overall
19 good rating.

20 Questions or comments on total development cost?
21 All right. It is good to present before dinner.

22 Support formula response form. How used

1 currently. So the formula response form, which all of
2 you are pretty familiar with, I imagine, is currently
3 used. HUD provides to you your account of formula
4 current assisted stock units that would be used in the
5 formula, provides the geographies that would be used in
6 the formula for the needs side of the formula, and asks
7 you to respond to us and say that information, if it's
8 wrong, we should correct it or discuss correcting those
9 data.

10 So that's what the formula response form is. And
11 in that role, it was -- and it's a tool for HUD, and in
12 that role, it is rated good by the technical experts.
13 But as a data source itself for the IHBG formula, it
14 was rated as a fair, because of the self-reported
15 nature of it and concerns about whether or not the data
16 would be complete for other purposes.

17 Questions or comments on that? All right.

18 Now, we get to the main event, where we started,
19 the recommendations.

20 Recommendation 1 here. So let me give you a
21 little background about where this recommendation comes
22 from after all those slides there. So this

1 recommendation would only impact one of the seven needs
2 variables, the AIAN population, which has an 11 percent
3 weight.

4 So one of the things that came out of the study
5 group's work is that we now have three data points on
6 this particular variable, two data points for all
7 tribes, and three for many. And all three may have
8 merit for the number of AIAN persons actually in their
9 formula are. And what's a bit of a challenge is, those
10 three data points are not always the same.

11 So those three are the 2010 Decennial Census, the
12 American Community Survey, which is a sample data. So
13 remember, the 2010 Census was an attempted 100 percent
14 count, the American Community Survey was sample-based
15 data. And a number of tribes have challenged data with
16 their population.

17 Now, if these numbers are different, there are
18 reasons that each of these data sources could be
19 correct, and there are reasons that each of these data
20 sources could be wrong. The only thing we can be sure
21 of is that, for some tribes, they are actually
22 different.

1 So the study group took the approach here of, we
2 do not know which one of these is correct, so this
3 recommendation gives the benefit of the doubt and would
4 provide the largest number of those three sources to
5 the tribe from any of these sources.

6 So that's the recommendation one.

7 Now, a side point about this is that we didn't
8 have a policy in place about how to handle challenge
9 data, how long challenge data should stay in place.
10 Our policy, currently, is if the new census data, like
11 Census 2000 data, and this happened, were better for a
12 tribe than their challenge data, then we would apply
13 the 2000 Census data. But otherwise, we keep challenge
14 data. And so we have some challenge data that dates
15 back to 1998 and 1999 that still carries through.

16 So one of the other proposals would be that, if
17 there is challenge data, that it have a lifecycle of 10
18 years, and that it would no longer be aged, the overall
19 data would no longer be aged.

20 So that's Recommendation 1. Are there questions
21 or other comments from the study group on
22 recommendation one? Yes?

1 MS. DIFUNTORUM: Hi. Sami Jo Difuntorum. I'm not
2 part of the study group, and you don't necessarily need
3 to answer this today, but food for thought for
4 tomorrow, how you would apply the better of three
5 scenario in a formula overlap.

6 MR. RICHARDSON: That's a really good question.
7 So the way this would be handled is currently, the
8 formula overlap treats a group of tribes essentially as
9 one really big tribe and then subdivides with the tribe
10 sub data. This would be no different.

11 Essentially, we take your best of for each of the
12 geographies, so it's at each geographic break, you get
13 the best of within each geographic break. But if
14 you've got a tribal challenge, then that gets overlaid
15 over the top of the result.

16 So it is a little complicated, but essentially, it
17 is the best of for that whole big group together, and
18 then that's divided by the tribe sub data.

19 Did I get that right, Peggy? Peggy is sort of
20 waffling on that. Maybe we'll revisit that tomorrow.

21 MS. DIFUNTORUM: Yeah, just something to think
22 about. The current regulation, 1000.326(b)(c), we'll

1 want to discuss tomorrow. I don't necessarily want to
2 go into that today. But it is specific to formula
3 overlaps. And if the better of three scenario is what
4 the group agrees to, there will need to be revision to
5 both of those regulations I think. Thank you.

6 MR. RICHARDSON: Okay. We'll take a look at that
7 tonight as well, to make sure we've got that covered.

8 Other questions or comments on this?

9 Recommendation 1A. One thing that we identified
10 is, in the 2010 Census as well as the American
11 Community Survey, when you identify as Native American,
12 you're also asked to print the name of enrolled or
13 principle tribe. And 80 percent of folks who identify
14 as Native American do, in fact, write something in.

15 Three percent of folks identify a non US-based
16 tribe on this list, so for example, a French or
17 Canadian tribe, or a Mexican American tribe, or a South
18 American Indian tribe.

19 So one of the recommendations coming out of the
20 study group is that this group discuss whether or not
21 we should get those data and put those data excluding
22 the folks that are not US-based tribes. So I think

1 there's a much longer discussion on this, and to do a
2 rule on it requires some thought.

3 So this affects about 3 percent of Native
4 Americans I noted. And there are 20 percent, of
5 course, that we don't know. This does have regional
6 differences. About 16 percent of people who identify
7 as Native American in Florida also write in a tribe
8 that is not a US-based tribe, 10 percent in California,
9 7 percent in Oregon. Whereas in some states, South
10 Dakota, North Dakota, Alaska, Oklahoma, and New Mexico,
11 that's very close to 0 or less than 1 percent. So
12 there is a different in the regional distribution of
13 this data.

