

IHBG Negotiated Rulemaking Data Study Group
Final Report
July 31, 2015

Volume II: Appendices

Volume II. Appendices

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Appendix A: Data Study Group Guiding Principles

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STUDY GROUP OF THE NEEDS WORK GROUP **Guiding Principles**

7-30-2014

I. Participation

- a. Attendance at Meetings. Study Group members must make a good faith effort to attend all Study Group meetings (telephonically and face-to-face).
- b. Study Group Members. The Study Group members shall be one Negotiated Rulemaking Committee member from each of the six HUD designated regions, plus one HUD representative.
- c. Participants. All Negotiated Rulemaking Committee Members and other individuals are welcome to participate.
- d. Designated Alternates. A Study Group member may designate an alternate to participate in his or her absence.
- e. Costs. Unless other funding is identified, members of the Study Group, and all other individuals who chose to participate are responsible for their own costs of participation.
- f. Voting. Only the study group members or their alternates shall vote for consensus purposes.
- g. Technical support. The Study Group shall request technical support staff as necessary.
The Study Group is unable to compensate technical support staff. A Study Group member elects to make support staff available to the Study Group at his or her own expense. To the extent that any technical request requires funding, the request is subject to funding availability.
- h. The Study Group shall appoint a facilitator and a chair from the study group members.
- i. The regional representatives from each region shall be responsible for communicating the Study Group's progress to tribes and TDHEs within their region.

II. Meetings

- a. Meetings. The first meeting shall occur within two weeks of the formation of the Study group but no later than August 25, 2014. The Study Group will commit to at least two face-to-face meetings. The Study Group shall also convene telephonically as the group determines necessary.
- b. Chair. The Study Group members shall select a chair to oversee the Study Group meetings.
- c. Working Groups. The Study Group may work as a group of the whole or divide into working groups. Working groups must be chaired by a Study Group participant.
- d. Telephonic Meetings. If the Study Group chooses to divide into working groups, the working groups shall meet telephonically as they deem necessary. The cost of the telephonic meeting, if any, shall be covered by HUD; however, participants shall be responsible for paying their own long-distance telephone charges, if any.

III. Purpose

- a. The purpose of the study is to assess potential data source(s), including ACS, to drive the allocation of Indian Housing Block Grant funding via the IHBG allocation formula.
- b. The Study Group shall attempt to reach a consensus recommendation to the IHBG Formula Negotiated Rulemaking Committee regarding the source(s) of data to be used in the IHBG allocation formula.
- c. The Study Group shall identify and recommend to the IHBG Formula Negotiated Rule Committee additional revisions and modifications to data sources and data sets that would potentially address weaknesses in data sources and data sets, if any.
- d. The study shall examine, but not be limited to: data relevance, data collection methodology, proficiency of persons/organizations collecting the data, timing considerations, the burden imposed upon tribes and TDHEs, cost, and that can be implemented by Fiscal Year (FY) 2018.

IV. Presentation of Product

- a. Upon completion of its work, the Study Group shall distribute its report and recommendations to the IHBG Formula Negotiated Rulemaking Committee. The Study Group shall present its assessment and recommendations to the IHBG Formula Negotiated Rulemaking Committee when it reconvenes.

- b. Upon completion of the Negotiated Rulemaking Committee's negotiation, the report will be made available on the IHBG Rulemaking website and HUD's Codetalk webpage.
- c. The Study Group will provide quarterly updates to the Committee which may include minutes, draft reports, status reports, etc. Within eleven months, a draft report will be provided to the Committee.

v. Data Sources

- a. The Study Group shall identify at the onset of its work a timeline for identifying the potential data sources it will assess in the course of the study. Once the Study Group has identified the data sources it will examine, no other data sources shall be introduced for evaluation.
- b. Data sources shall achieve an optimal balance of:
 - 1. Providing data that is relevant to Alaska Native and American Indian housing needs;
 - 2. Having a data collection methodology that is objective, equitable, transparent, consistent, statistically reliable, and replicable both over time and diverse geographies;
 - 3. Being collected by proficient persons/organizations having appropriate capacity and training;
 - 4. Being collected on a recurring basis at reasonable intervals or be capable of reliable statistical aging;
 - 5. Not imposing an undue administrative or financial burden upon tribes and TDHEs; and
 - 6. Being cost effective
 - 7. The timeframe within which the data source can be implemented.
- c. The Study Group shall develop and utilize standard questions and criteria to assess each potential data source.

vi. Duration of this Study

- a. The Study Group shall have no more than 12 months from the first meeting of the Study Group to complete the study and submit the final report to the Negotiated Rulemaking Committee.
- b. Should the Study Group sub-divide in smaller working groups, all research shall be brought back to the Study Group for evaluation and assessment within 6 months of the Study Group formation.

The Study Group, by consensus, will make a recommendation to the Negotiated Rulemaking Committee.

Attachment: Proposal Concept from the Needs Work Group to Full Committee and approved by the Committee on June 13, 2014

Appendix B: Data Study Group Rules of Order

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Study Group of the NAHASDA Formula Negotiated Rulemaking Committee RULES OF ORDER

These Rules of Order supplement the Guiding Principles for Study Group that were prepared by the Needs Workgroup of the NAHASDA Formula Negotiated Rulemaking Committee (“Committee”) to guide the work of the Study Group.

1. Meeting Notices. Regular meetings of the Study Group will be noticed by publication on the IHBG website, <http://ihbgrulemaking.firstpic.org>, at least two (2) weeks in advance of the scheduled meeting. The Chairman of the Study Group also will notify members of the Study Group by email. Meeting notices may also be distributed through the National American Indian Housing Council (“NAIHC”) and Regional Associations. Emergency meetings of the Study Group may be called on forty-eight (48) hours notice to the members of the Study Group, or on less notice, if all Study Group members agree.
2. Telephonic Meetings. HUD will provide a call in number and technical assistance to facilitate telephonic meetings of the Study Group and such working groups, if any, that the Study Group may establish. To participate in a telephonic meeting, a participant must have a phone line, a computer, and access to the internet. Instructions will be provided on the IHBG website, <http://ihbgrulemaking.firstpic.org>.
3. Minutes. To the extent feasible, minutes will be kept of all Study Group meetings, and HUD will provide a note-taker to take and distribute the minutes to all Study Group members.
4. Submission of Documents. Members of the Study Group may post documents on the IHBG website for review by all Study Group members. Non-members of the Study Group who wish to post documents on the IHBG website must submit those documents through a member of the Study Group.
5. Proposal Concept. The Guiding Principles are applied consistent with the Proposal Concept from the Needs Work Group to the Full Committee, which was approved by the Committee on June 13, 2014, and is an attachment to the Guiding Principles.

Appendix C: Data Study Group Decision-Making Framework/Steps

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Data Study Group of the IHBG Formula Negotiated Rulemaking Committee Framework for Data Study Group Meetings and Process

Step One:

Establish and adopt this Framework for Data Study Group Meetings and Process
Adopt document providing an overview of the Study Group's Data Source Assessment process (see the document presently titled "Overview of the Data Source Assessment Process") and the document containing the data source assessment process itself (see the document presently entitled "Data Source Assessment and Recommendation Process")
Approve tools to be used to **evaluate** nominated data sources (see Data Source Characterization and Evaluation Process Matrices)
Establish process and timeline for **nominating** data sources for evaluation (including proposed nomination form)

Step Two:

Establish preliminary outline for the format of the Final Report

Step Three:

Close data source nomination period three weeks after final assessment and overview documents are posted on the IHBG Formula Negotiated Rulemaking website
Compile and finalize list of data sources submitted by Data Study Group members and participants and by others in response to the Federal Register notice
Identify technical support person(s) who will **screen, characterize and evaluate** nominated data sources
Assign list of nominated data sources to technical support person(s) for screening

Step Four: (Three weeks after closing of nomination period):

Data source screening complete
Discussion to narrow down list of data sources to characterize based on screening
Identify technical support person(s) to characterize data sources (if different than those identified for data source screening)
Assign data sources meeting minimum qualifications to technical support person(s) for characterization

Step Five (Seven weeks after previous meeting):

Data source characterization complete
List and discuss current variables
Identify technical support person(s) to evaluate data sources (if different than those identified for data source characterization)
Assign data sources meeting minimum qualifications to technical support person(s) for preliminary evaluation (preliminary evaluation due four weeks after assignment)

Step Six: (Five weeks after characterization phase):

Discuss preliminary evaluation of data sources
Identify, draft and submit additional questions and/or requests for information to HUD or other relevant agencies to facilitate full evaluation of sources

Step Seven: (Two weeks after submission of preliminary evaluation):
Conference Call: Review and discuss responses to questions and requests for information, and address any unresolved questions or requests

Step Eight: (One month after previous meeting to finalize data source evaluation report):
Consider report containing evaluation of data sources (including assessment of suitability for measuring current variables and other relevant housing needs)
Determine final list of data sources, and the variables they measure, for consideration by the Data Study Group
Select optimal data source(s) to measure current variables based on overall evaluation criteria

- If applicable, identify potential means to improve or enhance the data provided by these source(s), identifying the resources needed to implement such improvements and weighing the costs of those improvements against their potential value.

Identify other potential needs (not presently included in the IHBG formula) that could be measured using data from the sources that have been evaluated. Identify optimal data source(s) for other needs that can be measured.
Technical support person(s) to prepare draft report containing recommendations for Data Study Group no later than May 28, 2015.

Steps Nine:
Review draft recommendations report prior to submission to Negotiated Rulemaking Committee (draft provided to Study Group at least two weeks prior to review)
Discuss revisions to draft and finalize report language, including minority and majority opinions if consensus cannot be reached
Submit final report language to Negotiated Rulemaking Committee no later than July 28, 2015.

Appendix D: Data Source Nomination, Characterization and Evaluation Process

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Data Study Group of the IHBG Formula Negotiated Rulemaking Committee

Overview of the Data Source Assessment Process

Narrative Overview: Nominate, Initial Screen, Characterize, Evaluate, Select

All members of the Data Study Group will have the opportunity to nominate data sources for consideration and designate technical support experts to evaluate sources. The members recognize that the nomination and evaluation processes are intended to be inclusive rather than exclusive and that data sources may be nominated by members on behalf of Committee members and participants who are not part of the Data Study Group. Existing data sources or a new data source may be nominated. When a new data source is nominated, the nominator must provide basic information about that source to facilitate the research of the technical support experts in the following steps.

After nominations close, a technical support person or person(s) will research and report the answers to the **initial screening** questions for each nominated source to the Data Study Group. The technical support person(s) will be designated by individual members, and may, if necessary, form a technical committee to coordinate their work. All designated technical support person(s) will answer the screening questions for all nominated data sources and compile their answers into a single matrix to provide to the Data Study Group. The Data Study Group will use this matrix to attempt to reach consensus over which nominated sources do not meet the minimum requirements for use in the IHBG formula and should be eliminated from further consideration. The screening questions are intended to limit unnecessary work by the technical support person(s) and Data Study Group members. For example, if a nominated data source is not independent, but is instead based on numbers calculated from some other data source, it may be rejected and that independent data source will continue through the process instead. If a data collection project is no longer active and cannot be reliably enhanced to bring current,, there is no need to spend more time characterizing or evaluating it since it will not be available to provide data to incorporate into the formula. Similarly, if a data source does not measure anything related to Indian housing need or does not cover all Indian areas, it may be rejected at this stage. If consensus is not reached to eliminate a data source at the screening stage, it will progress to the later stages.

Nominated data sources not rejected by the group will then each be **characterized** by the technical support person(s) over the following month(s). The characterization questions are fairly open-ended, designed to provide enough information about each data source to identify any potential issues impacting its suitability for use in the IHBG formula. The characterization process will include identification of current formula needs variables and other aspects of housing need that the data source is able to measure. Because the characterization questions

will not be exhaustive, there will be another opportunity to gather facts about data sources following the initial evaluation as necessary. These questions do not have predefined correct answers; they are intended to facilitate gathering the information that will be necessary to judge the suitability of that data source in the subsequent evaluation stage. The data sources will be divided evenly and randomly among the technical support person(s) to perform the initial characterization over two weeks (with potential for requesting extra time if there are barriers to accessing required information). Then, each technical representative will redistribute the initial characterization to all members of the technical support team for the following three weeks so that each technical support person will have the opportunity to add to the narrative for each answer and make their own recommendation about whether the data source should move on to the evaluation stage. The full narrative, including the recommendation from each technical support person, will be distributed to the Data Study Group, which will have two weeks to review the final product and give the technical persons written feedback for consideration during the evaluation phase.

After all data sources have been characterized, the Data Study Group will decide which sources should be **evaluated**. If consensus is not reached to eliminate a data source at the characterization stage, it will progress to the evaluation stage. The Data Study Group will assign the data sources that passed the characterization phase to the technical support person(s) to answer the evaluation questions. As with the characterization phase, the data sources will be divided evenly and randomly among the technical support person(s) to write their initial evaluation within two weeks and then redistributed among all members of the technical support team to allow them to contribute to the discussion for the following three weeks. To the extent possible, technical support person(s) will harmonize and reconcile their answers to provide a consistent opinion to the Data Study Group. If responses cannot be reconciled, each opinion will be included in the report presented to the Data Study Group.

The data sources will be evaluated with respect to six broad categories: relevance, currency, accuracy, completeness, availability, and transparency. The evaluation criteria will also include a list of current variables and other aspects of housing need identified by the technical support person(s) as being measured by the nominated and characterized data sources. It is important to be clear that it is extremely unlikely that any data source will exactly meet many of the evaluation criteria; even if a data collection project were designed specifically to meet the requirements of the IHBG formula there would still be tensions between some of the evaluation criteria (for example accuracy, availability and currency, because larger samples increase accuracy but also make the data more expensive and slower to generate). Therefore, even though there is a theoretically perfect answer to every question, answering and summarizing the evaluation questions will involve a substantial narrative component that explains the specific ways a data source does or does not meet the identified criteria and ways that source might be improved. The technical support person(s) will also review the merits of and potential ways to improve the data source for each of the six broad categories and provide an overall summary of the strengths and weaknesses of the data source with regard to the IHBG formula. The full narrative answers to the questions, including a discussion of topics where the technical support

team was unable to reach agreement, and a summary matrix for each data source will be provided to the Data Study Group.

The Data Study Group will reconvene within two weeks of receipt of the initial matrix to review these preliminary evaluation documents and identify, draft, and submit any additional questions or requests necessary to complete the data evaluation process. Over the course of the next month, the technical support person(s) will work together to prepare a preliminary evaluation report. The Data Study Group will meet again (likely over conference call) at the end of that month to review and discuss responses to those questions and offer comments on the preliminary report. About one month after this meeting, the assigned technical support person(s) will submit a final evaluation report incorporating the new information to the Data Study Group.

The technical support persons will establish a list of current variables and other identified aspects of housing need in the characterization phase and **identify** optimal data sources for each of the current variables and other aspects of housing need in the evaluation phase. A technical support person or persons will be assigned by the group to prepare a draft report containing a list of evaluated data sources and a list of the optimal data source(s) for each current variable and other aspects of housing need that could potentially be measured by the evaluated data source(s) along with the basis for the determinations made. The technical support persons shall have one month to prepare the draft report, but no later than May 28, 2015.

The Data Study Group will regularly meet to review and discuss the draft report and approve the final report to submit to the full Committee, which will include minority opinion if consensus is not reached.

Data Source Assessment and Recommendation Process

Initial Screening

This step is designed to prevent wasting time researching and documenting the characteristics of nominated sources that clearly will not work in the IHBG formula (e.g., the nominated data collection project is entirely dependent on Census data or another data source and is not itself an independent data source). Each identified technical support person will answer the following questions for all nominated data sources. The answers will be compiled into a format similar to the matrix below and, along with any additional narrative component of the answers, will be provided to the Study Group, who will meet to reach consensus over which nominated sources do not meet these minimal requirements and should be eliminated. If consensus is not reached to eliminate a data source at the screening stage, it will progress to the later stages.

Is it an independent, verifiable data source or a repackaging/special tabulation of some other data?

<if not independent, stop and consider the source it is based on instead>

Is this data collection project active or is it a proposed new data source?

<if the source is no longer being collected and cannot be reliably enhanced to bring current, reject >

Does this source measure some aspect of Indian Housing need? What aspect(s)?

<if the data source does not include any data relevant to Indian housing need, reject>

Is the project national in scope, collecting data and estimating values for all Indian areas?

<if not currently or potentially national, reject>

Recommendation: (accept/reject) Please explain.

Example Summary Matrix to Accompany Narrative Answers:

		Technical Support 1 Recommendation	Technical Support 2 Recommendation	Technical Support 3 Recommendation
Data Source 1	Q1	yes	yes	yes
	Q2	yes	yes	yes
	Q3	yes	yes	yes
	Q4	yes	yes	yes
		accept	accept	accept
Data Source 2	Q1	yes	yes	yes
	Q2	no	no	no
	Q3	yes	yes	yes
	Q4	no	no	no
		reject	reject	accept

Characterize the Data Source

These questions are designed to gather the facts that will form the basis for the judgments made during the evaluation process. Prior to passing judgment on the quality of a data source and its suitability for use in the IHBG formula during the evaluation phase, you must first gather information about it. There are no right or wrong answers for any of these questions. The data sources will be divided evenly and randomly among the technical support person(s). After those two weeks (or potentially longer, if there are substantial barriers to accessing the necessary information), the data sources and completed work will be redistributed among all members of the technical support team for the following three weeks. During this time, all members of the technical support team will have the opportunity to add to the narrative answers and make their own recommendation about whether the data source should move on to the evaluation stage. The full narrative, including the recommendation and supporting evidence and documentation from each technical support person, will be distributed to the Data Study Group. The Study Group will attempt to reach consensus over which characterized sources will move on and which will not. If a unanimous decision is not reached, the data source will be evaluated.