14 All right. Questions on that? Any further
15 questions on 1A?

16 All right. Recommendation 2. This is pretty
17 straightforward. These three variables that we
18 evaluated, total development cost, tribal enrollment,
19 formula response form, the study group recommended they
20 continue to be used as they are presently used in the
21 formula for the reasons I explained earlier when we
22 were going through those variables.

1 Any questions on Recommendation 2?

2 Non-consensus item 1. So what I've put in here is
3 the full non-consensus item 1 as presented in the study
4 group report. Non-consensus item 1 was a proposal to
5 begin development of both a federally administered and
6 tribally administered National Tribal Survey.

7 Next slide. Non-consensus item 2 was to do a
8 feasibility study for a National Tribal Survey.

9 And finally, non-consensus item 3, this is a bit
10 more complicated, but these were three different
11 options on what to do about the six needs variables
12 that are not AIAN.

13 So as I noted before, AIAN represents 11 percent
14 of the weights in the needs variable. We have six
15 other variables that are included in the formula that
16 currently all come from the 2000 Census long form.

17 And so there were option 1 -- and all of these
18 options, by the way, would adopt the study group's
19 Recommendation 1, but for the six needs variables,
20 option 1 was to just stick with what we're currently
21 using, which is the 2000 Census data aged by the IHS
22 data.

1 Option 2 would be to adopt the American Community
2 Survey, but recognizing, from our experience with the
3 AIAN count, that the ACS may be undercounting
4 population in some areas relative to these other data
5 sources, similarly, inflate the other needs variables
6 at the same amount that we increased the population
7 variable.

8 So if the ACS population was 100, and the AIAN
9 best of was 110, we would inflate all of the needs
10 variables, increase all of the needs variables for that
11 tribe by 10 percent, because the ACS would appear to be
12 undercounting that tribe by 10 percent. So that's
13 option 2.

14 And we have a handout I'll give you tomorrow to
15 dig through, it requires a lot of concentration to
16 follow, which lays out the effects of all these
17 different options.

18 And then option 3 would be to just implement the
19 ACS without any adjustments, just drop it in there, and
20 it would be updated annually based on whatever the new
21 ACS data show.

22 And there would be no more aging being done on any

1 of these, expect for option 1, which would continue to
2 be aged.

3 So questions or comments on non-consensus item 3?

4 So I could go through a length 34 item list of
5 recommendations for improving the American Community
6 Survey or something like that, but I think the group
7 probably would like to move on. So this is my
8 presentation. Thank you.

9 (Applause).

10 MS. BRYAN: I would really like to thank you for
11 that presentation. That was a lot of very detailed
12 information given to us at a very good pace.

13 And also, like to just lift my hands in gratitude
14 to everybody on the study group. You guys really did
15 an amazing job. So thank you. Let's give those guys a
16 thank you.

17 (Applause).

18 MS. BRYAN: I had to say that. We will have
19 questions, if you guys have any questions for Todd.
20 And then I would like to thank the public for their
21 patience. We will have public comments. But we wanted
22 to finish this piece of work, so let's finish that

1 before we go into public comment.

2 Gary?

3 MR. COOPER: Yeah, I wanted to say that none of us
4 on the study group could've done the work that we had
5 to do if it was not for the technical experts, and they
6 do need to be recognized as well, because as you can
7 tell by the handout, this was really our part of the
8 work for the most part, and most of this is the
9 technical experts' part.

10 So I mean, they really, really should be commended
11 for their work as well, because we couldn't have done
12 what we had to do without their help. So I just want
13 to recognize them.

14 (Applause).

15 MS. BRYAN: Thank you. And that reminds me, in
16 terms of this, we'll want to recognize the note-takers
17 and HUD for their participation and collection of all
18 of this information. It's presented so wonderfully.
19 So thank you.

20 (Applause).

21 MS. BRYAN: Are there questions for Todd about his
22 presentation?

1 As he promised, tomorrow, he will have some
2 handouts that will more than likely have some robust
3 conversation about what's in the materials that he's
4 going to hand out to us tomorrow.

5 So any last, for the meeting, for the public part
6 of this meeting, questions for Todd?

7 Okay. Hearing none, I would like to first of all
8 promise that we'll get back to this tomorrow, but I
9 would like to now move onto the public comment section
10 of our meeting.

11 I am going to open up the floor to public comment.
12 There are microphones on either side of the back of the
13 room. If you come up to the microphone, please state
14 your name and who you represent clearly for the record.
15 Thank you.

16 MS. IRON CLOUD: I don't know if anybody can hear
17 me. Can you hear me? My name is Patricia Iron Cloud.
18 I'm the Vice Chairman of the Fort Peck Assiniboine and
19 Sioux Tribe.

20 And it's very enlightening today, and thank you
21 for your patience.

22 One of the things that I see as he's talking about

1 what this gentleman just talked about just now is, I
2 don't know if you know, if you've ever even lived on a
3 reservation or even if you're Native American, I don't
4 know, it doesn't matter to me, but the thing is that,
5 we, as Natives, we don't all go to IHS. All of us, we
6 don't do that.

7 So I don't know how comprehensive that is to use
8 that data for the IHS. So you have to also go to the
9 public, hospitals and public clinics that we also go
10 to.

11 One of the things that we have here is we have to
12 have a new way to collect this data. And I believe
13 today you proposed a good one. I believe that we have
14 to continue. We have to be continually flexible and
15 learn from one another.

16 The ideas that I have for our tribe are many. If
17 I can take some of our people and take them out of the
18 cars that they're living in, taking them, all of the
19 tee pees -- I just remember the gentleman down in our
20 area of the woods, put a little tent up. I don't know
21 how he's going to it in the wintertime. It gets pretty
22 cold down there, sometimes 20, 30 below 0.