Purpose and Methodology

1. Who collects the data and for what purpose(s)? How do they collect the data (from a survey or through program administration)?
2. Which IHBG formula variables in 24 CFR Part 1000 can the data source measure?
3. What other aspects of Indian Housing need can the data source measure?
4. What questions are used to collect the data? Please attach a copy of questionnaires and/or forms and any associated instructions/training materials and definitions.
5. For what population(s) or sub-population(s) is the data collection program designed to collect data?
6. For what population(s) or sub-populations does the collection program collect data?
7. For what geographic levels(s) is the program designed to estimate data values? Can the data source produce estimates/figures based upon the formula areas described in 25 CFR 1000.302? What, if any, strategies are used to ensure sufficient and equitable coverage of all Indian areas?
8. How are the individuals or units chosen to participate (i.e., what is the sampling strategy)? Are there any segments of the eligible population not being reached?
9. How often is data collected? Is the data collected at a single point in time sample or as a rolling sample? What time period does the data reflect?
10. What procedures (for example follow up visits, incentives, marketing, etc.) are in place to encourage participation and completeness of the dataset?
11. What other entities utilize this data source and for what purpose(s)?

Accuracy and Precision

1. What is the confidence limit used to calculate the published margin of error? If no confidence limits or margins of error are provided, confirm there was no sampling or extrapolation involved.

2. What methods are in place to deal with total and partial nonresponse among the individuals recording this data? What are the rates of total and partial nonresponse?
3. Is the relative margin of error consistent across all tribes/tribal areas (e.g., small, large, rural, urban, off-reservation, on-reservation, etc.)? If not, describe the variation.
4. Overall, what design issues (e.g., phrasing of questions, incentives for participating, imputation methods, number of attempts to collect data for each selected participant, real or perceived conflicts of interest, etc.) could introduce biases for all or a certain subgroups of tribes (e.g., small, large, rural, urban, etc.) or certain types of data (e.g., financial, population, etc.)? Please provide examples to support your determination.

Implementation and Funding

1. What organization(s) (e.g., Census, other federal agencies, tribes, TDHE) are responsible for implementing and administering data collection and/or analysis (including recruiting, hiring, training, and monitoring field staff, supplying necessary equipment, and compiling the results)?
2. How much do the data collection and analysis phases cost, and how are they funded? If there is a specific cost to HUD or IHBG recipients, specify that cost. If this is a proposed new data source, please provide information used to estimate the cost of data collection.
3. What additional resources are needed to apply the data in the IHBG formula, and from which sources?
4. How long after data collection will it take for the data to be aggregated and available for use?

Transparency and Potential for Challenge

1. How transparent is the proposed data source? For instance, for which of the above questions was it difficult or impossible to find an answer? What prevented answering those questions?
2. What procedures would be recommended for a tribe/TDHE to challenge inaccurate data with HUD as applied in the formula? How does the cost of formula challenges differ from the status quo?
3. How can a tribe/TDHE challenge inaccurate data with the entity that collected the data? What are the costs for challenging data with the entity that collected the data?
4. Could the data collection procedures be modified to deal with future modifications of the formula and/or formula areas? How? What opportunities exist to improve the accuracy and/or precision of the data source?
5. How has the data collection methodology changed over the last few data collection cycles?
6. How stable has the data been over the last few data collection cycles?

Other Potential Concerns

1. What other factors not addressed above could impact the suitability of this data source for use the IHBG formula? In what way(s)? Please provide examples to support your determination.

Recommendation

1. Should this data source move on to the evaluation stage? If no, please provide examples to support your determination.

Evaluate the Data Source

Fundamentally, in order to be appropriate for use, the data needs to be **relevant** (i.e., measure the extent of poverty and economic distress and the number of Indian families within the Indian areas of the tribe, as well as other objectively measurable conditions relevant to housing need as described in Section 302(b) 2-3 of NAHASDA), **current** (e.g. reflect timely conditions to form the basis of yearly allocations), **accurate and precise** (e.g., reflect conditions within a known and acceptable margin of error), **complete** (e.g., include consistent information for all tribes/tribal areas), and **available** (e.g., without substantial financial or other barriers to collection, access, and use). Additionally, in order to assess these qualities, the data and data collection methodology needs to be **transparent**.

For a theoretically perfect data source, answers to all of the questions below would be YES. However, a simple yes or no answer to these questions would not only often be very difficult to provide without substantial qualifiers, it would be of very limited value to the study group's process of weighing all the necessary factors to select the most appropriate data source(s). Each question should therefore be answered in a narrative format that identifies the ways the data source does and does not meet the criteria, with the recommended methods to potentially mitigate any identified problems. The technical support person(s) will also review the merits of and potential ways to improve the data source for each of the six broad categories and provide an overall summary of the strengths and weaknesses of the data source with regard to the IHBG formula.

The data sources will be divided evenly and randomly among the technical support person(s) for an initial two week period to answer the following evaluation questions. After those two weeks, the data sources and completed work will be redistributed among all members of the technical support team for the following three weeks. During this time, all members of the technical support team will have the opportunity to add to the narrative answers and make their own recommendations and judgments. To the extent possible, technical support person(s) will aggregate and reconcile their answers to provide their final assessments to the Data Study Group and compile their findings into a summary matrix in a similar format to the one at the end of this section. The full narrative answers to the questions, including a discussion of topics where the technical support team was unable to reach an agreement and a summary matrix for each data source will be provided to the Data Study Group.

After meeting with the group and having the opportunity to request more information as necessary, the technical support persons will work together to write a preliminary and then final evaluation report for the Committee.

Relevance

1. Does the data source measure data that is based on factors that reflect the need of the Indian tribes and the Indian areas of the tribes for assistance for affordable housing activities, including (*answer Y/N for each*):
 - the extent of poverty within Indian areas of the tribe
 - economic distress within Indian areas of the tribe
 - the number of Indian families within Indian areas of the tribe
 - other objectively measureable conditions as the Secretary and the Indian tribes may specify
2. Does the data source reflect the following other factors for consideration, (*answer Y/N for each*):
 - the relative administrative capacities and other challenges faced by the recipient, including, but not limited to geographic distribution within the Indian area and technical capacity
 - the extent to which terminations of assistance under subchapter V of section 302 of NAHASDA will affect funding available to State recognized tribes
3. Does the data source measure the formula variables in 24 CFR Part 1000?
<select from checklist of current variables here>
4. Does the data source measure other aspects of housing need?
< select from checklist of other aspects of housing need created during the characterization phase>

Overall, is the data source RELEVANT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source relevancy be improved? What resources are needed to make these improvements?

Currency

1. Does the frequency with which the data is collected make them reliably current on an annual basis, or can they be made reliably current? Explain, including how and how often data can be made current without introducing significant error into the estimates?
2. Is the aggregated data available for use within a reasonable time frame after it is collected? How long does it take for the data to be available? Explain any delays.
3. Is the data stable over time? (i.e. no sudden swings in values, caused by sampling/methodology changes/etc)

Overall, is the data source CURRENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source currency be improved? What resources needed to make these improvements?

Accuracy and Precision

1. Does the data collection program methodology support deriving estimates covering formula areas as described in 25 CFR 1000.302? If not, for which other geographies can the data source derive estimates?
2. Are there sufficient protocols in place to address potential respondent misunderstandings concerning data collection instruments? Explain.
3. Are the data collection instruments and data collection protocols culturally sensitive? Explain.
4. Are there sufficient protocols in place to verify the accuracy of collected data?
5. Are there major concerns about precision? For instance, are the margins of error reasonable and consistent across all Indian areas? Explain.
6. Are there major concerns about accuracy? For instance, do missing administrative data or imputation and/or weighting methods introduce bias?

Overall, is the data source ACCURATE and PRECISE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source accuracy and precision be improved (for example, is it possible to correct or compensate for any and all survey design issues, such as phrasing of questions, incentives for participating, imputation methods, number of attempts to collect data at sampled housing unit, etc., which are likely to introduce biases for all or a certain subgroups of tribes, including small, large, rural, urban, etc., or certain types of data, including financial, population, etc.)? What resources are needed to make these improvements?

Completeness

1. Does the data source collect data for all Indian tribes as defined in Section 4 (13) of NAHASDA?
2. Are outreach efforts to encourage participation in the data source appropriate and effective within tribes/tribal areas? Are those efforts equally effective and equally implemented across all Indian areas? Explain.
3. Are all populations well represented in the data source, as evidenced by high response and inclusion rates or any other criteria? Explain any identified areas, populations, and/or topics where response or inclusion rates may be a cause for concern.

Overall, is the data source COMPLETE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source completeness be improved? What resources are needed to make these improvements?

Availability

1. Can the data be collected and analyzed with no significant additional resources?
2. Is there a source of funding available for the data collection and analysis? Explain the resources needed (and the source of these resources) to develop, administer, and analyze the data.
3. Can the data collection process be completed without imposing an additional administrative burden on tribes/TDHEs? If no, describe what support is available or needed (if not available) to reduce those burdens? Explain.
4. Is the data quantifiable and easily integrated into a funding allocation formula?

Overall, is the data source AVAILABLE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source availability be improved? What resources are needed to make these improvements?

Transparency

1. Has the data source been subjected to previous study/evaluation to assess strengths and weaknesses? If yes, are those studies available?
2. Were you able to find answers to most data screening, characterization and evaluation questions? Explain which questions you were not able to answer and why.

Overall, is the data source TRANSPARENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor How? Provide a narrative explanation for the overall rating. can the data source transparency be improved? What resources are needed to make these improvements?

Summary and Conclusions

1. Overall, is the data source appropriate for measuring one or more current IHBG formula variable(s)? Choose one of the following options and explain: Excellent, Good, Fair, Poor. What are the areas of biggest concern?
2. Overall, is the data source appropriate for measuring other aspects of housing need (as developed in the characterization phase) that are not current formula variables?

Example Summary Matrix to Accompany Narrative Answers:

		Judgment	Comments and Concerns
Relevance	Technical Support 1	Excellent	
	Technical Support 2	Good	
	Technical Support 3	Excellent	
Currency	Technical Support 1	Fair	
	Technical Support 2	Fair	
	Technical Support 3	Fair	
Accuracy/ Precision	Technical Support 1	Good	
	Technical Support 2	Good	
	Technical Support 3	Good	
Completeness	Technical Support 1	Excellent	
	Technical Support 2	Excellent	
	Technical Support 3	Excellent	
Availability	Technical Support 1	Poor	
	Technical Support 2	Poor	
	Technical Support 3	Poor	
Transparency	Technical Support 1	Good	
	Technical Support 2	Good	
	Technical Support 3	Good	
Overall	Technical Support 1	Good	
	Technical Support 2	Poor	
	Technical Support 3	Good	

**Data Study Group of the IHBG Formula
Negotiated Rulemaking Committee**

Data Source Nomination

Nomination submitted by (must be member of Data Study Group):

Data Source Name (or proposed name):

Nominated by:

Contact Information of Nominator:

Does the nominator agree to provide additional information and clarification to the technical support to help them characterize this data source if necessary? (yes/no)

Please discuss the purpose for which these data are collected and the specific aspects that are relevant to the IHBG formula.

Does this data source currently exist? (yes/no)

If yes, please list the sponsor and, if not the same entity, the organization or agency responsible for collecting the data.

If no, please discuss the proposed sponsor of the data collection project and provide a general overview of the methodology. If the proposed project is based on a model include the model name, reason(s) the model source itself is not appropriate, and a summary of the changes proposed to address those concerns.

Data Source Characterization Process

Purpose and Methodology
Source Name?
Who Collects the Data?
Is Data Collected from a Survey or through Program Administration? (Y/N)
What Aspects of Indian Housing Needs are Measured?
1.
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.
14.

15.
What Questions are Used to Collect Data? Attach a copy of questionnaire and/or forms.
For What Populations is Data Collection Program Designed to Collect Data?
For What Populations Does Data Collection Program Collect Data?
For What Geographic Levels is Program Designed to Estimate Data Values?
Does Data Source Produce Estimates Based upon the Formula Areas (as described in 25 CFR 1000.302)?
What Strategies are Used to Ensure Sufficient Equitable Coverage of All Indian Lands?
How are Individuals or Units Chosen to Participate? (i.e. what is the sampling strategy?)

Any Segments of Eligible Population Not Being Reached?
How Often is Data Collected?
Data Collected at a Single Point in Time or as a Rolling Sample?
What Time Period does the Data Reflect?
What Procedures (i.e. follow-up visits, incentives, etc.) are in Place to Encourage Participation and Completion of the Dataset?
What Other Entities Utilize this Data Source?
For What Purpose?
Accuracy and Precision
What is the Confidence Limit Used to Calculate Published Margin of Error? (If none are provided, confirm there is no sampling or extrapolation involve)

What Methods Deal with Nonresponse?
What are the Rates of Total and Partial Nonresponse?
Is Relative Margin of Error Consistent Across all Tribes/Tribal Areas (i.e. small, large, rural, urban)? (If not, describe)
What Design Issues Could Introduce Biases for All or Certain Subgroups of Tribes (small, large, rural, urban, etc.) or Certain Types of Data (financial, population etc.)? Provide examples.
Implementation and Funding
What Organization(s) (e.g., Census, Other Federal Agencies, Tribes, TDHE) are Responsible for Implementing and Administering Data Collection and/or Analysis (including recruiting, hiring, training, and monitoring field staff, supplying necessary equipment, and compiling the results)?

How Much Do the Data Collection and Analysis Phases Cost? (If there's a cost to HUD/IHBG recipients, specify the cost. If this is a proposed new data source, provide info used to estimate cost.)

How Are They Funded?

What Additional Resources are Needed to Apply the Data in the IHBG Formula?

How Long After Data Collection Will it Take for Data to Be Aggregated and Available?

Transparency and Potential for Change

How Transparent are the Proposed Data Sources? (i.e. for which of the above questions was it difficult/impossible to answer?)

What Prevented Answering those Questions?
What Procedures Would Be Recommended for a Tribe/TDHE to Challenge Inaccurate Data with HUD as Applied in the Formula?
How Does the Cost of Formula Challenges Differ from the Status Quo?
How Can a Tribe/TDHE Challenge Inaccurate Data with the Entity that Collected the Data?
What are the Costs for Challenging Data with the Entity that Collected the Data?
Could the Data Collection Procedures be Modified to Deal with Future Modifications of the Formula and/or Formula Areas?

How?
What Opportunities Exist to Improve the Accuracy and/or Precision of the Data Source?
How has the Data Collection Methodology Changed over the Last Few Data Collection Cycles?
How Stable has the Data Been over the Last Few Data Collection Cycles?
Other Potential Concerns
What Other Factors not Addressed Above Could Impact the Suitability of this Data Source for Use in the IHBG Formula?
In What Way(s)? Please provide examples to support your determination.

Recommendation
Should this Data Source Move On to the Evaluation Stage? If no, please provide examples to support your determination.

Data Source Evaluation Process

Relevance
Source Name?
Does Data Source Measure Data that is based on Factors that Reflect the Need of the Indian Tribes and the Indian Areas of the Tribes for Assistance for Affordable Housing Activities? (Answer Y/N for each)
The extent of poverty within Indian areas of the tribe?
Economic distress within Indian areas of the tribe?
The number of Indian families within Indian areas of the tribe?
Other objectively measurable conditions as the Secretary and the Indian tribes may specify?
Does the Data Source Reflect the Following Other Factors for Consideration? Answer Y/N for each.

<p>The relative administrative capacities and other challenges faced by the recipient, including, but not limited to, geographic distribution within the Indian area and technical capacity?</p>
<p>The extent to which terminations of assistance under subchapter V of section 302 of NAHASDA will affect funding available to State recognized tribes?</p>
<p>Does the Data Source Measure the Following Formula Variables from 24 CFR Part 1000? Answer Y/N for each.</p>
<p>American Indian and Alaskan Native (AIAN) Households with housing cost burden greater than 50 percent of formula annual income?</p>
<p>AIAN Households which are overcrowded or without kitchen or plumbing?</p>
<p>Housing Shortage which is the number of AIAN households with an annual income less than or equal to 80 percent of formula median income reduced by the combination of current assisted stock and units developed under NAHASDA?</p>

AIAN households with annual income less than or equal to 30 percent of formula median income?
AIAN households with annual income between 30 percent and 50 percent of formula median income?
AIAN households with annual income between 50 percent and 80 percent of formula median income?
AIAN persons?
Does the Data Source Measure Other Aspects of Housing Need?
Overall, is the Data Source RELEVANT? Choose Excellent, Good, Fair or Poor. Provide narrative explanation.

How can the Data Source Relevancy Be Improved?
What Resources are Needed to Make These Improvements?
Currency
Does the Frequency with which the Data is Collected Make Them Reliably Current on an Annual Basis, or can They be Made Reliably Current?
How and How Often Can Data be Made Current Without Introducing Significant Error into the Estimates?
How Long Does it Take for the Data to Be Available? Explain any delays.

<p>Is Data Stable Over Time? (i.e. no sudden swings in values, caused by sampling/methodology changes/etc.)</p>
<p>Overall, is the Data Source CURRENT? Choose Excellent, Good, Fair or Poor. Provide narrative explanation.</p>
<p>How Can the Data Source Currency Be Improved?</p>
<p>What Resources Are Needed to Make These Improvements?</p>
<p>Accuracy and Precision</p>
<p>Does the Data Collection Program Methodology Support Deriving Estimates Covering Formula Areas as Described in 25 CFR 1000.302?</p>

If not, for Which Other Geographies can the Data Source Derive Estimates?
Are there Sufficient Protocols in Place to Address Potential Respondent Misunderstandings Concerning Data Collection Instruments? Explain.
Are the Data Collection Instruments and Data Collection Protocols Culturally Sensitive? Explain.
Are there Sufficient Protocols in place to Verify the Accuracy of Collected Data?
Are there Major Concerns about Precision? For instance, are the Margins of Error Reasonable and Consistent across All Indian Areas? Explain.

Are there Major Concerns about Accuracy? For instance, do Missing Administrative Data or Imputation and/or Weighting Methods Introduce Bias?

Overall, is the Data Source ACCURATE and PRECISE? Choose Excellent, Good, Fair, or Poor. Provide narrative explanation.

How Can the Data Source Accuracy and Precision be Improved (for example, is it possible to correct or compensate for any and all survey design issues, such as phrasing of questions, incentives for participating, imputation methods, number of attempts to collect data at sampled housing unit, etc., which are likely to introduce biases for all or a certain subgroups of tribes, including small, large, rural, urban, etc., or certain types of data, including financial, population, etc.)?

What Resources are Needed to Make these Improvements?

Completeness
Does the Data Source Collect Data for all Indian Tribes as Defined in Section 4 (13) of NAHASDA?
Are Outreach Efforts to Encourage Participation in the Data Source Appropriate and Effective within Tribes/Tribal Areas?
Are those Efforts Equally Effective and Equally Implemented Across All Indian Areas? Explain.
Are All Populations Well Represented in the Data Source, as Evidenced by High Response and Inclusion Rates or any Other Criteria? Explain any identified areas, populations, and/or topics where response or inclusion rates may be a cause for concern.
Overall, is the Data Source COMPLETE? Choose Excellent, Good, Fair or Poor. Provide a narrative explanation.

How can the Data Source Completeness be Improved?
What Resources are Needed to Make These Improvements?
Availability
Can the Data be Collected and Analyzed with No Significant Additional Resources?
Is there a source of funding available for the data collection and analysis?
Explain the Resources Needed (and the Source of these Resources) to Develop, Administer, and Analyze the Data.

Can the Data Collection Process be Completed without Imposing an Additional Administrative Burden on Tribes/TDHEs?
If No, Describe what Support is Available or Needed (if not available) to Reduce those Burdens? Explain.
Is the data Quantifiable and Easily Integrated into a Funding Allocation Formula?
Overall, is the Data Source AVAILABLE? Choose Excellent, Good, Fair or Poor. Provide a narrative explanation.
How Can the Data Source Availability Be Improved?

What Resources are Needed to Make These Improvements?
Transparency
Has the Data Source Been Subjected to Previous Study/Evaluation to Assess Strengths and Weaknesses?
If Yes, are Those Studies Available?
Were you Able to Find Answers to Most Data Screening, Characterization and Evaluation Questions?
Explain Which Questions You Were Not Able to Answer and Why.

<p>Overall, is the Data Source TRANSPARENT? Choose Excellent, Good, Fair or Poor. Provide a narrative explanation.</p>
<p>Can the Data Source Transparency Be Improved?</p>
<p>What Resources are Needed to Make These Improvements?</p>
<p>Summary and Conclusions</p>
<p>Overall, is the Data Source Appropriate for Measuring One or More Current IHBG Formula Variable(s)? Choose Excellent, Good, Fair or Poor.</p>
<p>What are the Areas of Biggest Concern?</p>

Overall, is the Data Source Appropriate for Measuring Other Aspects of Housing Need (as Developed in the Characterization Phase) that are Not Current Formula Variables?

Appendix E: Copies of Summaries or Briefing Sheets Describing Data Sources Evaluated

Appendix E: Copies of Summaries or Briefing Sheets Describing Data Sources Evaluated

Evaluate the Data Source

#1, National Tribal Survey-Agency Administered

***The following data source is a proposed, as opposed to an existing, data source which presents unique challenges for reviewers. The responses, answers and ratings below reflect the reviewers' assumptions and projections based on the stated purposes, goals and identified components and characteristics of the proposed survey, including its proposed purpose of specifically collecting data to support the IHBG formula variables. As a result, each answer, rating or response below should not be interpreted as a guarantee or statement of known fact, but instead should be viewed as a product of that reviewer's best efforts to assess or predict the likely outcome and relative degree of success of the process that would create and implement this survey.**

Relevance

1. Does the data source measure data that is based on factors that reflect the need of the Indian tribes and the Indian areas of the tribes for assistance for affordable housing activities, including (*answer Y/N for each*):

- a. the extent of poverty within Indian areas of the tribe

Yes, based on the proposal that this survey would be specifically designed to support the IHBG formula variables.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes.

- b. economic distress within Indian areas of the tribe

Yes, based on the proposal that this survey would be specifically designed to support the IHBG formula variables.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes.

- c. the number of Indian families within Indian areas of the tribe

Yes, based on the proposal that this survey would be specifically designed to support the IHBG formula variables.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes. This could be very much like the Decennial Census using the individual and the household (or housing unit) as its primary units of measurement.

d. other objectively measurable conditions as the Secretary and the Indian tribes may specify

Yes, based on the proposal that this survey would be specifically designed to support the IHBG formula variables.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes.

One reviewer notes that this data source, if specifically designed to support the IHBG formula variables as set forth in the proposal, could measure all housing needs variables set forth in the NAHASDA regulations, including population, household income characteristics, overcrowding, and completeness of facilities as well as any other aspect of housing need consistent with the definitions in the statute.

2. Does the data source reflect the following other factors for consideration, (*answer Y/N for each*):

a. the relative administrative capacities and other challenges faced by the recipient, including, but not limited to geographic distribution within the Indian area and technical capacity

Yes, the intention is for the survey instrument, modes of distribution, and other aspects of the data collection to be designed and developed with tribal involvement and with specific consideration for the relative administrative capacities of TDHEs to support the data collection process.

Another reviewer notes that, if the Census Bureau was the agency that was responsible for the collection of this data, then that would ensure that the administrative and technical capacities of tribes were not challenged. If HUD was the agency that was responsible for the collection of this data, and that seems possible since they are familiar with data collection in Indian country, then that could also ensure that the administrative and technical capacities of tribes were not challenged.

b. the extent to which terminations of assistance under subchapter V of section 302 of NAHASDA will affect funding available to State recognized tribes

Absent a change in Title V of the statute, the data source will not have any independent impact on funding available to state-recognized tribes.

3. Does the data source measure the formula variables in 24 CFR Part 1000?

- X AIAN persons
- X AIAN households with annual income less than 30% of median income
- X AIAN households with annual income between 30% and 50% of median income
- X AIAN households with annual income between 50% and 80% of median income
- X AIAN households which are overcrowded or without kitchen or plumbing
- X AIAN households with housing cost burden greater than 50% of annual income
- X Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock)

One reviewer checked the items above based on the proposal that this survey would be specifically designed to support the IHBG formula variables.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes.

4. Does the data source measure other aspects of housing need?

	Units of Measurement				Population Data Sets		
	Individual	Housing Unit/Household	Family	Other:	AIAN	Enrolled Tribal Member	Other: <u>any identified in the statute</u>
Unit Count		Y			Y	Y	Y
Safe and Sanitary		Y			Y	Y	Y
Age of Unit		Y			Y	Y	Y
Occupancy		Y			Y	Y	Y
Room Count/Unit Size		Y			Y	Y	Y
Unit Type		Y			Y	Y	Y

Facilities (Kitchen/Plumbing)		Y			Y	Y	Y
Unit Tenure/Ownership		Y			Y	Y	Y
Population	Y	Y	Y	Y	Y	Y	Y
Income	Y	Y	Y	Y	Y	Y	Y
Expenses	Y	Y	Y	Y	Y	Y	Y
Employment	Y	Y	Y	Y	Y	Y	Y
Disability	Y	Y	Y	Y	Y	Y	Y
Other Aspect of Need: <u>any</u> <u>identified in the</u> <u>statute</u>	Y	Y	Y	Y	Y	Y	Y

One reviewer checked the items above based on the proposal that this survey would be specifically designed to support the IHBG formula variables.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes.

***NOTE:** All of the reviewers agree that the accurate identification of all American Indian and Alaska Native persons and families currently within each formula area is extremely important. This is an issue for the Agency Administered Tribal Survey, as well as the Decennial Census, ACS and any other data source providing data for the IHBG formula.

Previously one reviewer raised concern about the units of measurement that the U.S. Census Bureau applies in the course of its data collections, specifically households vs. families and AI/AN persons vs. enrolled tribal members. It is not clear how this National Tribal Survey would ensure that all distinct families in a housing unit would be counted. Each distinct family unit may have its own housing need. These distinct families may include single, semi-transient, and temporary residents of other people's homes and others for whom the connection to other residents in the home is not made clear.

One reviewer recognizes the complexity of defining "family" in a manner that is both implementable and sufficiently flexible to embrace the wide array of family units present in modern society. It is unlikely that all tribes and HUD could agree on a uniform definition of the term. For example, consider a household comprised of nine individuals: an unmarried man and woman, one child who is the offspring of both the man and the woman, one child who is the offspring of the man but not

the woman, the man's married aunt and uncle, the man's step-brother, the woman's grandmother, and a friend of the woman, all of whom permanently reside in the unit. How many families reside in that particular household? It is worth noting that the current definition in NAHASDA is vague and provides no clarification.

The reviewer that expressed concerns about the household vs. family unit of measure also has concerns about the self-identification of AIAN as race. The reviewer raises the issue of how to "identify, distinguish or count enrolled members of federally recognized tribes." The reviewer notes that when the IHBG allocation formula was negotiated, the Decennial Census was viewed as the only data source that was national in scope, captured remotely relevant data, and displayed a requisite level of scientific rigor and uniformity across tribal areas. The reviewer believes that the use of "AIAN persons" as a unit of measure was considered by many of the first Negotiated Rulemaking Committee members to be unavoidable, as that was the definition applied by the Census Bureau after the U.S. Office of Management and Budget's (OMB) October 30, 1997 "Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity".

The reviewer notes that the present definition of "American Indian and Alaska Native" applied by the Census Bureau is:

"A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. This category includes people who indicate their race as "American Indian or Alaska Native" or report entries such as Navajo, Blackfeet, Inupiat, Yup'ik, or Central American Indian groups or South American Indian groups."

The reviewer notes that this definition does not require enrollment in a federally-recognized tribe as a qualification. The reviewer recognizes that the Census includes a line asking respondents who identify as AIAN to "print name of enrolled or principal tribe" to embrace a tribal enrollment requirement, but the reviewer believes that the inclusion of the term "principal" in addition to "enrolled" makes those who self-identify as AIAN, whether they are from the United States or elsewhere in North or South America, indistinguishable from enrolled tribal members.

Another reviewer notes that the Study Group has discussed the legal question regarding whether the NAHASDA prohibits the use of AIAN population data. Some study group members believe there is no such prohibition in NAHASDA, which was also the position supported by HUD's Office of General Counsel. NAHASDA requires that the need portion of the formula be based in part on the "number of Indian families within Indian areas of the tribe." See Section 302(b)(2) of NAHASDA. Some of the study group members believe this requirement is satisfied because tribal enrollment data is used to cap a tribe's AIAN population data. Those study group members, including HUD, have suggested that use of AIAN population data is permissible as an "other objectively measureable condition" under Section 302(b)(3) of NAHASDA.

The reviewer believes that the more relevant question for purposes of the study group's technical experts is whether there is a proposal for an accurate, current, complete, transparent, and available data source that can provide data on the number of tribal members, as defined in NAHASDA, that live within tribal areas. There are three strategies a National Tribal Survey might employ for counting tribal members within tribal areas. First, use of self-reported race, as done in Census products. Second use of tribal enrollment or other administrative records that contain address information and that are regularly updated. This has been discussed in the Tribal Enrollment Evaluation and does not appear to be feasible. Third, requesting documentation during the interview that would verify tribal enrollment. However, it is not the intention of those proposing the National Tribal Survey to require verification through presentation of any document or identification card. It is the intention to develop a self report question that accurately identifies tribal enrollment. Thus it appears that the National Tribal Survey will rely upon self report of tribal enrollment. Any question develop to do this would need to account for the experience gained from a review of Census questions. For example, when asked to write the name of a tribe, some individuals use incomplete federal tribe names. Thus a respondent listing "Cherokee" could be indicating the Cherokee Nation, the United Keetoowah Band of Cherokee Indians in Oklahoma, the Eastern Band of Cherokee Indians, or even the Delaware Tribe of Indians that was formerly known as the the Delaware Cherokee.

Additionally, in certain regions respondents may identify an affiliation other than their enrolled tribe, despite actually being enrolled tribal members. One example is how many Alaska Natives may respond when asked to identify their "tribe." The tribal status of Alaska Native peoples is unique. Historically, most Alaska Natives identified along ethnic lines as being, for example, Aleut, Tlingit, or Yupik. It was not until the 1970s that the land claims of Alaska's indigenous peoples were settled with the establishment of regional and village corporations having Alaska Native shareholders. Federal recognition of Alaska tribes did not occur until the 1990s, a process that resulted, in many instances, in tribes being formally recognized on the basis of the proximity of a group of people to a particular village or geographic area. Sometimes, those people were not connected by shared ancestry, history, or culture; the manner in which the federal government recognized Alaska's tribes was in some circumstances an artificial construct.

Because of this complex history, Alaska Natives may respond in a variety of ways to any request for "enrolled or principal tribe". Some may identify the tribe of which they are a member. Some may identify the ANCSA regional or village corporation of which they are a shareholder. Others may identify in a traditional manner as being, for example, Aleut, Tlingit, or Yupik. This latter class of individuals is the primary cause of concern in Alaska, as these ethnic categories are not considered to be tribes under NAHASDA. Many Alaska Native elders, for example, would be excluded from such a special tabulation because they tend to identify ethnically when asked about their "tribe" – despite being shareholders and/or tribal members.

Over many years, the United States Census Bureau has responded to the concerns of Alaska Native peoples regarding this issue. Any newly developed

tribal survey would need to do the same and recognizes and count Alaska Natives who primarily identify along ethnic lines (e.g. Haida, Inupiaq, Athabascan, etc.) when asked about their tribal affiliation, preventing a potentially significant undercount of Alaska Native persons.

One reviewer would add that, though certain tribes contend that properly counting enrolled tribal members (those eligible to be served under NAHASDA) and delineating the number of Indian families within Indian areas would be challenging (and we agree), this reviewer does not believe that this circumstance merits dismissing this as an issue that should be considered when addressing the relevance of any data source for use in the IHBG formula, especially given the importance of that issue to many tribes throughout the United States. While, as noted above, some may contend that the formula partially or fully satisfies the statutory requirement of counting Indian families in Indian areas by applying tribal enrollment numbers as part of the determination of a cap on the number of AIAN persons counted for a tribe for formula purposes, virtually no one would contend that the population of AIAN captured by the Decennial Census and ACS in any way mirrors or reflects the population of low-income Indian families or persons that are actually eligible to be served under section 201(b) of NAHASDA (for example, HUD's IHBG Formula Allocation spreadsheet listed 2,163,840 enrolled tribal members nationwide in 2010 and the 2010 Census counted 5,220,579 individuals who listed themselves as AIAN Alone or In Combination with Other Races). This reviewer assumes that none of the reviewers would support a count of American Indians or Alaska Natives by a data source that, by definition, results in an undercount of all or a subset of these populations, but attention must also be paid to the harmful effects of sweeping overcounts that distort efforts to accurately identify populations of eligible tribal members and the degree and nature of their housing need and, as a result, distort the allocation of limited funds to recipients.

Thus, this reviewer's rating of data sources reflects both what they do (e.g., count self-identified AIAN persons) for the current IHBG formula and what they do not and may never do to support the ongoing efforts of many IHBG recipients to ensure that formula allocations more closely mirror the number of eligible low-income Indian families in formula areas who may actually be served using IHBG funds.

Overall, is the data source RELEVANT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source relevancy be improved? What resources are needed to make these improvements?

Excellent. One reviewer says this survey would be designed specifically to be relevant for this program. The questions will be phrased to measure any aspect of need within any population identified by the statute.

With the lack of any existing survey instrument, any specific questions that would be included in a survey instrument, and the expectation that all tribes would easily reach consensus on a survey instrument, another reviewer rates this as 'Fair' at best.

Currency

1. Does the frequency with which the data is collected make them reliably current on an annual basis, or can they be made reliably current? Explain, including how and how often data can be made current without introducing significant error into the estimates.

Yes and No. The current proposal is to collect new data every 5 years to reflect a single point in time. As a result, the source itself doesn't produce data that is current on an annual basis (nor would any data source with a collection-processing cycle greater than an annual basis). An ageing factor could be applied to it if the factor was independently identified and approved. The data would need to be aged for the intermediate years during which data would not be collected. Developing an improved method for ageing is an important discussion, but not one that is solely relevant to this National Tribal Survey.

One reviewer notes that data would not be available until after processing and that collection and processing would have to work with the annual distribution of IHBG Formula Response From by June 1 for the subsequent year's allocations.

Another reviewer notes that an ageing factor could be applied to it and that most data that could be used as an aging factor would use historical data to indicate an estimate for the current year. Thus, if 2015 was the based upon 2012 data, the 2012 data could be aged to 2015 by accounting for annual births, deaths, and migration for each formula area. The selection of an ageing factor or developing an improved method for ageing is an important discussion, but not one that is within the scope of evaluation of an agency-administered National Tribal Survey.

2. Is the aggregated data available for use within a reasonable time frame after it is collected? How long does it take for the data to be available? Explain any delays.

Yes. One reviewer notes that it would take 2 years or less to aggregate the data after it is collected. The time between data collection and aggregation would be dependent on the number and types of questions and variables and the collection period agreed upon by tribes, as well as the overall funding for the data collection program. Aggregation of the data would presumably take less time than aggregation of a national survey because of fewer respondents in a tribal survey compared to a survey of the full nation. Actually aggregation takes little time once the survey responses have been properly processed and coded.