1 But he's a veteran. He came home. He's not
2 disabled. He wants to work. And so he's working in a
3 beet factory, but he has no home. So he comes home,
4 and he sets up his tent. He's going to be good until
5 maybe October, November maybe.

6 But last year, we had three deaths on our
7 reservation from freezing to death. Three of them.
8 That's the most pitiful thing I have ever seen in my
9 life ever.

10 This year, my daughter and son, they had the
11 ability to go and finally get her into law school. She
12 graduated as an attorney this year, and I'm thankful
13 for that.

14 They have a big family. Together, they have 10
15 children. Some of those children are big, some of them
16 are babies. Grandma watches them, let alone take care
17 of 14,000 members of my tribe.

18 I don't have a home. I haven't had a home for 15
19 years. But because I have five sons and five
20 daughters, I go and I stay with all of them, so I can
21 know all my grandchildren, all 43 of them.

22 That's why we're here. We're here because we love

1 our wakanyejas. A wakanyejas is our sacred children.
2 I'm grateful for HUD to come here. Believe me, I
3 didn't even know until I talked to this young lady this
4 morning.

5 Can you stand up, please? Yes. Thank you for --
6 she's so friendly. I appreciate that. She came right
7 up and shook our hands, and we greeted her. I'm
8 grateful for that.

9 One of the things that we, as Native women, we
10 have to have our children safe. We have to make sure
11 that our children have a bed to lay down in, that they
12 have to have a pillow, that they are safe.

13 We have a lot of human trafficking in our area.
14 We come from the Bakken oil area. Department of
15 Justice has put millions and millions of dollars into
16 there. But no millions and millions of dollars has
17 come into HUD. That's where we're hurting. So we see
18 men coming into our areas, stealing our children,
19 because those children have no place to go.

20 We see children truly getting into trouble, so
21 they can go into the Youth Detention Center, so they
22 will have a place to sleep, so they will have three

1 square meals a day. Those guards become their mothers
2 and fathers. I see that every day.

3 So we're trying to have an alternative program for
4 them, a safe home, if you will, so those babies, when
5 they come home, and their mothers and fathers are a
6 mess, are alcohol-induced, or they're not safe, they
7 should have this home.

8 That's the dream of this grandmother, of this
9 tribal leader, to have a dream so the homes can be
10 safe, that there be a mother at each home, a dad at
11 each home, and they'll have three square meals a day.
12 That's the dream. That's the dream for all of us here.
13 When in reality, it's not going to happen.

14 There are very few families on our reservation
15 that have a mom there and a daddy there. And these
16 children, these children are most precious souls in the
17 whole world. We love them so much. That's why I'm
18 here. That's why I speak with so much passion, because
19 I see what happens every day.

20 And these people come into my office, "I lost my
21 job today."

22 "How did you lose that job?"

1 "Well, stayed out little bit too late last night
2 and didn't come in in time."

3 But now, you have to see the consequences, because
4 you're pain of your mother taking you -- taking the
5 meth that's going on there.

6 We have 80 children on our reservation that was
7 born meth-induced this past year. We lost three or
8 four of them.

9 Housing is a big, big commodity there. It is so
10 big that people fight each other. They go in there
11 truly, and they make fun of each other saying, well,
12 you got a home, you have somebody on the Council, so
13 you will get a home, but that's not so. That is not
14 so.

15 Even this Vice Chairman of this tribe does not
16 have a home. But it's okay. I live with all my
17 children, whoever wants to take me in. That's okay.
18 That's how we live.

19 The family that I just met with, 20 of them in
20 that home, two-bedroom home. They live like that. We
21 live like that. That's what we live by. We love
22 everybody, we bring them in, come on in.

1 The two people that froze to death, that's the
2 most pitiful thing I've ever seen in my life, and they
3 were still holding onto each other, and his arms was
4 wrapped around her, and her arms were wrapped around
5 him, but they were both gone. That's what we have to
6 live by, because they had no home. Those are the
7 things that touch my heard and my soul.

8 Thank you so much.

9 MS. BRYAN: Thank you.

10 SPEAKER: Good afternoon. Can I speak? (Speaking
11 in foreign language). I'm going to ask for an
12 interpreter.

13 I made a comment the other day that we continue,
14 as Native American, continue to look at issues from a
15 Western European lens.

16 As I sit and observed, I was informed that this is
17 a Negotiated Rulemaking Committee. I tried to upload
18 the HUD strategic plan to find language that indicates
19 your role and responsibilities and what your goals,
20 your objectives are.

21 I think as nations, we bring to you what we see
22 out in Indian Country, how the formulas that are

1 created are not representative of Indian Country. It
2 creates a division. Whatever money is put out there,
3 we pit tribes against tribes, it appears at me. I
4 mean, I've been here for a long time, and I continue to
5 see that.

6 I see rules and regulations that are meant to be
7 in the non-Indian communities, are used in non-Indian
8 communities. I've heard the researchers say, according
9 to county, according to city, according to states, the
10 methodology you create.

11 I took statistics at the university level. And
12 also, I have been able to attend some conference on a
13 national level. We still need to do a lot in the area
14 of research.

15 So a lot of what we bring to you, you're already
16 aware of. I'm talking to HUD. And all I heard was no,
17 as my sister alluded to earlier. It was the no over
18 EPA to clean up a place, a location, that resulted in a
19 large spill that impacts our communities back home.

20 And studies like this, again, it's put together --
21 as much as we can, we want to provide input. We want
22 to generate our own data. The Navajo Nation, I'm not

1 officially speaking for them. I'm speaking as a Board
2 member of the Navajo Housing Authority. I think if
3 they were here, they won't be as kind as I am.

4 So all we're asking is to open an ear, listen to
5 what our tribal representative have to say about things
6 that we need to do in Indian Country.

7 I heard the language, you're going to place a
8 condition upon us that we can't commit to. But people
9 freely place condition on us as Indian people for as
10 long as I can remember.

11 So we, as a Board, have taken the position that
12 we're not going to go with what was provided. I think
13 the resolution, I'm not sure where it's formally
14 submitted, but we want to formally submit that to this
15 group.

16 And I have more to say, but I'll just leave it at
17 that. But I thank you for allowing me the opportunity
18 and our staff also, allowing me the opportunity to be
19 here. But like my sister indicated, the needs, we're
20 the one that understand the need.

21 And then this spill just created another need
22 also. This impacts the livelihood of our people and

1 their way of like. And we still have agricultural
2 communities, we have people that rely on livestock for
3 their livelihood.

4 And so I just wanted to say that, with all due
5 respect, my observation, and the opportunity to maybe -
6 - I'm not sure, maybe that's what's giving me a
7 headache sitting here, because I've been biting my
8 tongue, and you all have formality on how to approach
9 you.

10 So now that you put this mic up for general public
11 and comment, I wanted to express myself in that way.
12 (Speaking in foreign language).

13 (Applause).

14 MR. SUPER: Hi. My name is Robert Super. I'm
15 Vice Chairman of the Karuk Tribe. We're the second
16 biggest tribe in California out of 118 tribes.

17 And I'm just listening to what was going on. I'm
18 not much of a speaker, but I just see that it feels
19 like sometimes we get treated like chickens, they throw
20 the money out there just like chicken feed, and we're
21 all going after all the money that we can get for our
22 own people.

1 There's tribes out there, too, that it costs a lot
2 of money to build houses. We have three different
3 areas that we build houses, in Yreka, Happy Camp, and
4 Orleans. And in Orleans and Happy Camp, it's really
5 hard to purchase land down there, because there's
6 hardly any land, or there's hardly any water to build
7 houses there. But we're working on that, too.

8 And I thank all you guys for all the work that you
9 guys do. And the staff that we have, we're going to be
10 building 30 houses in our community from tax credits,
11 and our staff did a really hard job to get us that, and
12 I'm really proud of them. Thank you.

13 (Applause).

14 MS. BENNETT: (Speaking in foreign language). My
15 name is Ella Bennett, and I come from Juneau, Alaska.
16 I just give you my name in Tlingit, who my father is,
17 and what clan I belong to.

18 It's a privilege to be here. And I first of all,
19 want to thank those of you that are sitting around the
20 table. I've come to a few negotiated rulemakings. But
21 those of you have put in hours on our behalf, us from
22 Alaska.

1 When you think about it, the word of God says to
2 speak up for those who cannot speak up for themselves.
3 And that's what I tell myself as I represent the
4 people, the Alaska Native people. And so much of you
5 have so much power that's been given to you. It's a
6 privilege, really.

7 And it's easy enough for us to criticize you,
8 looking in from the outside. But I do want to thank
9 you for all the time you've put in. And I know that
10 the bible also says that a house divided never stands.
11 So I'm glad to see all the work you put into this on
12 our behalf. And decisions aren't easy to make.

13 But I just wanted to tell you that last night, I
14 spent time in prayer that the Lord will give us all
15 wisdom and knowledge in all that we do. And it's just
16 so wonderful to meet each one of you.

17 And for the people who froze to death, that makes
18 me feel bad, because that happened in Juneau also.
19 We've lost I don't know how many, but three recently
20 also.

21 But coming to these sessions, sometimes, it's not
22 really about us, it's about our kids and our grandkids.

1 And for many years, I was just recently telling one of
2 my children and grandchildren -- I have to tell you
3 this one funny story, if you don't mind.

4 When I was younger, and I worked in San Francisco,
5 I worked for the IRS, and I worked with a Caucasian
6 girl who told me, she said, "Gee, you Indians are so
7 lucky." She said, "You don't have to pay taxes."

8 And I was very naïve, so I said, "Really? You
9 know what, they took taxes out of my check."

10 (Laughter).

11 MS. BENNETT: So I went to the office, personnel
12 office, and I says, "You know, you took taxes out of my
13 check."

14 (Laughter).

15 MS. BENNETT: And they said, "And?"

16 (Laughter).

17 MS. BENNETT: They said, "You worked, didn't you?"

18 And I said, "Yes."

19 "So if you work, you have to pay taxes."

20 And I said, "Oh, okay."

21 (Laughter).

22 MS. BENNETT: But this young Caucasian girl, she

1 didn't know that, because she heard from her mom all
2 Indians don't ever have to pay taxes.

3 So anyway, I used to be very shy and everything.
4 My kids don't believe that. But anyway, I never
5 thought that -- I have to just share. I know I'm
6 taking up all your time.

7 But as a young person, I always thought that all
8 the good things were for the white people. I come from
9 a small village. There was only 400 people that lived
10 in our village. We only had one car in town then.

11 So anyway, I thought the houses, the cars,
12 everything is just for white folks. And it took me
13 until I was, like, 25 years old to realize it's for
14 anyone who wants to work and buy a house or buy a car.

15 So I told my kids, "Don't wait until you're 25
16 like I did to realize that you can have whatever you
17 work for." And I'm talking about homes for people,
18 clothing and whatever.

19 So this is not a waste of anyone's time what
20 you're doing today is what I'm trying to get around to,
21 because people will benefit from all your hard work.

22 And I just want to personally thank you and HUD.

1 Sometimes, we joke about federal government and all
2 that, but yeah, thank you. Thank you for putting
3 everything. I know you're not really, like, against
4 us.