The use of online modes of data collection can facilitate and speed the process of reviewing, coding, and entering data from survey responses. The use of high-speed optical character readers can also reduce processing time and reduce human errors that can occur in data entry. As the collection and response entry process was further refined some efficiencies might allow data to be made available more quickly.

However, as noted during characterization, there would be an additional lag time of approximately two to three years after the appropriation of funds and before the start of data collection to allow for the design of the survey instrument, modes of delivery, and methodology with input from all tribes. In addition any new data

collection needs to meet the requirements of the Paperwork Reduction Act. After the initial development investment, however, it is expected that future changes to the survey related to the IHBG formula could be implemented relatively rapidly.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes.

3. Is the data stable over time? (i.e. no sudden swings in values, caused by sampling/methodology changes/etc.)

Data stability cannot be measured for a new survey. Stability would presumably mirror that of other federally-administered surveys.

One reviewer notes that, rather than presuming the stability of data from a new questionnaire, it would be better to develop and test measures of stability.

Stability could also be affected by Congressional action, or failure to act. A government shutdown would stop the process for a specific time period, though this is likely true of all government surveys. A Congressional reduction in funding could also have many effects on when collection took place, what was collected and upon the processes that lead up to distribution of aggregated data.

Overall, is the data source CURRENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source currency be improved? What resources needed to make these improvements?

Good. The 5 year interval will represent an improvement in frequency from the decennial census and would mirror that of the ACS 5-year estimates, though the proposed survey would utilize a point-in-time sample every five years rather than a rolling sample that continues throughout the five-year period. This source will still require some ageing mechanism to bring the data to current every year. It would be possible to increase data collection frequency if additional funding were available and deemed appropriate.

Accuracy and Precision

***The design of this survey will inevitably balance available funding levels and sources with desired levels of completeness, accuracy and precision. Decisions regarding appropriate sample sizes, marketing, quality control and other factors will be dependent upon the appropriation of sufficient funding to establish the conditions necessary to produce data that is at least as complete, accurate and precise as other existing federal data sources.**

As noted above, those tasked with designing and implementing this survey would inevitably be forced to strike a balance between cost and the other factors impacting the overall quality of survey data. This balancing would focus primarily on the ability of the survey to achieve response rates and sample sizes that enable survey data to fall within a specified confidence interval or margin of error. However, while sample sizes and response rates are clearly two of several key indicators of survey success or failure, they are not the only determinants of data

quality. The relevance, quality and completeness of responses are significant indicators of data quality and fitness for a particular purpose. For example, the difficulty of obtaining accurate “within household coverage” (the counting and collection of data for all residents of a housing unit) in many tribal areas has been a major concern for the Census Bureau for many years and it is an issue which cannot be directly resolved by higher response rates or increases in sample size.

Thus, one must balance the impact of, for example, lower response rates and smaller sample sizes in a survey that captures perfectly relevant data and obtains complete and accurate responses from respondents with the consideration of data from a survey that receives very high response rates and incorporates sufficient sample sizes but gathers data that is of more limited relevance and is either heavily imputed due to a higher percentage of incomplete responses or simply gathers inaccurate data based upon a high percentage of inaccurate responses.

1. Does the data collection program methodology support deriving estimates covering formula areas as described in 25 CFR 1000.302? If not, for which other geographies can the data source derive estimates?

Yes. The data collection program would be designed to estimate data values for all IHBG formula areas (and potentially other service areas necessary for allocating federal funding for tribal programs subject to limitations caused by divergence concerning applicable units of measurement and subject characteristics or definitions).

2. Are there sufficient protocols in place to address potential respondent misunderstandings concerning data collection instruments? Explain.

Yes, based on the proposal, the intention would be to design and test the data collection instruments with the direct involvement of and input from all tribes. The procedures, protocols and training necessary to ensure accurate implementation of the data collection process would similarly be developed with extensive tribal consultation. This tribal consultation would be expected to find and address potential respondent misunderstandings concerning the data collection instruments. With each data collection event, it is expected that protocols would be broadened and strengthened to reduce respondent misunderstandings to the lowest possible levels.

One reviewer notes that, if this data collection were administered by the Census Bureau, there would be familiarity with data collection in Indian country. It is likely that they would put in place protocols similar to those used for other Census data collections, such as the Decennial Census and the American Community Survey.

Another reviewer answers ‘Unknown’ based upon the lack of an instrument or any specific protocols for recruitment, administration, and follow-up that would be agreeable to all tribes and within the capacity of all tribes to accomplish.

3. Are the data collection instruments and data collection protocols culturally sensitive? Explain.

Yes, in contrast to the instruments used by other national surveys representing broader national interests, the proposal for this survey is that the instrument(s) and protocols for this survey would be developed with extensive tribal consultation in order to specifically address, to the greatest extent feasible, the varying sensitivities of the many tribal cultures in the United States.

One reviewer noted that it should be recognized that there are cultural differences between tribes. The diversity of tribes in the United States may require significant work to avoid decisions that show more awareness from the perspective of some tribes than from others. While tribal consultation can help to minimize bias with the wording of questions in surveys, it should be noted that one way of phrasing a question in a survey might lower bias in one tribe but increase bias in another.

One reviewer suggested that for the foregoing reasons, nonresponse rates could be much higher for low-income AIAN households compared to other data sources and could introduce unintended bias in the estimates. However, having the Census Bureau administer this survey would provide experience with putting in place protocols similar to those used for other Census data collections, such as the Decennial Census and the American Community Survey.

One reviewer would answer “No” to this question. As noted above, the survey instrument itself will be designed at the national level and balances the interests of all participating tribes in the United States inherently limiting its ability to develop questions, scripts or procedures that are culturally sensitive to AIAN and tribal member populations. For the most part, the changes that may be made on a tribe-by-tribe basis concern contact protocols and methods of enumeration and translation of the survey instrument and responses

- 4. Are there sufficient protocols in place to verify the accuracy of collected data?**

Yes, implementing these protocols would in part be facilitated by the Census Bureau administering the data collection. Depending upon the funding available, the Census Bureau would likely put in place outreach processes, content testing, and data collection protocols similar to those used for other Census data collections, such as the Decennial Census and the American Community Survey. These protocols, which would likely take the form of quality assurance and control procedures as well as initial verification of the accuracy of the Master Address File for each formula area, for example, would be developed with extensive tribal consultation.

Another reviewer answers ‘Unknown’ based upon the lack of an instrument or any specific protocols for sampling, administration, and follow-up that would be agreeable to all tribes.

- 5. Are there major concerns about precision? For instance, are the margins of error reasonable and consistent across all Indian areas? Explain.**

The proposal provided for this survey suggested that individual housing units would be chosen by a stratified random sample. With the strata being based upon a measure of urbanness. Sample sizes would vary by tribe in order to achieve estimates for that tribe that respond to the desired margin of error (MOE). The

initial tribe size for establishing the necessary sample size would be based Decennial Census counts for each tribe. The sample within each formula area might be further stratified based on the relative “urbaness” or density of housing in each portion of the formula area, the estimated percentage of American Indian or Alaska Native households in each portion (to ensure that sample sizes are appropriate to maintain a standard margin of error) and the manner in which respondents within each portion may be most effectively and efficiently contacted to produce accurate data.

One reviewer answers “No” to this question. This reviewer acknowledges that effectively targeting American Indian and Alaska Native households in all formula areas, and portions of formula areas, presents clear sampling challenges and cost-related concerns, but this reviewer believes that a survey that is properly designed for this purpose can remove major concerns about precision. This reviewer believes that survey methodology, including the determination of the appropriate sample size within each stratum, would be designed to keep margins of error reasonable and consistent across all areas. As noted by other reviewers, the balancing of cost/funding considerations with the need for increased sample sizes in certain areas (e.g., urban areas where the relative percentage of American Indian or Alaska Native households is lower) to maintain a consistent margin of error consistent will be the primary issue. The reviewer cited as an example the U.S. Race and Ethnic Approaches to Community Health (REACH U.S.) Risk Factor Survey conducted by the CDC, which uses a weighted address-based sample linked to phone numbers to reduce the cost of screening eligible participants. The reviewer suggested a similar process could lower the costs of identifying the target population within urban areas.

Another reviewer answers ‘Yes,’ and sees significant problems in tribal service areas that include a significant number of non-AIAN households or in areas that contain non-AI/AN households.

Another reviewer suggested that keeping the margin of error consistent could be difficult. The reviewer noted that some IHBG service areas include more urbanized areas adjacent to tribal lands and noted that sample sizes would have to be increased substantially in those areas because they have larger numbers of non-AIAN households. In such circumstances, there is a risk that a small sample size may not provide quality data for the AIAN population. Increasing the sample size in these areas would improve the quality of the data but has the disadvantage of increasing survey costs.

Another reviewer notes that sample size is an inherent problem when evaluating multi-faceted populations that vary widely in size and composition. Statistical sampling reduces the risk but does not eliminate it. In theory, a survey designed specifically to meet the needs of the formula should provide better information than surveys designed for other purposes. The question is “Does the increase in quality justify the cost?”

6. Are there major concerns about accuracy? For instance, do missing administrative data or imputation and/or weighting methods introduce bias?

No. As proposed, the survey methodology would be designed to keep margins of error reasonable and consistent across all areas and methods of imputation or weighting data would need to be carefully evaluated to ensure that bias was not introduced into the data systematically in, for example, areas experiencing higher percentages of very low income households.

Another reviewer says Yes. The reviewer expects that there will be missing data in this, or any other large survey. Some have been critical of the methods of imputation that Census has used to address missing data. However this survey would either need to develop imputation methods or accept smaller response rates. What would be done is not known. For that reason that reviewer says Yes there is a concern.

As noted by reviewers in the evaluations of the American Community Survey, the Decennial Census and the National Tribal Survey (Tribal Administered), the use of Master Address File (MAF) addresses and multi-stage contact protocols to select and contact participants may adversely affect Tribes in rural areas. Any limitations caused by these methods and tools as identified in the evaluations of other sources would initially apply to this source as well. For example, Certain research indicates that coverage in rural areas is poorer than in the urban areas. While filter rules can be examined and potentially modified to account for erroneous exclusions, improving overall coverage in rural areas cannot be done without finding a way to get missing units added to the MAF. This may require greater awareness among tribes of the need to inform the Census Bureau about new housing units, structures newly converted to housing, and non-traditional places of habitation.

However, greater involvement of tribes in survey development could allow for a more substantial opportunity to improve the survey frame based on local efforts, such as 9-1-1 addressing processes and other housing unit mapping projects, and to develop contact protocols that balance the need for cost-effectiveness with the goal of limiting any potential bias caused by employing different or more contact methods in different formula areas or portions of formula areas. Additionally, a positive potential outcome of examining and improving upon existing tools and protocols might be that the specific tribal focus of this survey could facilitate more targeted study of the possible disparate impacts in tribal areas of certain survey design and implementation processes which are implemented at the national level.

In response to a question from the Study Group concerning the relative accuracy of rolling samples versus point-in-time counts, the reviewers provide the following response. All other things being equal, when the two are compared, a point-in-time sample will provide a more accurate estimate for that specific point in time and a rolling sample will provide a more accurate estimate of average conditions over the entire period of sampling. Because a rolling sample creates estimates for the average over a window of time, the longer the window of time the less accurate those estimates are for representing any specific point (or window) in time, especially for periods of time at the leading and trailing edge of the sampling window. For example, an estimate for population based on a 5-year rolling sample from 2010 through 2014 would be least accurate for representing the population in either 2010 or 2014, though it could provide a very accurate estimate for the

average population over that time period. For a point-in-time sample, the accuracy of an estimate applied to a period other than the specific point-in-time for which it was collected decreases with time from the sampling period. For example, an estimate for population based on a point-in-time count in January 1, 2010 could be very accurate for the population at the start of 2010, but would be less accurate for representing the population in 2014. In addition, cost considerations impact sample sizes, survey content, marketing budgets and other aspects of both rolling samples and point-in-time counts, and these differences or variances have significant impacts on data quality and very often limit one's ability to make specific and direct comparisons between surveys based on this factor or difference alone.

In response to a question from the Study Group concerning the staffing of a tribally administered point-in-time count conducted every five years in comparison to a rolling sample conducted by the Census Bureau, the reviewers provide the following response. ACS maintains permanent office and field staff to complete its monthly samples, though the Decennial Census must hire and train the vast majority of its field and local office staff for each 10-year collection cycle. A national tribal survey administered either by the tribes or by the Census at 5-year intervals would not likely retain permanent staff, though a National Tribal Survey incorporating a rolling sample, rather than a point-in-time count, may be able to maintain some amount of permanent staffing.

Training staff for each collection cycle is an expensive undertaking and training new staff with each 5-year cycle may limit data quality to some extent when compared to maintaining consistent staffing. Similar to the Decennial Census, training of field staff would need to be thorough and would likely draw at least in part from the pool of former Decennial Census employees living within and around tribal areas.

However, if funding were available to increase the frequency of the survey to every 2-3 years instead of every 5 years, it may be possible to utilize the pool of temporary and permanent staff at the Census to manage and complete this survey in a manner similar to the American Housing Survey.

Overall, is the data source ACCURATE and PRECISE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source accuracy and precision be improved (for example, is it possible to correct or compensate for any and all survey design issues, such as phrasing of questions, incentives for participating, imputation methods, number of attempts to collect data at sampled housing unit, etc., which are likely to introduce biases for all or a certain subgroups of tribes, including small, large, rural, urban, etc., or certain types of data, including financial, population, etc.)? What resources are needed to make these improvements?

One reviewer rates this source as 'Good to Excellent' for Accuracy and Precision. The survey could likely merit a rating of Good in its first cycle and has the potential to rate Excellent in subsequent cycles. The National Tribal Survey would be designed to collect accurate and precise data for the IHBG formula without requiring additional resources to compensate for data problems after the fact (e.g., through individual tribal data challenge

processes). At the outset of the proposed survey, issues related to inaccuracy of the Master Address File (MAF), refining the process for sampling American Indian or Alaska Native households in urban and other complex areas, and the balancing of cost concerns with the potential bias created by employing contact protocols differently in rural versus urban areas, for example, may impact this survey in the same ways that they presently affect the American Community Survey. However, the specific purpose of this survey, as opposed to national surveys, would likely enable it to adapt, adjust and improve its methodologies for collecting data from American Indian and Alaska Native households in ways that other large national surveys cannot. As with any survey, increased funding would enable the survey administrators to increase sample sizes in specific areas of concern and perform more extensive testing of response and inclusion rates and other sources of error to continually improve the quality of the resulting data.

Another reviewer believes that 'Fair' is the best that the source can be rated at this time. Even though the proposed data source has the potential to rate as Good or even Excellent in the Accuracy and Precision category, the data source proposed is conceptual. No scope, methodology, survey instrument, individual questions, follow-up procedures, sampling protocol, or other details about the proposed data collection were available for the technical experts to review.

Another reviewer believes that the answer is 'Unknown.' Comments on the accuracy and precision of a survey that is conceptual seem ill advised. It all depends on the design and implementation of the survey.

Another reviewer rates this source as 'Good to Fair.' It is hard to imagine a federally administered non-mandatory survey getting a response rate even close to the ACS. And funding is important. If it is not possible to get a sample size that matches the ACS, non-response and sampling error will erase any benefits of a better sampling frame and better or more culturally sensitive questions.

Completeness

1. Does the data source collect data for all Indian tribes as defined in Section 4 (13) of NAHASDA?

Yes. As proposed, this data source would be specifically designed to collect data and estimate data values for all formula areas defined in the statute.

One reviewer is concerned about how this data source would be able to respond to changes in formula area that occur when new trust land is added to a formula area.

2. Are outreach efforts to encourage participation in the data source appropriate and effective within tribes/tribal areas? Are those efforts equally effective and equally implemented across all Indian areas? Explain.

One reviewer says 'Yes.' Follow-up contact with non-respondents would be conducted and marketing through tribes and tribal service providers and regional and national organizations would also be undertaken.

Additional outreach and marketing efforts would be conducted specifically within tribes and their communities, especially in comparison to ACS which does very little marketing due to an extremely limited budget for these activities. For example, for the six months prior to data collection, marketing of the survey would be done through local radio, TV, and newspaper outlets; tribes and tribal service providers; regional and national organizations familiar to the tribe. Social media campaigns would be used to encourage participation in the Tribal Survey. It is difficult to estimate the costs of this marketing, however it will require staff of the administering agency to develop and distribute the marketing campaign, as well as sufficient funds for each Tribe to conduct its own marketing campaign.

Another reviewer says “Probably” if the administering agency was the Census, because the Census Bureau has staff familiar with the marketing of the Decennial Census and the ACS, and other agencies would not have this resource to draw upon. However absent a specific procedures this is unknown.

3. Are all populations well represented in the data source, as evidenced by high response and inclusion rates or any other criteria? Explain any identified areas, populations, and/or topics where response or inclusion rates may be a cause for concern.

Because this is a proposal for a new survey, there are no response or inclusion rates to draw from. However, the methodology for this survey would be designed with consultation from tribes and specific acknowledgement of particular areas of concern highlighted in the evaluation of other national surveys in an effort to avoid these issues.

The proposal for this survey indicated that the survey frame would initially be based on the US Census Master Address File (MAF) for formula areas, which is currently used for the ACS and Decennial Census. In a separate data source evaluation, one reviewer suggested that the use MAF addresses to select participants may adversely affect Tribes in rural areas, since research indicates that coverage in rural areas is poorer than in the urban areas. However, another reviewer commented that it is possible that the extensive address canvassing performed in the 2010 Decennial Census rectified a lot of the MAF coverage issues in rural areas. The new MAF incorporated the work of the 2010 Census Address Canvassing operation. Whether for purposes of a federally administered tribal survey or a current Census Bureau data collection like the ACS, the reviewers agree that the Census Bureau should work with tribal entities to improve and update the MAF.

One reviewer noted that no information is available regarding the specific sampling differences, inclusion rates, anticipated response rates, etc. between urban and rural areas. This makes it impossible to quantify at this time the differences in data quality between rural and urban areas or the cost necessary to ensure that sampling in more urban areas sufficiently captures the AIAN population.

Another reviewer suggested that the Study Group should examine how HUD’s current tribal household survey is progressing for their national Indian Housing Needs Study:

http://www.huduser.org/portal/native_american_assessment/home.html. The reviewer noted that the survey:

- was developed with two rounds of tribal consultation (~2 years to complete) to ensure the survey reflects cultural sensitivities;
- is administered in 38 different tribal areas, which were strategically selected to produce nationally representative estimates of AIAN households in tribal areas; and
- trains tribal members from each of the selected tribes to conduct the household surveys on the ground.

The reviewer noted that, as of early 2015, the study had completed the survey for 1280 households in 32 of the 38 tribes and had a response rate of 73%. Compared to many other voluntary surveys, a 73% response rate is high. However, it is a level that academics such as Donald Dillman (Regents Professor in the Department of Sociology at Washington State University) demonstrated to be achievable with research that began in the 1970s. However, this rate is considerably lower than the Census Bureau's ACS response rate. According to this reviewer, there seem to be two reasons a tribal survey would not produce better response rates in tribal areas than the current ACS. First, households' participation in the Census' ACS is *mandatory*, while a new tribal survey would be voluntary. Second, the proposed survey would be an *additional* survey in tribal areas, which would likely create a survey burden on tribal members and may decrease participation rates even further.

In response to the suggestion directly above, another reviewer disagreed that a tribal survey could not match ACS response rates, suggesting that the direct link between the proposed survey and tribal allocations of federal funding would encourage participation and noting that past surveys conducted by tribes had produced response rates similar to those achieved by ACS. The reviewer also suggested that HUD's survey for the Native American Housing Needs Assessment is not a good comparison because it was viewed as being developed by HUD instead of by tribes. In addition, this survey completed a very limited number of surveys nationwide (1280 completed surveys out of approximately 1750 surveys in the total sample, in contrast to the sample size of 200,000-415,000 households proposed for this survey), the purpose of the survey was very narrow and not designed to produce any tribal-level estimates of need (potentially limiting respondent interest in the survey). and outreach and marketing to participating households prior to contact by survey staff were limited.

This reviewer also suggested that the proposed National Tribal Survey will be viewed differently by tribes because it will be designed with the active participation of tribes that are representative of different regions, sizes of tribes, rural vs. urban tribal areas, and other factors intended to minimize bias. The reviewer further suggested that by focusing only on Indian areas, there may be fewer issues/conflicts than when a survey must address concerns regarding response rates and not impacting the participation of other minority groups such as the Hispanic/Latino population. Finally, the reviewer notes that tribes, in cooperation with HUD and the Census Bureau, could potentially develop alternatives to existing

multi-stage contact and follow-up protocols that cannot be fully implemented today in many tribal areas.

To summarize the more general issue concerning the likely change in outcome based on whether a survey is mandatory or voluntary, the reviewers provide the following response. There is no way to disentangle all of the factors that contribute to high response rate. It may be a fair assumption that for two otherwise identical surveys, one defined as mandatory by an authoritative body will have higher response rates than one marked as voluntary, but there is no reason to think that ANY mandatory survey will automatically result in a higher response rate than ANY voluntary survey, especially when there is no enforcement of the requirement. Survey length, the intensity of (and budget for) non-response follow up, the respondents' understanding of how the data will be used and many other issues are all extremely important. The U.S. Decennial Census, for example, in addition to being mandatory, is a short survey with a large budget for advertising and follow-up and a direct connection to electoral representation and many funding sources. There is not a voluntary survey comparable to the Decennial Census in those terms to investigate the impact of the mandatory vs. voluntary designation alone.

The Census Bureau did a study to investigate how making ACS a voluntary survey would impact response rates for that survey and found that mail response fell by over 20%, while the overall response rate was about 5% lower than for the mandatory survey. A negative impact on response rates in traditionally low response areas was also identified though the specific impact on AIAN areas was not specifically quantified (see Griffin et al, 2003). However, this study was conducted in 2003, when ACS was still quite new. Now, more than ten years later, there still has not been a particularly effective marketing campaign to encourage participation and awareness of that survey, so this mandatory designation by the U.S. government may have been especially important. A more recent study (Griffin and Starsinic 2012) argues that the “hardest-to-interview populations” were equally represented in the voluntary and mandatory implementations, and that it is the people with higher education and income levels, as well as more mobile populations, that are likely missed by voluntary surveys. So, although it has been determined that ACS has a higher response rate as a mandatory survey than a voluntary survey (when using the particular language used to introduce the surveys in that study, see Griffin et al., 2004 for more information on the impact of wording), it does not necessarily follow that no voluntary survey would be able to achieve a response rate equal to or greater than that achieved by ACS. There are a myriad of other factors and techniques that influence response rate.

In response to a question from the Study Group concerning the sufficiency of the sample for urban areas and areas with higher percentages of non-AIAN households, the reviewers provide the following response. Developing stratified samples that may be further clustered in some urban areas to ensure that American Indian and Alaska Native populations are properly targeted presents both a new and not insignificant challenge as well as an opportunity to refine sampling frames within diverse formula areas. As noted in the characterization stage, recipients with urban areas or largely non-AIAN populations comprising portions of their formula areas are already faced with this sampling challenge if and when they choose to challenge Decennial Census data used in the current

formula. Sample sizes will inevitably vary between formula areas to ensure that margins of error are consistent, so defining a precise national sample or samples for individual formula areas at this time is not possible. The estimates of sample size provided in the evaluation assume that the initial sample for each area or stratum will fall somewhere between the lowest sample size necessary to statistically attain the established margin of error (for relatively rural and homogenous areas) and the larger ACS sample size in more diverse formula areas or strata where advanced sampling and screening methodologies have not yet been employed to specifically target the American Indian and Alaska Native population.

In response to a question from the Study Group concerning how tribal membership would be “verified” by field staff conducting the National Tribal Survey, the reviewers provide the following response. Based on the initial survey proposal, interviewers would not “verify” tribal enrollment via documentation or other in-field review method.

As an example, the question designed to collect enrollment information could incorporate the membership requirements of the definition of “Indian” set forth in section 4(10) of NAHASDA. The question would ask the respondent whether or not they are an enrolled member of an Indian tribe in addition to asking the respondent to list the tribe in which they are enrolled. The survey design process would test, identify and implement the best method for collecting this data.

In response to a request from the Study Group to list the possible ways to address the potential circumstance that a tribe or tribes “opt out” of the National Tribal Survey, the reviewers provide the following options to consider:

- Tribe would have no data, and therefore no need-based allocation (or minimum needs allocation)
- Tribe chooses not to participate in (provide field staff for) Agency Administered survey: Census Bureau could negotiate to let members of other tribes or nearby residents work in those areas, as they do when necessary for the Decennial Census.
- HUD or the Census Bureau would impute data from a nearby tribe or one sharing similar selected characteristics

Overall, is the data source COMPLETE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source completeness be improved? What resources are needed to make these improvements?

Good to Excellent. The National Tribal Survey would be designed to collect complete data for the IHBG formula, covering all relevant geographic units and populations, though any limitations caused by the use of the Master Address File and varied multi-stage contact protocols as discussed above and identified in the evaluations of other sources would initially apply to this source as well, if these tools were in fact incorporated, and would likely justify an initial rating of ‘Good.’ Based on the level of

involvement of tribes in the design and implementation of this survey, it is assumed that there will be greater opportunity for tribes to actively improve survey frames and develop area-appropriate contact protocols that could justify a rating of 'Excellent.'

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes, the lack of information about how sampling would be done in urban areas where tribes without reservation or trust land are living within a larger community, the lack of a protocol for follow-ups, the need to continually update the MAF based address file for each tribe every five years and to have the update occur as close to survey administration as possible.

Availability

1. Can the data be collected and analyzed with no significant additional resources?

No. This is a proposed new survey that is not currently funded.

2. Is there a source of funding available for the data collection and analysis? Explain the resources needed (and the source of these resources) to develop, administer, and analyze the data.

No. The funding source for the proposed survey has not been identified as it has not yet been proposed to, much less authorized by, Congress. The characterization for this data source provides a more detailed discussion of costs, but the estimates range from \$21.7 to \$105 million per 5-year cycle, or \$4.34 to \$21.0 million per year.

The stability of federal funding for this survey would likely depend upon overall funding levels for all federal surveys and in particular the funding levels for subject-specific surveys, such as the American Housing Survey. The source of the funding would ultimately determine the stability of the funding itself and, as noted, the funding source for this data source has not yet been identified. While assessing the suitability of this survey to provide data for other tribal programs was not within the scope of this evaluation, the use of National Tribal Survey data for multiple tribal programs would likely inform and influence both the initial and continuing funding levels for this survey.

This cost range does not include the cost of developing the survey. Development costs could vary significantly based on the process selected for testing the survey instrument and the collection process itself. For example, if new formula variables were adopted based on existing definitions and eligibility requirements set forth in the statute, the potential wording of survey questions and underlying subject definitions would be much more constrained than if an entirely new universe of variables and subjects were selected and a more robust process of negotiating the precise new wording for definitions and questions were required. Guidance and relevant formulas for estimating national survey development costs are very difficult to obtain because, as Robert Groves has noted in his publications, each

survey is unique (i.e., presents an array of different operational variables), much of this information is treated as proprietary and even anecdotal information is not often neither captured nor shared. This was the experience of the Technical Support Committee member and one of his staff members who sought to obtain information concerning estimating national survey development costs from the Census Bureau and NORC and were informed that Census staff had been instructed not to share information with this member and that NORC could not share its proprietary information with outside entities.

Given that this survey would be administered in much the same manner as other federal surveys, the cost to tribes in the implementation stage would largely mirror those costs incurred during the Decennial Census in which tribes are encouraged to take active involvement in promoting the participation of their tribal member and the residents of their tribal lands. In terms of the costs to tribes for participating in the development of the survey instrument and the process for collecting survey data, these costs could be funded as they traditionally have been in the Negotiated Rulemaking process (Committee member's costs are covered by the federal government and other participants bear their own costs of participation).

Marketing and any other operational costs should also be included in overall survey cost considerations, but because marketing (and other) strategies will be based on survey design decisions that have not yet been made, these costs are very difficult to estimate at this time. Marketing will certainly add some amount of additional cost to the overall estimate for the survey, though a survey designed by and for tribes will likely benefit from additional cost-free advertising, marketing and community engagement activities that tribes either carry out themselves or receive from local media outlets within their tribal area.

3. Can the data collection process be completed without imposing an additional administrative burden on tribes/TDHEs? If no, describe what support is available or needed (if not available) to reduce those burdens? Explain.

Yes. HUD will serve as the survey sponsor and the U.S. Census Bureau, or another data collection entity selected by HUD and the tribes, will conduct the data collection and analysis. Tribes/TDHEs will be invited to actively contribute to the survey development process and this may create an additional administrative burden during the limited timeframe of that process but, as noted above, tribes will not likely bear any greater burden during survey implementation than they currently do during the Decennial Census.

No, says another reviewer. While a federal agency will administer the survey, there will be additional administrative costs during the years that the survey instrument and the survey method are discussed and developed. No outside support is known to reduce these burdens.

4. Is the data quantifiable and easily integrated into a funding allocation formula?

Yes. The data would be collected and tabulated based on established formula area geographies and formula variables so that they can be easily integrated into the IHBG formula.

Overall, is the data source AVAILABLE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source availability be improved? What resources are needed to make these improvements?

Fair/Poor. Collecting data and developing a new data source are expensive and labor-intensive endeavors. Improving screening techniques to better identify and isolate the target population, especially when surveying in urban areas, employing appropriate marketing strategies in tribal and non-tribal areas and cultivating a feeling of tribal ownership in the process and the survey itself to increase response rates will help keep the cost on the lower end of the wide cost estimate range provided above.

Transparency

1. Has the data source been subjected to previous study/evaluation to assess strengths and weaknesses? If yes, are those studies available?

N/A. The survey does not currently exist so it cannot have been previously studied or evaluated.

Materials describing certain tribal surveys were reviewed by the Technical Experts as informative with respect to lessons learned regarding data collection procedures and other outreach and design elements, but they were not necessarily determinative regarding all of the issues that would be addressed by and factored into a national tribal survey.

In response to a question from the Study Group concerning the applicability of individual tribal surveys in the design and evaluation of a proposed National Tribal Survey, the reviewers provide the following response. The specific procedures and protocols followed by individual tribal surveys and the survey content itself may, to some extent, be informative for the development of a national tribal survey as the decisions made by tribes reflect specific challenges and opportunities that are: 1) unique to tribal areas generally, 2) merely present in different degrees in tribal areas than in non-tribal areas, or 3) unique to their particular tribal area. In addition, certain sample size and cost-related information is useful in developing potential ranges of cost and necessary sample size for certain areas or types of areas. For example, an average cost per case taken from the Dakota Pilot Project, which involved housing needs assessments conducted by five tribes on their respective reservations in North Dakota and South Dakota, allowed for a comparison of per-case costs with ACS, Decennial Census and other surveys as part of the larger discussion of the potential range of total data collection costs for the National Tribal Survey.

The development of a national survey would likely benefit from certain economies of scale in terms of technical assistance and coordination that an individual survey would not and it would also suffer from overarching funding limitations and procedural restrictions related to preserving the structural uniformity of the survey that would render useless many direct comparisons to decisions made during individual surveys.

The following is a non-exhaustive list of the many tribal needs assessments and surveys that have been conducted to date:

The Navajo Housing Needs Assessment

Dakota Housing Needs Assessment Pilot Project

Karuk Tribe of California Census

Wind River WINDS I, II and III surveys

Ho-Chunk Nation Census

2. Were you able to find answers to most data screening, characterization and evaluation questions? Explain which questions you were not able to answer and why.
Because this is a new survey, it is difficult to develop precise cost estimates and to discuss the specific aspects of need addressed by the data source; these are based on survey elements that have not yet been defined. Once the relevant decisions have been made, the data program itself would be as transparent as other similarly organized data collection programs.

Overall, is the data source TRANSPARENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor How? Provide a narrative explanation for the overall rating. Can the data source transparency be improved? What resources are needed to make these improvements?

Due to the fact that this survey does not yet exist, much of the information necessary to answer the Transparency questions is not currently available. However, based on the proposed process for designing and implementing the survey with direct tribal involvement, the reviewers assumed that this data source will be as transparent as, and potentially more transparent than, any other federal survey providing IHBG formula data if and when it is implemented.

Another reviewer says that while the absence of any actual survey instrument or survey process leaves the proposal opaque, this could not move forward without transparency for two reasons. First, tribes would expect it during any consensus process that developed the survey instrument and administration protocols. However, the exact nature, extent, length, cost, and beginning points for a consensus process is unknown. Second, the federal government would require it as a part of the processes of acquiring OMB approval. This would involve publication in the federal register and open comments from any interested person or organization.

Summary and Conclusions

1. Overall, is the data source appropriate for measuring one or more current IHBG formula variable(s)? Choose one of the following options and explain: Excellent, Good, Fair, Poor. What are the areas of biggest concern?
Good. This proposed survey could certainly collect all necessary data to support the current IHBG formula variables. However, if the Committee chooses to retain the same formula variables, or decides to adjust the variables in such a way that revisions to the Decennial Census and American Community Survey definitions

and questionnaires requested by the Committee and HUD could feasibly capture the required data (for example, simply adding a question concerning the tribal enrollment status of the respondent to the “race” question or inserting a question concerning the number of families living in a housing unit), the existing data sources may prove to be more cost-effective options for collecting this data. When all factors are considered, the cost of developing and implementing the program and the time and resources required to do so are the areas of greatest concern. As noted below, the Committee will need to weigh that cost against the benefits of having a data source specifically designed to meet and adapt to the evolving needs of the IHBG formula.

Another reviewer rates this source as ‘Fair to Poor.’ The biggest areas of concern are the lack of an existing survey instrument, the lack of a survey protocol, the lack of a follow-up protocol, the lack of a sampling strategy for tribes without reservation or trust lands, the lack of a protocol for imputation, the amount of funds required to undertake this every five years, the need for a pool of professionals for all tasks and maintaining that pool of professionals, and burnout that might occur in respondents and volunteers from two similar surveys, the tribal survey and ACS.

2. Overall, is the data source appropriate for measuring other aspects of housing need (as developed in the characterization phase) that are not current formula variables?

Yes. The greatest strength of this data source is its ability to measure any aspect of housing need necessary to meet NAHASDA statutory requirements. Thus, if the Committee sought to change the formula variables in such a way that existing data sources, including the Decennial Census and/or the American Community Survey, could not accurately measure them, the National Tribal Survey would provide the only option for the Committee and HUD to capture the data required for the formula. In that sense, this proposed data source merely represents the creation of any new survey developed by and targeted specifically toward the collection of data for tribes and tribal programs, rather than broader national interests. This new survey would, for the first time, enable Committee members to craft a formula and data source based on what they collectively identify as true measures of tribal housing need as opposed to making decisions on the basis of what data source is available regardless of that source’s actual relevance or suitability for this specific purpose

Another reviewer says that this is potentially the case. However, what those aspects would be and how they would be selected, are unknown.