5 (Laughter).

6 MS. BENNETT: But I know you're doing your best
7 for us. But I just want to say God bless each one of
8 you, and hope I could have shared a lot more. But
9 thank you very much.

10 (Applause).

11 SPEAKER: I don't know what to say. First of all,
12 I want to greet you all with a warm handshake here
13 today.

14 I've been a tribal leader for 18 years. I've been
15 in housing for several years. There is so much need in
16 Indian Country.

17 I'm here on one thing, that's the American
18 Community Survey. To look at the loss that's going to
19 be out there for the Plains tribes, the tribes that
20 have a large land base, you look at just us alone, at
21 Pine Ridge, we're going to lose almost \$800,000.

22 And my relative talked up here about people dying,

1 people freezing to death. We had 26 suicides since
2 December at Pine Ridge. We just had one Friday again
3 that took her life. She graduated from high school.

4 And that's because we don't have the necessary
5 activities that we should be able to have on our
6 reservation. We don't have jobs. We're about 85
7 percent unemployed. And that's real.

8 Our people are crying for homes. My cousin there
9 from Montana talked about two, three families or four
10 families living in a two-bedroom house. Well, at Pine
11 Ridge, we have several people living in one house.

12 I have families that come to my house with little
13 kids.

14 "Where do I go, Paul? I don't have any place to
15 go."

16 "Have you put your name on a waiting list?"

17 "We've been on that waiting list for so long, we
18 don't come back and renew our application."

19 These are real things that are happening. We need
20 to do a complete new survey, a tribal community survey,
21 that we're going to be able to do on our own. We
22 always have somebody come in and do our surveys, and

1 they'll never find out how many people are living in a
2 house, because people don't want to give their
3 identification.

4 Some of them is on welfare. They're getting
5 different monies. They don't want to be found out that
6 they're getting them, even though it's real.

7 We got 40,000 people at Pine Ridge. We got 1,150
8 low rent units. Now, you figure to try to put some of
9 them people in them homes, like the lady said, some of
10 them, they fight over homes.

11 The big thing is, we just don't have enough houses
12 to go around. We need 4,000 homes at Pine Ridge. So
13 does Rosebud. So does Cheyenne River. Everybody needs
14 that. They're here today.

15 It's just like a broken record. I stood up here
16 before and talked somewhat like this, not here, but at
17 UNAHA.

18 There's just so much need out there, but the only
19 thing I ask to let's do a new survey, a tribal
20 community survey. If we don't, we're going to be in
21 the same position for years to come.

22 And I appreciate what you guys are doing. You

1 could only do so much. But the thing is, we really
2 need to look at the need in our respective
3 reservations.

4 We have 23 Plain tribes are going to be hurt by
5 this survey, American Community Survey, 23 tribes.
6 Those are large land base tribes. Does it mean
7 anything to have land?

8 But anyway, I just wanted to comment. My Chairman
9 is going to be here tomorrow, and I'm going to request
10 for him to speak in the morning, President John Steele,
11 to talk about him being the Chairman at Oglala Sioux
12 Tribe. He's seven term Chairman.

13 But the resources isn't there. But I know, if we
14 get some help to provide some jobs, to provide some
15 education, to provide something for our kids, things
16 will change.

17 I felt so bad Friday night when that girl hung
18 herself. She was a good basketball player at OCS. In
19 her text to her friend, she said, "Where are you
20 tonight when I really need you?" And she did that to
21 herself.

22 So there's help needed out there. We got a lot of

1 bootlegging going on, drug dealing. When are we going
2 to make a change? And it has to be a big change. And
3 I know it takes time to do things, but you guys are
4 pieces of the pie, and I know you do your best to
5 provide services that you have. But I appreciate you
6 guys for the things that you do. And I know the need
7 is great. It's big. Big time. I go through a lot at
8 Pine Ridge.

9 But anyway, might sound like a broken record, but
10 the thing is, we got to do something, guys, if we want
11 to survive as tribes. This is a chance of our lifetime
12 to get a good survey of how many people we actually
13 have that are in need.

14 So with that, I thank you very much. And may God
15 bless each and every one of you. Thank you.

16 (Applause).

17 MS. ROBERTS: (Speaking in foreign language).

18 Just want to say thank you. My name is Roberta
19 Roberts, and I'm originally from Naschitti, New Mexico.
20 It's not as small as where you're from. It's a little
21 bit bigger than that.

22 But I wanted to take this opportunity to encourage

1 each of you at the table here, the 24 members, two from
2 HUD, one of them is Navajo. I'm going to have to
3 mention that, Mr. Boyd.

4 You always have to pay homage and respect to your
5 leaders (speaking in foreign language), and that's what
6 I do, and that's how I acknowledge you, regardless of
7 your position, your title. Everyone in here (speaking
8 in foreign language), and I thank you for your
9 leadership like that.

10 Listening to our elders here, I wanted to express
11 myself as an individual. I have close to 25 years of
12 housing experience. So the last four years, I've been
13 honored and humbled to come back to Navajo Housing
14 Authority after working for the Southern Ute Indian
15 Tribe as their Executive Director for their housing
16 problem.

17 And I came back, and I came back with a new
18 vision, because I knew this mother who had six
19 children, didn't have a place to go, didn't have a mom.
20 And through this program, the old Mutual Help program,
21 she obtained a home. But there was sweat equity
22 involved, and this mother used to wheel her children,

1 two youngest ones in a wagon, about a mile and a half
2 to the site during construction. And she would watch
3 and put in her hours as much as she could.