Evaluate the Data Source

#2, National Tribal Survey-Tribally Administered

***The following data source is a proposed, as opposed to an existing, data source which presents unique challenges for reviewers. The responses, answers and ratings below reflect the reviewers' assumptions and projections based on the stated purposes, goals and identified components and characteristics of the proposed survey, including its proposed purpose of specifically collecting data to support the IHBG formula variables. As a result, each answer, rating or response below should not be interpreted as a guarantee or statement of known fact, but instead should be viewed as a product of that reviewer's best efforts to assess or predict the likely outcome and relative degree of success of the process that would create and implement this survey.**

Relevance

1. Does the data source measure data that is based on factors that reflect the need of the Indian tribes and the Indian areas of the tribes for assistance for affordable housing activities, including (*answer Y/N for each*):

- a. the extent of poverty within Indian areas of the tribe

Yes, based on the proposal that this survey would be specifically designed to support the IHBG formula variables.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes.

- b. economic distress within Indian areas of the tribe

Yes, based on the proposal that this survey would be specifically designed to support the IHBG formula variables.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes.

- c. the number of Indian families within Indian areas of the tribe

Yes, based on the proposal that this survey would be specifically designed to support the IHBG formula variables.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes.

d. other objectively measurable conditions as the Secretary and the Indian tribes may specify

Yes, based on the proposal that this survey would be specifically designed to support the IHBG formula variables. This data source could measure all housing needs variables set forth in the NAHASDA regulations, including population, household income characteristics, overcrowding, and completeness of facilities as well as any other aspect of housing need consistent with the definitions in the statute.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes.

2. Does the data source reflect the following other factors for consideration, (*answer Y/N for each*):

a. the relative administrative capacities and other challenges faced by the recipient, including, but not limited to geographic distribution within the Indian area and technical capacity

Yes, the form would be designed and developed with tribal involvement and with specific consideration for the relative capacities of TDHEs to respond to the form.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes.

b. the extent to which terminations of assistance under subchapter V of section 302 of NAHASDA will affect funding available to State recognized tribes

Absent a change in Title V of the statute, the data source will not have any independent impact on funding available to state-recognized tribes.

3. Does the data source measure the formula variables in 24 CFR Part 1000?

- X AIAN persons
- X AIAN households with annual income less than 30% of median income
- X AIAN households with annual income between 30% and 50% of median income

- X AIAN households with annual income between 50% and 80% of median income
- X AIAN households which are overcrowded or without kitchen or plumbing
- X AIAN households with housing cost burden greater than 50% of annual income
- X Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock)

4. Does the data source measure other aspects of housing need?

	Units of Measurement				Population Data Sets		
	Individual	Housing Unit/Household	Family	Other:	AIAN	Enrolled Tribal Member	Other: <u>any identified in the statute</u>
Unit Count		Y			Y	Y	Y
Safe and Sanitary		Y			Y	Y	Y
Age of Unit		Y			Y	Y	Y
Occupancy		Y			Y	Y	Y
Room Count/Unit Size		Y			Y	Y	Y
Unit Type		Y			Y	Y	Y
Facilities (Kitchen/Plumbing)		Y			Y	Y	Y
Unit Tenure/Ownership		Y			Y	Y	Y
Population	Y	Y	Y	Y	Y	Y	Y
Income	Y	Y	Y	Y	Y	Y	Y
Expenses	Y	Y	Y	Y	Y	Y	Y
Employment	Y	Y	Y	Y	Y	Y	Y
Disability	Y	Y	Y	Y	Y	Y	Y
Other Aspect of Need: <u>any identified in the</u>	Y	Y	Y	Y	Y	Y	Y

<u>statute</u>							
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One reviewer checked the items above based on the proposal that this survey would be specifically designed to support the IHBG formula variables.

Another reviewer answers ‘Unknown’ based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes.

***NOTE:** All of the reviewers agree that the accurate identification of all American Indian and Alaska Native persons and families currently within each formula area is extremely important. This is an issue for the Tribally Administered Tribal Survey, as well as the Decennial Census, ACS and any other data source providing data for the IHBG formula.

Previously one reviewer raised concerns about the units of measurement that the U.S. Census Bureau applies in the course of its data collections, specifically households vs. families and AI/AN persons vs. enrolled tribal members. The reviewer noted that the way Census counts households may undercount distinct families living within a single housing unit by lumping them together as a household. Each distinct family unit may have its own housing need. These distinct families may include single, semi-transient, and temporary residents of other people’s homes and others for whom the connection to other residents in the home is not made clear on the Decennial Census form.

However another reviewer points out that HUD and the Census Bureau have been studying the use of information on the relationships among individual in a housing unit to count the presence of different types of families.

One reviewer recognizes the complexity of defining “family” in a manner that is both implementable and sufficiently flexible to embrace the wide array of family units present in modern society. It is unlikely that all tribes and HUD could agree on a uniform definition of the term. For example, consider a household comprised of nine individuals: an unmarried man and woman, one child who is the offspring of both the man and the woman, one child who is the offspring of the man but not the woman, the man’s married aunt and uncle, the man’s step-brother, the woman’s grandmother, and a friend of the woman, all of whom permanently reside in the unit. How many families reside in that particular household? It is worth noting that the current definition in NAHASDA is vague and provides no clarification.

The reviewer that expressed concerns about the household vs. family unit of measure also has concerns about the self-identification of AIAN as race. The reviewer raises the issue of how to “identify, distinguish or count enrolled members of federally recognized tribes.” The reviewer notes that when the IHBG allocation formula was negotiated, the Decennial Census was viewed as the only data source that was national in scope, captured remotely relevant data, and displayed a requisite level of scientific rigor and uniformity across tribal areas.

The reviewer believes that the use of “AIAN persons” as a unit of measure was considered by many of the first Negotiated Rulemaking Committee members to be unavoidable, as that was the definition applied by the Census Bureau after the U.S. Office of Management and Budget's (OMB) October 30, 1997 “Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity”.

The reviewer notes that the present definition of “American Indian and Alaska Native” applied by the Census Bureau is:

“A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. This category includes people who indicate their race as "American Indian or Alaska Native" or report entries such as Navajo, Blackfeet, Inupiat, Yup'ik, or Central American Indian groups or South American Indian groups.”

The reviewer notes that this definition does not require enrollment in a federally-recognized tribe as a qualification. The reviewer recognizes that the Census includes a line asking respondents who identify as AIAN to “print name of enrolled or principal tribe” to embrace a tribal enrollment requirement, but the reviewer believes that the inclusion of the term “principal” in addition to “enrolled” makes those who self-identify as AIAN, whether they are from the United States or elsewhere in North or South America, indistinguishable from enrolled tribal members.

Another reviewer notes that the Study Group has discussed the legal question regarding whether the NAHASDA prohibits the use of AIAN population data. Some study group members believe there is no such prohibition in NAHASDA, which was also the position supported by HUD’s Office of General Counsel. NAHASDA requires that the need portion of the formula be based in part on the “number of Indian families within Indian areas of the tribe.” See Section 302(b)(2) of NAHASDA. Some of the study group members believe this requirement is satisfied because tribal enrollment data is used to cap a tribe’s AIAN population data. Those study group members, including HUD, have suggested that use of AIAN population data is permissible as an “other objectively measureable condition” under Section 302(b)(3) of NAHASDA.

The reviewer believes that the more relevant question for purposes of the study group’s technical experts is whether there is an accurate, current, complete, transparent, and available data source that can provide data on the number of tribal members, as defined in NAHASDA, that live within tribal areas. There are three strategies for counting tribal members within tribal areas. First, use of self-reported race in Census products. Second use of tribal enrollment or other administrative records that contain address information and that are regularly updated. This has been discussed in the Tribal Enrollment Evaluation and does not appear to be feasible. Third, the tribes and HUD could create a national tribal survey that was appropriately accurate, precise, current, complete, transparent, and available. The precise questions and protocol for identifying American Indian and Alaska Native persons and families have not been developed for this evaluation.

It is not the intention to require verification of tribal enrollment through presentation of any document or identification card. It is the intention to develop a self report question that accurately identifies tribal enrollment. Any such question would need to account for the experience gained from review of Census questions. For example, when asked to write the name of a tribe, some individuals use incomplete federal tribe names. Thus a respondent listing “Cherokee” could be indicating the Cherokee Nation, the United Keetoowah Band of Cherokee Indians in Oklahoma, the Eastern Band of Cherokee Indians, or even the Delaware Tribe of Indians that was formerly known as the the Delaware Cherokee.

Additionally, in certain regions respondents may identify an affiliation other than their enrolled tribe, despite actually being enrolled tribal members. One example is how many Alaska Natives may respond when asked to identify their “tribe.” The tribal status of Alaska Native peoples is unique. Historically, most Alaska Natives identified along ethnic lines as being, for example, Aleut, Tlingit, or Yupik. It was not until the 1970s that the land claims of Alaska’s indigenous peoples were settled with the establishment of regional and village corporations having Alaska Native shareholders. Federal recognition of Alaska tribes did not occur until the 1990s, a process that resulted, in many instances, in tribes being formally recognized on the basis of the proximity of a group of people to a particular village or geographic area. Sometimes, those people were not connected by shared ancestry, history, or culture; the manner in which the federal government recognized Alaska’s tribes was in some circumstances an artificial construct.

Because of this complex history, Alaska Natives may respond in a variety of ways to any request for “enrolled or principal tribe”. Some may identify the tribe of which they are a member. Some may identify the ANCSA regional or village corporation of which they are a shareholder. Others may identify in a traditional manner as being, for example, Aleut, Tlingit, or Yupik. This latter class of individuals is the primary cause of concern in Alaska, as these ethnic categories are not considered to be tribes under NAHASDA. Many Alaska Native elders, for example, would be excluded from such a special tabulation because they tend to identify ethnically when asked about their “tribe” – despite being shareholders and/or tribal members.

Over many years, the United States Census Bureau has responded to the concerns of Alaska Native peoples regarding this issue. Any newly developed tribal survey would need to do the same and recognizes and count Alaska Natives who primarily identify along ethnic lines (e.g. Haida, Inupiaq, Athabascan, etc.) when asked about their tribal affiliation, preventing a potentially significant undercount of Alaska Native persons.

One reviewer would add that, though certain tribes contend that properly counting enrolled tribal members (those eligible to be served under NAHASDA) and delineating the number of Indian families within Indian areas would be challenging (and we agree), this reviewer does not believe that this circumstance merits dismissing this as an issue that should be considered when addressing the relevance of any data source for use in the IHBG formula, especially given the importance of that issue to many tribes throughout the United States. While, as

noted above. some may contend that the formula partially or fully satisfies the statutory requirement of counting Indian families in Indian areas by applying tribal enrollment numbers as part of the determination of a cap on the number of AIAN persons counted for a tribe for formula purposes, virtually no one would contend that the population of AIAN captured by the Decennial Census and ACS in any way mirrors or reflects the population of low-income Indian families or persons that are actually eligible to be served under section 201(b) of NAHASDA (for example, HUD's IHBG Formula Allocation spreadsheet listed 2,163,840 enrolled tribal members nationwide in 2010 and the 2010 Census counted 5,220,579 individuals who listed themselves as AIAN Alone or In Combination with Other Races). This reviewer assumes that none of the reviewers would support a count of American Indians or Alaska Natives by a data source that, by definition, results in an undercount of all or a subset of these populations, but attention must also be paid to the harmful effects of sweeping overcounts that distort efforts to accurately identify populations of eligible tribal members and the degree and nature of their housing need and, as a result, distort the allocation of limited funds to recipients.

Thus, this reviewer's rating of data sources reflects both what they do (e.g., count self-identified AIAN persons) for the current IHBG formula and what they do not and may never do to support the ongoing efforts of many IHBG recipients to ensure that formula allocations more closely mirror the number of eligible low-income Indian families in formula areas who may actually be served using IHBG funds.

Overall, is the data source RELEVANT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source relevancy be improved? What resources are needed to make these improvements?

Excellent. This survey would be designed specifically to be relevant for this program. The questions will be phrased to measure any aspect of need within any population identified by the statute.

Another reviewer answers 'Unknown.' It is difficult to evaluate the relevancy without the actual survey instrument. In theory, if the survey was designed to do so, it could provide the data necessary to meet the current formula variables or any other variables that the committee decides to include in the formula. Based upon the lack of an instrument or any specific questions that might be included in a new instrument that would be agreeable to all tribes, all that is left is intent.

Currency

1. Does the frequency with which the data is collected make them reliably current on an annual basis, or can they be made reliably current? Explain, including how and how often data can be made current without introducing significant error into the estimates.

Yes and No. The current proposal is to collect new data every 5 years to reflect a single point in time. Thus, the source itself doesn't produce data that is current on an annual basis (nor would any data source with a collection cycle greater than an annual basis) but an ageing factor could be applied to it if the factor was

independently identified and approved. To be made current on an annual basis, the data would need to be aged for the intermediate years during which data would not be collected. Developing an improved method for ageing is an important discussion, but not one that is solely relevant to this National Tribal Survey.

One reviewer notes that data would not be available until after processing and that collection and processing would have to work with the annual distribution of IHBG Formula Response Form by June 1 for the subsequent year's allocations.

Another reviewer notes that an ageing factor could be applied to it and that most data that could be used as an aging factor would use historical data to indicate an estimate for the current year. Thus, if 2015 was the based upon 2012 data, the 2012 data could be aged to 2015 by accounting for annual births, deaths, and migration for each formula area. The selection of an ageing factor or developing an improved method for ageing is an important discussion, but not one that is within the scope of evaluation of an agency-administered National Tribal Survey.

2. Is the aggregated data available for use within a reasonable time frame after it is collected? How long does it take for the data to be available? Explain any delays.
The answer to the specific question here is 'Yes.' It would likely take 2 years or less to aggregate the data after it is collected. The time between data collection and aggregation would be dependent on the number and types of questions and variables and the collection period agreed upon by tribes, as well as the overall funding for the data collection program. Aggregation of the data would presumably take less time as the collection process was further refined and tribes gain additional data collection experience and capacity.

The use of online modes of data collection can facilitate and speed the process of reviewing, coding, and entering data from survey responses. The use of high-speed optical character readers can also reduce processing time and reduce human errors that can occur in data entry. As the collection and response entry process was further refined some efficiencies might allow data to be made available more quickly.

However, as noted during characterization, there would be an additional lag time of approximately two to three years after the appropriation of funds and before the start of data collection to allow for the design of the survey instrument, modes of delivery, and methodology with input from all tribes. In addition any new data collection needs to meet the requirements of the Paperwork Reduction Act. Efforts to develop tribal capacity to administer the survey could occur concurrently. After the initial development investment, however, it is expected that future modifications related to changes in the IHBG formula could be implemented relatively rapidly.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes.

3. Is the data stable over time? (i.e. no sudden swings in values, caused by sampling/methodology changes/etc.)

Data stability cannot be measured for a new survey. Stability would presumably mirror that of other federally-administered surveys.

One reviewer notes that, rather than presuming the stability of data from a new questionnaire, it would be better to develop and test measures of stability.

Stability could also be affected by Congressional action, or failure to act. A government shutdown would stop the process for a specific time period, though this is likely true of all government surveys. A Congressional reduction in funding could also have many effects on when collection took place, what was collected and upon the processes that lead up to distribution of aggregated data.

Overall, is the data source CURRENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source currency be improved? What resources needed to make these improvements?

Good. The 5 year interval represents an improvement in frequency from the decennial census and would mirror that of the ACS 5-year estimates, though the proposed survey would utilize a point-in-time sample every five years rather than a rolling sample that continues throughout the five-year period. This source will still require some ageing mechanism to bring the data to current every year. It would be possible to increase data collection frequency if additional funding were available and deemed appropriate.

Accuracy and Precision

***The design of this survey will inevitably balance available funding levels and sources with desired levels of completeness, accuracy and precision. Decisions regarding appropriate sample sizes, marketing, quality control and other factors will be dependent upon the appropriation of sufficient funding to establish the conditions necessary to produce data that is at least as complete, accurate and precise as other existing federal data sources.**

As noted above, those tasked with designing and implementing this survey would inevitably be forced to strike a balance between cost and the other factors impacting the overall quality of survey data. This balancing would focus primarily on the ability of the survey to achieve response rates and sample sizes that enable survey data to fall within a specified confidence interval or margin of error. However, while sample sizes and response rates are clearly two of several key indicators of survey success or failure, they are not the only determinants of data quality. The relevance, quality and completeness of responses are significant indicators of data quality and fitness for a particular purpose. For example, the difficulty of obtaining accurate “within household coverage” (the counting and collection of data for all residents of a housing unit) in many tribal areas has been

a major concern for the Census Bureau for many years and it is an issue which cannot be directly resolved by higher response rates or increases in sample size.

Thus, one must balance the impact of, for example, lower response rates and smaller sample sizes in a survey that captures perfectly relevant data and obtains complete and accurate responses from respondents with the consideration of data from a survey that receives very high response rates and incorporates sufficient sample sizes but gathers data that is of more limited relevance and is either heavily imputed due to a higher percentage of incomplete responses or simply gathers inaccurate data based upon a high percentage of inaccurate responses.

1. Does the data collection program methodology support deriving estimates covering formula areas as described in 25 CFR 1000.302? If not, for which other geographies can the data source derive estimates?

Yes. The data collection program would be designed to estimate data values for all IHBG formula areas (and potentially other service areas necessary for allocating federal funding for tribal programs subject to any limitations caused by divergence concerning applicable units of measurement and subject characteristics or definitions).

2. Are there sufficient protocols in place to address potential respondent misunderstandings concerning data collection instruments? Explain.

Yes, based on the proposal, the intention would be to design and test the data collection instruments with the direct involvement of and input from all tribes. The procedures, protocols and training necessary to ensure accurate implementation of the data collection process would similarly be developed with extensive tribal consultation. This tribal consultation would be expected to find and address potential respondent misunderstandings concerning the data collection instruments. With each data collection event, it is expected that protocols would be broadened and strengthened to reduce respondent misunderstandings to the lowest possible levels.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific protocols for recruitment, administration, and follow-up that would be agreeable to all tribes and within the capacity of all tribes to accomplish.

3. Are the data collection instruments and data collection protocols culturally sensitive? Explain.

Yes. In contrast to the instruments used by other national surveys representing broader national interests, the instrument(s) and protocols for this survey would be developed with extensive tribal consultation in order to specifically address, to the greatest extent feasible, the varying sensitivities of the many tribal cultures in the United States.

One reviewer noted that it should be recognized that there are cultural differences between tribes. The diversity of tribes in the United States may require significant work to avoid decisions that show more awareness from the perspective of some tribes than from others. While tribal consultation can help to minimize bias with the

wording of questions in surveys, it should be noted that one way of phrasing a question in a survey might lower bias in one tribe but increase bias in another.

One reviewer suggested that for the foregoing reasons, nonresponse rates could be much higher for low-income AIAN households compared to other data sources and could introduce unintended bias in the estimates. However, having the Census Bureau administer this survey would provide experience with putting in place protocols similar to those used for other Census data collections, such as the Decennial Census and the American Community Survey.

4. Are there sufficient protocols in place to verify the accuracy of collected data?

Yes. These protocols, which would likely take the form of quality assurance and control procedures as well as initial verification of the accuracy of the Master Address File or other survey frame for each formula area, for example, would be developed with extensive tribal consultation.

Another reviewer says “NO”, there are concerns about precision. The capacity of many tribes to undertake a valid survey that would be usable for a formula such that all tribes trust the data of other tribes to be fair and equitable is unknown. There is no instrument nor any specific protocols for sampling, administration, and follow-up that would be agreeable to all tribes and within the capacity of all tribes to accomplish.

5. Are there major concerns about precision? For instance, are the margins of error reasonable and consistent across all Indian areas? Explain.

No. There are no major concerns about precision. The survey methodology, including the determination of the appropriate sample size within each stratum, would be designed to keep margins of error reasonable and consistent across all areas. Standardized training for tribal survey coordinators and manuals and other materials made available to all tribes would ensure the highest possible degree of procedural uniformity. Operational support and training and technical assistance provided by the Census Bureau and HUD’s PD&R Office would further enhance tribal capacity before, during and after the data collection process.

Technically, all recipients of IHBG funds could currently collect their own data to challenge census data used in the formula with limited restrictions or mandatory procedures to ensure the precision of each tribe’s data. In addition, recipients whose formula areas encompass urban areas are left to independently determine appropriate sampling methodologies and sample sizes in these very challenging areas. Standardization of sampling methodologies and data collection procedures and protocols, while enabling the content to adapt to the needs of the program and its funding formula, could produce a more precise set of tribally-collected data and provide needed support to recipients that did not previously have the capacity to challenge their formula data.

Another reviewer says “YES”, there are concerns about precision. The capacity of every tribes to undertake a valid survey that would be usable for a formula such that all tribes trust the data of other tribes to be fair and equitable is unknown, and it seems unlikely that all tribes would have the same capacity to do this.

6. Are there major concerns about accuracy? For instance, do missing administrative data or imputation and/or weighting methods introduce bias?

No. As proposed, the survey methodology would be designed to keep margins of error reasonable and consistent across all areas and methods of imputation or weighting data would need to be carefully evaluated to ensure that bias was not introduced into the data systematically in, for example, areas experiencing higher percentages of very low income households.

Another reviewer says Yes. The reviewer expects that there will be missing data in this, or any other large survey. Some have been critical of the methods of imputation that Census has used to address missing data. However this survey would either need to develop imputation methods or accept smaller response rates. What would be done is not known. For that reason that reviewer says Yes there is a concern.

As noted by reviewers in the evaluations of the American Community Survey, the Decennial Census and the National Tribal Survey (Tribal Administered), the use of Master Address File (MAF) addresses and multi-stage contact protocols to select and contact participants may adversely affect Tribes in rural areas. Any limitations caused by these methods and tools as identified in the evaluations of other sources would initially apply to this source as well. For example, Certain research indicates that coverage in rural areas is poorer than in the urban areas. While filter rules can be examined and potentially modified to account for erroneous exclusions, improving overall coverage in rural areas cannot be done without finding a way to get missing units added to the MAF. This may require greater awareness among tribes of the need to inform the Census Bureau about new housing units, structures newly converted to housing, and non-traditional places of habitation.

However, greater involvement of tribes in survey development could allow for a more substantial opportunity to improve the survey frame based on local efforts, such as 9-1-1 addressing processes and other housing unit mapping projects, and to develop contact protocols that balance the need for cost-effectiveness with the goal of limiting any potential bias caused by employing different or more contact methods in different formula areas or portions of formula areas. Additionally, a positive potential outcome of examining and improving upon existing tools and protocols might be that the specific tribal focus of this survey could facilitate more targeted study of the possible disparate impacts in tribal areas of certain survey design and implementation processes which are implemented at the national level.

In response to a question from the Study Group concerning the relative accuracy of rolling samples versus point-in-time counts, the reviewers provide the following response. All other things being equal, when the two are compared, a point-in-time sample will provide a more accurate estimate for that specific point in time and a rolling sample will provide a more accurate estimate of average conditions over the entire period of sampling. Because a rolling sample creates estimates for the average over a window of time, the longer the window of time the less accurate those estimates are for representing any specific point (or window) in time, especially for periods of time at the leading and trailing edge of the sampling window. For example, an estimate for population based on a 5-year rolling sample

from 2010 through 2014 would be least accurate for representing the population in either 2010 or 2014, though it could provide a very accurate estimate for the average population over that time period. For a point-in-time sample, the accuracy of an estimate applied to a period other than the specific point-in-time for which it was collected decreases with time from the sampling period. For example, an estimate for population based on a point-in-time count in January 1, 2010 could be very accurate for the population at the start of 2010, but would be less accurate for representing the population in 2014. In addition, cost considerations impact sample sizes, survey content, marketing budgets and other aspects of both rolling samples and point-in-time counts, and these differences or variances have significant impacts on data quality and very often limit one's ability to make specific and direct comparisons between surveys based on this factor or difference alone.

In response to a question from the Study Group concerning the staffing of a tribally administered point-in-time count conducted every five years in comparison to a rolling sample conducted by the Census Bureau, the reviewers provide the following response. ACS maintains permanent office and field staff to complete its monthly samples, though the Decennial Census must hire and train the vast majority of its field and local office staff for each 10-year collection cycle. A national tribal survey administered either by the tribes or by the Census at 5-year intervals would not likely retain permanent staff, though a National Tribal Survey incorporating a rolling sample, rather than a point-in-time count, may be able to maintain some amount of permanent staffing.

Training staff for each collection cycle is an expensive undertaking and training new staff with each 5-year cycle may limit data quality to some extent when compared to maintaining consistent staffing. Similar to the Decennial Census, training of field staff would need to be thorough and would likely draw at least in part from the pool of former Decennial Census employees living within and around tribal areas.

However, if funding were available to increase the frequency of the survey to every 2-3 years instead of every 5 years, it may be possible to utilize the pool of temporary and permanent staff at the Census to manage and complete this survey in a manner similar to the American Housing Survey. Additionally, in the tribally-administered version of this survey, greater potential exists to retain permanent office and field staff through individual tribal data collection programs or statistics offices tasked with continually collecting and maintaining other datasets relevant to tribal interests and management as a way to leverage the training and capacity developed through administering the national tribal survey.

Overall, is the data source ACCURATE and PRECISE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source accuracy and precision be improved (for example, is it possible to correct or compensate for any and all survey design issues, such as phrasing of questions, incentives for participating, imputation methods, number of attempts to collect data at sampled housing unit, etc., which are likely to introduce biases for all or a certain subgroups of tribes,

including small, large, rural, urban, etc., or certain types of data, including financial, population, etc.)? What resources are needed to make these improvements?

One reviewer rates this source as 'Good to Excellent' for Accuracy and Precision. The survey could likely merit a rating of Good in its first cycle and has the potential to rate Excellent in subsequent cycles. The National Tribal Survey would be designed to collect accurate and precise data for the IHBG formula without requiring additional resources to compensate for data problems after the fact (e.g., through individual tribal data challenge processes). At the outset of the proposed survey, issues related to inaccuracy of the Master Address File (MAF), refining the process for sampling American Indian or Alaska Native households in urban and other complex areas, and the balancing of cost concerns with the potential bias created by employing contact protocols differently in rural versus urban areas, for example, may impact this survey in the same ways that they presently affect the American Community Survey. However, the specific purpose of this survey, as opposed to national surveys, would likely enable it to adapt, adjust and improve its methodologies for collecting data from American Indian and Alaska Native households in ways that other large national surveys cannot. As with any survey, increased funding would enable the survey administrators to increase sample sizes in specific areas of concern and perform more extensive testing of response and inclusion rates and other sources of error to continually improve the quality of the resulting data.

Another reviewer recommends "Fair" on this. Absent better information on response rates on the tribally administered challenges to date to counter, it is doubtful that they exceed the ACS rates of over 90% in most tribal areas (due to the mandatory nature of the ACS). Moreover, we need to carefully consider sample size and cost to administer. If response rates are not even close to the ACS and sample sizes are equivalent or worse, then non-response bias and sampling error will erase any benefits of better sampling frame or more culturally sensitive questions.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific protocols for sampling, administration, and follow-up that would be agreeable to all tribes and within the capacity of all tribes to accomplish.

Completeness

1. Does the data source collect data for all Indian tribes as defined in Section 4 (13) of NAHASDA?

Yes. This data source would be designed to collect data and estimate data values for all formula areas defined in the statute.

One reviewer is concerned about how this data source would be able to respond to changes in formula area that occur when new trust land is added to a formula area.

2. Are outreach efforts to encourage participation in the data source appropriate and effective within tribes/tribal areas? Are those efforts equally effective and equally implemented across all Indian areas? Explain.

Yes. Follow-up contact with non-respondents would be conducted and marketing through tribes and tribal service providers and regional and national organizations could also be undertaken. There will likely be additional outreach and marketing efforts specifically within tribes and their community representatives, especially in comparison to ACS, which does very little marketing due to an extremely limited budget for these activities. For example, for the six months prior to data collection, marketing of the survey would be done through local radio, TV, and newspaper outlets; tribes and tribal service providers; regional and national organizations familiar to the tribe. Social media campaigns would be used to encourage participation in the Tribal Survey. It is difficult to estimate the costs of this marketing, however it will require sufficient funds for each Tribe to conduct its own marketing campaign.

Unknown. Some tribes may not have the capacity to undertake this work even with additional funding resources.

3. Are all populations well represented in the data source, as evidenced by high response and inclusion rates or any other criteria? Explain any identified areas, populations, and/or topics where response or inclusion rates may be a cause for concern.

Because this is a proposal for a new survey, there are no response or inclusion rates to draw from. However, the methodology for this survey would be designed with consultation from tribes and specific acknowledgement of particular areas of concern highlighted in the evaluation of other national surveys in an effort to avoid these issues.

The proposal for this survey indicated that the survey frame would initially be based on the US Census Master Address File (MAF) for formula areas, which is currently used for the ACS and Decennial Census. In a separate data source evaluation, one reviewer suggested that the use MAF addresses to select participants may adversely affect Tribes in rural areas, since research indicates that coverage in rural areas is poorer than in the urban areas. However, another reviewer commented that it is possible that the extensive address canvassing performed in the 2010 Decennial Census rectified a lot of the MAF coverage issues in rural areas. The new MAF incorporated the work of the 2010 Census Address Canvassing operation. Whether for purposes of a federally administered tribal survey or a current Census Bureau data collection like the ACS, the reviewers agree that the Census Bureau should work with tribal entities to improve and update the MAF.

It is not clear at this time whether the Census Bureau would make the MAF available to tribes to conduct this survey. While the Census Bureau website states “[t]he content of the MAF/TIGER database is undergoing continuous updates and is made available to the public through a variety of TIGER/Line® shapefiles”, the data provided is only made available as tract-level housing unit counts rather than actual map spots/unit coordinates or lists of addresses in the MAF. (see https://www.census.gov/geo/reference/gtc/gtc_maftiger.html) Thus, the tribes and HUD would have to either negotiate with the Census Bureau to obtain the MAF for their respective areas, if possible, or utilize other resources prepared by the tribe or other agencies to prepare the survey frame.

In response to a request from the Study Group to summarize the more general issue concerning the likely change in outcome based on whether a survey is mandatory or voluntary, the reviewers provide the following response. There is no way to disentangle all of the factors that contribute to high response rate. It may be a fair assumption that for two otherwise identical surveys, one defined as mandatory by an authoritative body will have higher response rates than one marked as voluntary, but there is no reason to think that ANY mandatory survey will automatically result in a higher response rate than ANY voluntary survey, especially when there is no enforcement of the requirement. Survey length, the intensity of (and budget for) non-response follow up, the respondents' understanding of how the data will be used and many other issues are all extremely important. The U.S. Decennial Census, for example, in addition to being mandatory, is a short survey with a large budget for advertising and follow-up and a direct connection to electoral representation and many funding sources. There is not a voluntary survey comparable to the Decennial Census in those terms to investigate the impact of the mandatory vs. voluntary designation alone.

The Census Bureau did a study to investigate how making ACS a voluntary survey would impact response rates for that survey and found that mail response fell by over 20%, while the overall response rate was about 5% lower than for the mandatory survey. A negative impact on response rates in traditionally low response areas was also identified though the specific impact on AIAN areas was not specifically quantified (see Griffin et al, 2003). However, this study was conducted in 2003, when ACS was still quite new. Now, more than ten years later, there still has not been a particularly effective marketing campaign to encourage participation and awareness of that survey, so this mandatory designation by the U.S. government may have been especially important. A more recent study (Griffin and Starsinic 2012) argues that the “hardest-to-interview populations” were equally represented in the voluntary and mandatory implementations, and that it is the people with higher education and income levels, as well as more mobile populations, that are likely missed by voluntary surveys. So, although it has been determined that ACS has a higher response rate as a mandatory survey than a voluntary survey (when using the particular language used to introduce the surveys in that study, see Griffin et al., 2004 for more information on the impact of wording), it does not necessarily follow that no voluntary survey would be able to achieve a response rate equal to or greater than that achieved by ACS. There are a myriad of other factors and techniques that influence response rate.

In response to a question from the Study Group concerning the sufficiency of the sample for urban areas and areas with higher percentages of non-AIAN households, the reviewers provide the following response. Developing stratified samples that may be further clustered in some urban areas to ensure that American Indian and Alaska Native populations are properly targeted presents both a new and not insignificant challenge as well as an opportunity to refine sampling frames within diverse formula areas. As noted in the characterization stage, recipients with urban areas or largely non-AIAN populations comprising portions of their formula areas are already faced with this sampling challenge if and when they choose to challenge Decennial Census data used in the current formula. Sample sizes will inevitably vary between formula areas to ensure that margins of error are consistent, so defining a precise national sample or samples

for individual formula areas at this time is not possible. The estimates of sample size provided in the evaluation assume that the initial sample for each area or stratum will fall somewhere between the lowest sample size necessary to statistically attain the established margin of error (for relatively rural and homogenous areas) and the larger ACS sample size in more diverse formula areas or strata where advanced sampling and screening methodologies have not yet been employed to specifically target the American Indian and Alaska Native population.

In response to a question from the Study Group concerning how tribal membership would be “verified” by field staff conducting the National Tribal Survey, the reviewers provide the following response. Based on the initial survey proposal, interviewers would not “verify” tribal enrollment via documentation or other in-field review method.

As an example, the question designed to collect enrollment information could incorporate the membership requirements of the definition of “Indian” set forth in section 4(10) of NAHASDA. The question would ask the respondent whether or not they are an enrolled member of an Indian tribe in addition to asking the respondent to list the tribe in which they are enrolled. The survey design process would test, identify and implement the best method for collecting this data.

In response to a request from the Study Group to list the possible ways to address the potential circumstance that a tribe or tribes “opt out” of the National Tribal Survey, the reviewers provide the following options to consider:

- Tribe would have no data, and therefore no need-based allocation (or minimum needs allocation)
- Tribe chooses not to administer Tribally Administered survey: Census Bureau or other agency could conduct a “special census”; Census Bureau/HUD could negotiate and organize/manage members of other tribes, or other nearby residents, to administer the survey in those areas
- HUD or the Census Bureau would impute data from a nearby tribe or one sharing similar selected characteristics

Overall, is the data source COMPLETE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source completeness be improved? What resources are needed to make these improvements?

Good to Excellent. The National Tribal Survey would be designed to collect complete data for the IHBG formula, covering all relevant geographic units and populations, though any limitations caused by the use of the Master Address File and varied multi-stage contact protocols as discussed above and identified in the evaluations of other sources would initially apply to this source as well, if these tools were in fact incorporated, and would likely justify an initial rating of ‘Good.’ Based on the level of involvement of tribes in the design and implementation of

this survey, it is assumed that there will be greater opportunity to actively engage tribes in the improvement of survey frames and area-appropriate contact protocols that could justify a rating of 'Excellent.'

Another reviewer indicates FAIR. This effort would require participation of all of the more than 500 tribes. This is a very high expectation that we don't know is likely. Most tribes are small, and while that would make doing a survey easier, it also means they are unlikely to have the capacity to undertake the survey.

Another reviewer answers 'Unknown' based upon the lack of an instrument or any specific questions that might be included in a new instrument agreeable to all tribes, the lack of information about how sampling would be done in urban areas where tribes without reservation or trust land are living within a larger community, the lack of a protocol for follow-ups, the need to continually update the MAF based address file for each tribe every five years and to have the update occur as close to survey administration as possible.

Availability

1. Can the data be collected and analyzed with no significant additional resources?

No. This is a proposed new survey that is not currently funded.

2. Is there a source of funding available for the data collection and analysis? Explain the resources needed (and the source of these resources) to develop, administer, and analyze the data.