4 And when her youngest was three years old, they
5 moved in. And it made a difference in their family, in
6 their household. The mother was a single parent, have
7 to go to work. So the siblings had to raise this
8 little girl. And she had a chance only because she has
9 a house now.

10 And each of you that spoke up here, you're
11 absolutely right. When you have a home, you have a
12 chance at life. It doesn't matter if you have parents
13 or no parents or your siblings raising you, you have a
14 chance, because you have shelter and a place to lay
15 your head down.

16 And ladies and gentlemen, you're looking at that
17 little girl who was a three year old when Mushi moved
18 into a HUD home. I remember growing up, raised by my
19 brothers. Who knew that that little girl would be
20 standing here watching the formula funding negotiated
21 rulemaking unfold before her eyes?

22 And I tell you, the information that you have to

1 do, the knowledge and the expertise in this room, is so
2 overpowering.

3 My leaders from the Navajo Nation in housing that
4 are here, I'm so humbled to be in their presence
5 learning from them, because as I sit here, and I read
6 everything, and listening to Todd's report, I was like,
7 oh, my God, how the heck am I going to explain this to
8 my mother when I get home in Navajo?

9 (Laughter).

10 MS. ROBERTS: How do you say regulations? The
11 only one word is beehaz'aanii, means the rules, the
12 laws. But you throw in calculations and things that
13 Todd was talking about, and I thought, there is just no
14 way. Better them at the table than me.

15 But what I wanted to instill in each of you
16 members, 24 at the table, is that you inspire hope.
17 I'm the younger one, and I sat here, and I listened,
18 and I was just inspired to have to come up and say a
19 few words.

20 I don't have the answers. I don't have any
21 suggestions or strong recommendations, except that you
22 think with your heart as much as your mind. And the

1 words that come out of your mouth, I ask that you
2 remember all the young hearts back home who are going
3 to be looking up to those of us that are going to move
4 into leadership one day at another level.

5 And I hope to one day sit at the table to make
6 those laws for children like myself, to give them hope.
7 And I always say at Navajo, to my colleagues, to my
8 workers, to my families, I tell them, "We're giving you
9 an opportunity. We're giving you hope. We're giving
10 you keys to this house. Now, it's your job to make it
11 a home."

12 And so as you sit to the table, as you walk away
13 tonight, I ask you, please, to find it deep down, dig
14 further, and have one voice, truly have one voice for
15 our young ones coming up. Because as I sit here and
16 listen, I see tiredness. I see fatigue starting to set
17 in on this group. And I'm starting to see a little bit
18 of grouchiness.

19 And I want you to understand that there's younger
20 eyes whose inspiration is to become tribal leaders. I
21 want to be a councilwoman one day for my tribe. And
22 I'm watching each and every one of you, how you conduct

1 yourself, and I'm learning from you, and I'm learning
2 how not to be, too, at the same time.

3 So with that, I don't have any strong
4 recommendations except to say that you're the experts
5 in this room. And what I take home to Naschitti, what
6 I take home to my grandson, through my culture and my
7 language that I have to interpret these rules and
8 regulations to the families, to the grandmas and
9 grandpas out there, I'm going to be thinking of this
10 group.

11 I'm going to be thinking about everyone in this
12 room as I go home and say, "I'm humbled to be part of
13 this group, that I have a first look at what the
14 discussions were on why these rules were made, why
15 these laws were made, what formula funding really
16 means."

17 I'm going to have another level of education that
18 I'm going to teach back home on my reservation, on my
19 homelands and my communities.

20 So to each one of you, I look at every one of, be
21 it a lawyer, be it an executive, a tribal leader, and
22 all I see in the room are mothers and fathers and

1 sisters and brothers, because that's who I know that
2 you are. And I always tell AJ, as scared as I am or as
3 nervous as I get, I start looking around, and I just
4 see mothers and fathers, grandpas, grandmas, brothers,
5 and sisters, and that's how I'm able to calm myself.

6 So as these younger eyes -- not saying I'm the
7 youngest, but I like to think that, because I am the
8 youngest of my family. I always try to think I'm the
9 youngest person in the room regardless, but kind of
10 getting past that now that I'm getting old.

11 But regardless, I sat here, and I thought, maybe
12 tomorrow, I'll say something. The last negotiated
13 rulemaking, I was here. I sat and bit my lip. Like
14 over here was saying, I wanted to say something, and I
15 kept saying, no, you don't deserve to say anything,
16 you're still learning, you're younger, let the older.

17 But today, I thought why not? Why not let the
18 younger ones tell then that they're being watched, that
19 you are the role models, the experts in the room, so
20 have one voice, listen to one another, respect on
21 another?

22 And those are the laws that are free, ladies and

1 gentlemen. Those are the rules and the statutes that
2 we have already been placed long before these
3 negotiated rulemaking.

4 So with that, I felt compelled to just share my
5 thoughts, so that each of you can have a good night to
6 know that you're the experts in the room, you're role
7 models, but above all, you're parents, you're my
8 brothers and sisters.

9 And I'd just ask that you'd bring to the table,
10 keep at the table, respect, honor, and pride in our
11 culture for our people. (Speaking in foreign
12 language).

13 And I just again, from the bottom of my heart,
14 thank you for the time, the energy, the knowledge that
15 you bring to the table, to the room, and to especially
16 my role models, my leaders, and especially to the
17 Kinyaa'aaniis in the room, my clan.

18 I thank you very much from the bottom of my heart.
19 Have a good evening.

20 (Applause).

21 SPEAKER: (Speaking in foreign language). Good
22 day to you. My heart goes to every single one of you.

1 I agree with every single word that was said
2 before. I worked in the housing area back in 2000,
3 1999. It's been a long time. And we were learning, we
4 were striving to make the best for our people.

5 And I ask one prayer, I always pray that the Lord
6 will put me, and that the Lord will be able to for me
7 to see when we come together. And this is the day,
8 because we're making rules, we're coming together at
9 the table. I guess we're not being ignored somewhat.
10 We're being looked at. We're being listened to. And
11 this is what I pray, that I will be able to see this.
12 I'm not that old. I'm not that old. I'm not that
13 young. I don't know how old the young lady was. But
14 this was my dream in 2000.

15 I later sat in the tribal legislative position,
16 where I also spoke on behalf of our members regarding
17 housing. And now, I sit on the Board deciding and
18 striving to make this work.

19 I have another job that I do, and my heart goes
20 out to the ones that have to deal with drugs and
21 alcohol. And this is where I am striving, because I
22 know that I know that when a mother or a father does

1 not have a place to house their children, the family
2 breaks apart.

3 It is not their desire to break the family apart,
4 but they have nowhere else to turn to. They choose to
5 block that part. And this is where I'm at as an
6 employee. And sometimes, you're helpless.

7 There's times I go home when it rains or when I am
8 warm in my house, and when we get bad weather, I start
9 thinking, where are the children? Are they safe?

10 I'm glad to be on this Board, because I'm willing
11 to do everything that it takes, if we have to go out
12 for grants, if we have to do anything just to get a
13 little money to build another house. But you know we
14 were put on a large land base where there's not enough
15 money. There's not enough money to build house for
16 every single family. And I feel that's where we're
17 lacking.

18 And you know that each one of you who are sitting
19 here at the table and each one of you that are here on
20 the Panel, you were put there for a reason, to work
21 together, and like someone mentioned, deep down in your
22 heart search, how can I honestly, honestly do this job

1 without putting my emotions?

2 We, at the table, we need to work together. Let's
3 not grab much more than we really need. Like someone
4 mentioned, when there's things put out, everyone wants
5 to grab.

6 You know, when I was growing up, I was brought up,
7 my mother had very little food on the table, because
8 she didn't have a job, but she worked out in the cotton
9 field. Even though there was small piece of bread,
10 small piece of whatever we cooked, someone came to the
11 house, we offered it to them. We did not wait until
12 they were gone to eat. We offered it to them, because
13 He provides more than you need.

14 And I slowly believe that He's going to provide
15 more money, as long as we work together. As long as we
16 really search in our hearts and share this information
17 and work together, it can be done.

18 I'm not going to take more than what I need, or
19 I'm not going to take all of it, but here, you can have
20 some. Let's give some to these guys. Let's give some
21 to this tribe.

22 I know it's a very hard job sitting at the table

1 to make those decisions, but a lot of people or your
2 members are counting on you, because I sat at a table
3 having to make those decisions.

4 But now, where I'm put, the job that I have, I
5 really feel I was placed there, because now, I'm
6 working with the hurting. And that's what you, as HUD
7 -- we have a lot of families that want to become foster
8 parents, but they don't have no homes to house these
9 children.

10 We want to bring out children back home, but
11 there's no homes. There's not adequate homes that
12 they'll be eligible to bring the kids home. Grandma
13 and grandpa can't house the children, because they may
14 not have running water. It's not adequate enough for
15 the kids to come home.

16 And we're a large tribe. And our count is not
17 even close to what it's supposed to be, because you
18 know, as us Indians, we don't want to tell -- we're
19 very secret. Sometimes, when you go to a home, they
20 will not invite you in, because that's just how it was.
21 It will change, but maybe not now.

22 But I know that we need more money, we need more

1 houses. How are we going to do it? It's going to take
2 all of us. And I'm willing to, because I'm still
3 alive. I want to see all these families have houses.
4 I want to maybe give away houses, some tribes, as long
5 as they live by the rules, because again, there's no
6 jobs.

7 So there's so much that I'm pretty sure every one
8 of you know what we're talking about. And I really
9 compliment you guys that are up here making those
10 decisions. But search, search in your heart, how can I
11 build another house? How can I share the funding?
12 What's it going to take?

13 If we have to sit here for many hours to discuss,
14 yes, it's tiring, but our members are holding us
15 accountable. And they know we can do it. So I just
16 bless each and every one of you. (Speaking in foreign
17 language).

18 (Applause).

19 CHRISTINA LEWIS: (Speaking in foreign language).
20 Good afternoon, everybody. My name is Christina Lewis.
21 I'm with Navajo Nation, and I'm also Board of
22 Commissioners for Navajo Housing Authority.

1 And I just want to bring in to you my concerns and
2 our issues back home. And sitting here listening to
3 all of you, it really takes me back to the 1980s and
4 '90s where my home community, my mother and my late
5 dad, they were almost forced to relocate with the
6 Navajo-Hopi land dispute.

7 And at that time, they were sitting like you,
8 trying to figure out a solution of what to do. And
9 that time, I was young. So that really brought me
10 back, threw me back.

11 And during that time, my parents, they were the
12 resisters. They did not want to move from their land.
13 And my parents' home was very old. They have a hogan,
14 old house. And my mom, she didn't want to leave. And
15 so she's still there. She still lives in the Hopi
16 partition land. And I see that. And that's where I
17 come from.

18 I'm a Navajo woman from the Navajo partition land,
19 stripped of all our rights, because the federal
20 government -- just because of the resources, the
21 natural resources, they divided the Hopi Nation with
22 Navajo Nation.

1 So then the former Bennett Freeze area, they froze
2 the land for 40 years where there was no construction,
3 no infrastructure. Our poor people didn't have that.
4 And now, Navajo Housing Authority as well as Navajo
5 Nation, we have to go back and build homes.

6 And I work for the Navajo-Hopi Land Commission
7 Office with the Navajo Nation. All these is are
8 brought to us. We need new homes. We need new
9 schools, economic development in the former Bennett
10 Freeze area.

11 So I see that. And then I look at the data, and
12 you're giving us less money if we choose to go that
13 way. And our tribe is growing, our children, our
14 grandchildren, we're having more, and the increase
15 should be more rather than lessen it. I think of it
16 that way.

17 So I'm here representing my community, our people,
18 our elderlies, our children, our grandchildren, and the
19 one that's going to be born tonight, tomorrow, next
20 week, we have to look that far.

21 And I work for the Navajo Community Development,
22 and I audit these homes on weatherization program. And

1 I see the grandmothers, their home, and it's cold.
2 They have broken windows. Their homes are so
3 dilapidated. And I think, my gosh, where is all the
4 money? We need new homes for them. And our veterans,
5 we just had a veterans' meeting last week.

6 So many of our people need homes. And so HUD, we
7 really need to work together. You need to hear us and
8 listen to us. And that's what I ask of you today.

9 And I appreciate Aneva and the Navajo Housing
10 Authority staff here as well as our Commissioners that
11 are here.

12 So we need to work together, Denver office,
13 Phoenix HUD office, and then also the HUD staff from
14 DC. So I plead with you, work with us, and don't turn
15 us away. We do need the money.

16 And all the tribal people here, we're all related,
17 we're all Native American. So we need to stick
18 together and work together.

19 That's it. (Speaking in foreign language).

20 (Applause).

21 MS. BRYAN: Any other public comments? We will
22 have a public comment period at the end of each session

1 this week, so we'll have more opportunities for public
2 comments.

3 And I would just like to thank those of you who
4 had the courage to come up to the microphone. I know
5 it's hard sometimes, and I'm always told that by my
6 elders, get up there and say something. And I've
7 become better at it, but it does take a lot of courage.

8 And those words that you're saying, somebody needs
9 to hear them. But more importantly, you need to get
10 them off your heart.

11 So thank you, all of you who came and gave public
12 comment for the record in this really important
13 process. We appreciate that.

14 I have a logistical announcement. For those of
15 you who are interested in these documents that were
16 passed out to the work group, there are three copies of
17 the appendix, if you want to look through them, on the
18 table outside, and they're available to view on the
19 website, which I will have put up for you.

20 So feel free to ask if you would like to be
21 directed to those. But just so you know, this
22 information is available for all of you.

1 And finally, if there's no other business -- any
2 other business, thoughts, comments? Okay. Thank you
3 all for your patience and your time.

4 I would encourage you, if you'd like to caucus, to
5 get together with your regions and call the caucus.
6 I'm not hearing anyone ask for a caucus.

7 But we will reconvene tomorrow morning at 8:30.
8 And we have asked Wayne Simms to offer us a prayer for
9 closing this evening.

10 MR. SIMMS: Good afternoon. I want to say, first
11 of all, I appreciate all the comments that were made by
12 the folks that came forward. I really appreciate that.
13 I think it's wonderful that you do that, how you come
14 and are able to use your language to do it as well.

15 I just want to say something for a minute. I work
16 for HUD, and I'm not going to apologize for this.

17 (Laughter).

18 MR. SIMMS: But I'm also Choctaw Indian. I was
19 raised by a very strong, full-blooded Choctaw mother.
20 She was raised in Southeastern Oklahoma, went to three
21 different boarding schools. She decided that her kids
22 weren't going to speak their language, because what she

1 was taught in those boarding schools was that you make
2 your way in the world, and you can't use your language
3 to hold you back. So I respect those folks that have
4 their language and still have their culture.

5 We were not as lucky in our family from that
6 standpoint, but I respect all that she did, because she
7 raised me. I've been in this business now 38 years,
8 spent 18 years on the side that you folks are
9 representing, now 20 years with HUD, and I'm sure
10 thankful that I have the background I do. I'm thankful
11 for my mother and my father that raised me to get to
12 this point in life, and I really appreciate that.

13 So again, I respect everything you say. I hope
14 that all those situations can be worked out with the
15 work that this -- the very important work this group is
16 doing as well, because it's the most important work.

17 This has been the best program in the world for
18 Native Americans. It really has. But there's never
19 been enough money. We all know that. And that's the
20 problem. It's not how you divide it as much as it is
21 the money itself. We need more money.

22 And I don't know how that happens, but it's a

1 never-ending battle that you folks fight, and I
2 encourage you to keep on fighting that never-ending
3 battle, because it's very important.

4 So now, if you'll pray with me. Our Father, our
5 Lord, our creator, we thank you for this day and all
6 the blessings you've given us today. We thank you for
7 all those folks that have come and be a part of this
8 organization, be a part of this committee, to give
9 their time and their energies for this most important
10 work. We ask you to bless them.

11 We ask you to bless the veterans. We ask you to
12 bless the military folks that we have overseas
13 representing our interests and taking care of our
14 freedoms. We ask that you bless our elderly, bless our
15 youth, bless our children, bless our needy, because
16 that is why we are here today to help those folks
17 become better in their lives and hope that you will
18 also bless this organization.

19 Bless this meeting for the rest of this week that
20 we're here, but also, bless us all for the journey of
21 the rest of our lives, because we are here, because we
22 want to do right for our folks.

1 All those things we ask in thy name. Amen.

2 MS. BRYAN: We are recessing. We'll see you back
3 at 8:30. Good job, everyone.

4 (Whereupon, at 6:10 p.m., the meeting was
5 adjourned.)

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