No. The funding source for the proposed survey has not been identified as it has not yet been proposed to, much less authorized by, Congress. The characterization for this data source provides a more detailed discussion of costs, but the estimates range from \$21.7 to \$105 million per 5-year cycle, or \$4.34 to \$21.0 million per year.

The stability of federal funding for this survey would likely depend upon overall funding levels for all federal surveys and in particular the funding levels for subject-specific surveys, such as the American Housing Survey. The source of the funding would ultimately determine the stability of the funding itself and, as noted, the funding source for this data source has not yet been identified. While assessing the suitability of this survey to provide data for other tribal programs was not within the scope of this evaluation, the use of National Tribal Survey data for multiple tribal programs would likely inform and influence both the initial and continuing funding levels for this survey.

The cost range stated above does not include the cost of developing the survey. Development costs could vary significantly based on the process selected for testing the survey instrument and the collection process itself. For example, if new formula variables were adopted based on existing definitions and eligibility

requirements set forth in the statute, the potential wording of survey questions and underlying subject definitions would be much more constrained than if an entirely new universe of variables and subjects were selected and a more robust process of negotiating the precise new wording for definitions and questions were required. Guidance and relevant formulas for estimating national survey development costs are very difficult to obtain because, as Robert Groves has noted in his publications, each survey is unique (i.e., presents an array of different operational variables), much of this information is treated as proprietary and even anecdotal information is not often neither captured nor shared. This was the experience of the Technical Support Committee member and one of his staff members who sought to obtain information concerning estimating national survey development costs from the Census Bureau and NORC and were informed that Census staff had been instructed not to share information with this member and that NORC could not share its proprietary information with outside entities.

In terms of the costs to tribes for participating in the development of the survey instrument and design of a culturally-sensitive data collection process, the process could be separately funded or it could potentially be organized and funded in a fashion similar to the traditional Negotiated Rulemaking process (e.g., Committee member's costs are covered by the federal government and other participants bear their own costs of participation) as this activity would appear to represent as extension of the IHBG Formula Negotiated Rulemaking Process.

Based on the national scale of the proposed data collection effort and the limited number of census challenges completed by tribes per year (an average of just over 8 per year for the past 18 years and 2 per year for the past 10 years with an average of just under 4 successful challenges per year for the past 18 years and just under 1 successful challenge per year for the past 10 years), the initial cost to HUD of monitoring tribal surveys would presumably be much higher for HUD than for the census challenge process.

Tribes would likely develop greater capacity to administer the survey with each collection cycle and methods of monitoring data collection would become more streamlined over time. Given the involvement of all tribes in this survey, the provision of training and technical assistance by HUD, the Census Bureau and the regional and national tribal organizations on a national scale, as well as the likely emergence of regional and inter-tribal information and resource sharing efforts specifically for this purpose, may allow these monitoring expenditures to diminish for future data collection cycles.

Of note, the lower number of recent challenges to formula data may in part be attributed to the approximately 13 years of ageing 2000 Census data and the perception that tribes may not be able to surpass these potentially inflated numbers.

Marketing and any other operational costs should also be included in overall survey cost considerations, but because marketing (and other) strategies will be based on survey design decisions that have not yet been made, these costs are very difficult to estimate at this time. Marketing will certainly add some amount of additional cost to the overall estimate for the survey, though a survey designed by

and for tribes will likely benefit from additional cost-free advertising, marketing and community engagement activities that tribes either carry out themselves or receive from local media outlets within their tribal area.

3. Can the data collection process be completed without imposing an additional administrative burden on tribes/TDHEs? If no, describe what support is available or needed (if not available) to reduce those burdens? Explain.

No. Tribes/TDHEs will be administering the survey and many tribes will likely need training and capacity-building to develop the essential underlying technical skills to implement this and other tribal data collection efforts. Presumably, tribes would seek funding to conduct these activities and would hire additional temporary staff or an outside data collection entity (unless a standing tribal data collection program had been established) with those funds rather than utilize current staff. In this case, the human resources burden on tribes would mirror that of a census challenge under the current regulations but, unlike census challenges which are presently funded using funds from the recipient's IHBG grant, the potential exists for this data collection effort to be funded from another source.

In addition, as noted above, the Census Bureau and/or HUD's PD&R Office could potentially provide training and technical assistance, and possibly provide direct operational support to tribes, to lower the technical burden of the survey on tribes. Presumably the mobilization of support and development of standardized procedures and protocols would lower the current burden on recipients left to develop their own processes and strategies for conducting census challenges in challenging areas or foregoing correction of their data due to the perceived difficulty of doing so.

In response to a question from the Study Group concerning the relative burden imposed on tribes by census challenges versus the burden that may be imposed by a National Tribal Survey that may require more strict methodology and collection procedures, the reviewers provide the following response. Census challenges are a separate issue that will need to be reevaluated after the base data source(s) are finalized as the challenge process would likely change along with any change in the source of the base IHBG formula data. However, in order to promote fairness and equity, any data accepted for purposes of adjusting formula allocations (and associated primary collection procedures and protocols), whether as a challenge or as source data, should presumably be subject to a similar level of scrutiny. Given the limited guidance and structure provided to tribes at present when conducting census challenges, a more structured approach with more detailed instructions and manuals and a greater opportunity to learn from and cooperate with other tribes (and possibly the Census Bureau and HUD's PD&R Office) may in fact remove some of the burden currently experienced by tribes that are essentially going it alone and filling in the gaps under current census challenge guidelines. As less than half of census challenges completed since 1998 have been successful (66 of 140), this added structure may enable previously unsuccessful tribes to finally correct their formula data. Greater structure and guidance may also limit tribes' need to hire outside contractors to conduct the survey in the initial or future collection cycles.

4. Is the data quantifiable and easily integrated into a funding allocation formula?

Yes. The data would be collected and tabulated based on established formula area geographies and formula variables so that they can be easily integrated into the IHBG formula.

No. Probably not easily. Over 500 tribes conducting their own surveys will require a substantial effort to compile into a single data set for the funding allocation formula.

In response to question from a Study Group member concerning which organization would compile the data collected, the reviewers provide the following response. Based on the initial proposal, it is assumed that HUD would compile the data collected by tribes for the National Tribal Survey-Agency Administered, though HUD could contract that process out to the Census Bureau if that proved to be a better use of its resources and the relative expertise of the agencies. As noted in another section, the process for monitoring, evaluating and compiling this data would require additional resources within HUD (possibly significant additional resources during the first collection cycles) due to the national scale of the proposed project.

Overall, is the data source AVAILABLE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source availability be improved? What resources are needed to make these improvements?

Fair/Poor. Collecting data and developing a new data source are expensive and labor-intensive endeavors. Improving screening techniques to better identify and isolate the target population, especially when surveying in urban areas, employing appropriate marketing strategies in tribal and non-tribal areas and cultivating a feeling of tribal ownership in the process and the survey itself to increase response rates will help keep the cost on the lower end of the wide cost estimate range provided above. As noted above, the development of a standardized set of procedures and protocols and the mobilization of existing federal resources to support the process may in fact make it possible for tribes to correct data they have historically believed was inaccurate but were not able to address due to the complexity of the area to be surveyed and their lack of data collection capacity.

Transparency

1. Has the data source been subjected to previous study/evaluation to assess strengths and weaknesses? If yes, are those studies available?

N/A. The survey does not currently exist so it cannot have been previously studied or evaluated.

In response to a question from the Study Group concerning the applicability of individual tribal surveys in the design and evaluation of a proposed National Tribal Survey, the reviewers provide the following response. Materials describing certain tribal surveys were reviewed by the Technical Experts as informative with respect to lessons learned regarding data collection procedures and other outreach and design elements, but they were not necessarily determinative regarding all of the issues that would be addressed by and factored into a national tribal survey.

The specific procedures and protocols followed by individual tribal surveys and the survey content itself may, to some extent, be informative for the development of a national tribal survey as the decisions made by tribes reflect specific challenges and opportunities that are: 1) unique to tribal areas generally, 2) merely present in different degrees in tribal areas than in non-tribal areas, or 3) unique to their particular tribal area. In addition, certain sample size and cost-related information is useful in developing potential ranges of cost and necessary sample size for certain areas or types of areas. For example, an average cost per case taken from the Dakota Pilot Project, which involved housing needs assessments conducted by five tribes on their respective reservations in North Dakota and South Dakota, allowed for a comparison of per-case costs with ACS, Decennial Census and other surveys as part of the larger discussion of the potential range of total data collection costs for the National Tribal Survey.

The development of a national survey would likely benefit from certain economies of scale in terms of technical assistance and coordination that an individual survey would not and it would also suffer from overarching funding limitations and procedural restrictions related to preserving the structural uniformity of the survey that would render useless many direct comparisons to decisions made during individual surveys.

The following is a non-exhaustive list of the many tribal needs assessments and surveys that have been conducted to date:

The Navajo Housing Needs Assessment

**Dakota Housing Needs Assessment Pilot Project
Karuk Tribe of California Census
Wind River WINDS I, II and III surveys
Ho-Chunk Nation Census**

2. Were you able to find answers to most data screening, characterization and evaluation questions? Explain which questions you were not able to answer and why.
Because this is a new survey, it is difficult to develop precise cost estimates and to discuss the specific aspects of need addressed by the data source; these are based on survey elements that have not yet been defined. Once the relevant decisions have been made, the data program itself would be as transparent as other similarly organized data collection programs.

Overall, is the data source TRANSPARENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor How? Provide a narrative explanation for the overall rating. Can the data source transparency be improved? What resources are needed to make these improvements?

Due to the fact that this survey does not yet exist, much of the information necessary to answer the Transparency questions is not currently available. However, based on the proposed process for designing and implementing the survey with direct tribal involvement, the reviewers assumed that this data source will be as transparent as, and potentially more transparent than, any other federal survey providing IHBG formula data if and when it is implemented.

Another reviewer says that while the absence of any actual survey instrument or survey process leaves the proposal opaque, this could not move forward without transparency for two reasons. First, tribes would expect it during any consensus process that developed the survey instrument and administration protocols. However, the exact nature, extent, length, cost, and beginning points for a consensus process is unknown. Second, the federal government would require it as a part of the processes of acquiring OMB approval. This would involve publication in the federal register and open comments from any interested person or organizations.

Summary and Conclusions

1. Overall, is the data source appropriate for measuring one or more current IHBG formula variable(s)? Choose one of the following options and explain: Excellent, Good, Fair, Poor. What are the areas of biggest concern?

Good. This proposed survey could certainly collect all necessary data to support the current IHBG formula variables. However, if the Committee chooses to retain the same formula variables, or decides to adjust the variables in such a way that revisions to the Decennial Census and American Community Survey definitions and questionnaires requested by the Committee and HUD could feasibly capture the required data (for example, simply adding a question concerning the tribal enrollment status of the respondent to the “race” question or inserting a question concerning the number of families living in a housing unit), the existing data sources may prove to be more cost-effective options for collecting this data. When all factors are considered, the cost of developing and implementing the program and the time and resources required to do so are the areas of greatest concern. As noted below, the Committee will need to weigh that cost against the benefits of having a data source specifically designed to meet and adapt to the evolving needs of the IHBG formula.

Another reviewer rates this overall as Fair. This other reviewer rates this as “Excellent” for its current use to challenge the Census Bureau collected data but rates it as “Fair” as a data source that could be used for all tribes. This rating is based primarily on the “availability” measure. The cost to undertake the survey would be many additional millions of dollars, the challenge of building capacity among all eligible tribes would be substantial, the burden on HUD to ensure that each tribe is collecting the data in a way that other tribes believe is fair and equitable would be very high.

2. Overall, is the data source appropriate for measuring other aspects of housing need (as developed in the characterization phase) that are not current formula variables?

Yes. The greatest strength of this data source is its ability to measure any aspect of housing need necessary to meet NAHASDA statutory requirements. Thus, if the Committee sought to change the formula variables in such a way that existing data sources, including the Decennial Census and/or the American Community Survey, could not accurately measure them, the National Tribal Survey would provide the only option for the Committee and HUD to capture the data required for the formula. In that sense, this proposed data source merely represents the creation of any new survey developed by and targeted specifically toward the collection of data for tribes and tribal programs, rather than broader national interests. This new survey would, for the first time, enable Committee members to craft a formula and data source based on what they collectively identify as true measures of tribal housing need as opposed to making decisions on the basis of what data source is available regardless of that source's actual relevance or suitability for this specific purpose.

Another reviewer says that this is potentially the case. However, what those aspects would be and how they would be selected, are unknown.

Evaluate the Data Source – Latest Decennial Census

Relevance

1. Does the data source measure data that is based on factors that reflect the need of the Indian tribes and the Indian areas of the tribes for assistance for affordable housing activities, including (*answer Y/N for each*):
 - a. the extent of poverty within Indian areas of the tribe - **All reviewers say No**
 - b. economic distress within Indian areas of the tribe - **All reviewers say No**
 - c. the number of Indian families within Indian areas of the tribe - **Three reviewers say Yes**

One reviewer answers “No” to this question. The Decennial Census uses the individual and the household (or housing unit) as its primary units of measurement and does not ask how many families reside in each housing unit.

- d. other objectively measurable conditions as the Secretary and the Indian tribes may specify

Three reviewers say Yes, but limited to conditions that depend upon the age, sex, race, and relationships of household occupants, number of single parent households.

One reviewer answers “Yes” to this as this data source currently measures data for the ‘AIAN Persons’ variable of the IHBG formula.

2. Does the data source reflect the following other factors for consideration, (*answer Y/N for each*):

- a. the relative **administrative capacities and other challenges faced by the recipient**, including, but not limited to geographic distribution within the Indian area and technical capacity

All reviewers say No

- b. the extent to which terminations of assistance under subchapter V of section 302 of NAHASDA will affect funding available to State recognized tribes

All reviewers say No

3. **Does the data source measure the formula variables** in 24 CFR Part 1000?
<select from checklist of current variables here>

- AIAN persons

- ☐ AIAN households with annual income less than 30% of median income
- ☐ AIAN households with annual income between 30% and 50% of median income
- ☐ AIAN households with annual income between 50% and 80% of median income
- ☐ AIAN households which are overcrowded or without kitchen or plumbing
- ☐ AIAN households with housing cost burden greater than 50% of annual income
- ☐ Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock)

4. Does the data source measure other aspects of housing need?

< select from checklist of other aspects of housing need created during the characterization phase>

All reviewers say YES

Examples of Housing Stock Characteristics Potentially Related to Housing Need:

- ☐ Total number of units
- ☐ Safe and sanitary
- ☐ Age of structure
- ☐ Occupancy
- ☐ Room count and/or size (square footage)
- ☐ Structure type
- ☐ Facilities (kitchen, plumbing, etc.)
- ☒ Household tenure/ownership
- ☒ Other: Household size
- ☒ Other: General vacancy rates
- ☐ Other _____

Examples of Demographic Information Potentially Related to Housing Need:

- Population
- ☐ Income
- ☐ Expenses
- ☐ Employment
- ☐ Disability
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____

Overall, is the data source RELEVANT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source relevancy be improved? What resources are needed to make these improvements?

***NOTE: All of the reviewers agree that the accurate identification of all American Indian and Alaska Native persons and families currently within each formula area is extremely important. This is an issue for the Decennial Census, but also ACS and any other data source providing data for the IHBG formula. Rather than have this discussion repeated in each evaluation, it is presented here and will be referenced in other evaluations.**

EXCELLENT say two reviewers. The scope of this data source is narrow, but very relevant to the needs portion of IHBG formula. This data source comes from a mandate in the US Constitution. The authors of the Constitution saw it as a necessary tool in apportioning Congressional seats to the US House of Representatives and to establishing local congressional representative boundaries. The Decennial Census provides data on the number of Indian persons and Indian households within formula areas. Information on the relationships among individuals in a household could provide information about the number of Indian families.

One reviewer raises concern about the units of measurement the U.S. Census Bureau applies in the course of its data collections, specifically households vs. families and AI/AN persons vs. enrolled tribal members. The reviewer notes that counting households, as the Census does, may undercount distinct families living within a single housing unit by lumping them together as a household. Each distinct family unit may have its own housing need. These distinct families may include single, semi-transient, and temporary residents of other people's homes and others for whom the connection to other residents in the home is not made clear on the Decennial Census form.

However another reviewer points out that HUD and the Census Bureau having been studying the use of information on the relationships among individual in a housing unit to count the presence of different types of families.

One reviewer recognizes the complexity of defining "family" in a manner that is both implementable and sufficiently flexible to embrace the wide array of family units present in modern society. It is unlikely that all tribes and HUD could agree on a uniform definition of the term. For example, consider a household comprised of nine individuals: an unmarried man and woman, one child who is the offspring of both the man and the woman, one child who is the offspring of the man but not the woman, the man's married aunt and uncle, the man's step-brother, the woman's grandmother, and a friend of the woman, all of whom permanently reside in the unit. How many families reside in that particular household? It is worth noting that the current definition in NAHASDA is vague and provides no clarification.

The reviewer that expressed concerns about the household vs. family unit of measure also has concerns about the self-identification of AIAN as race. The reviewer raises the issue of how to "identify, distinguish or count enrolled

members of federally recognized tribes.” The reviewer notes that when the IHBG allocation formula was negotiated, the Decennial Census was viewed as the only data source that was national in scope, captured remotely relevant data, and displayed a requisite level of scientific rigor and uniformity across tribal areas. The reviewer believes that the use of “AIAN persons” as a unit of measure was considered by many of the first Negotiated Rulemaking Committee members to be unavoidable, as that was the definition applied by the Census Bureau after the U.S. Office of Management and Budget's (OMB) October 30, 1997 “Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity”.

The reviewer notes that the present definition of “American Indian and Alaska Native” applied by the Census Bureau is:

“A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. This category includes people who indicate their race as "American Indian or Alaska Native" or report entries such as Navajo, Blackfeet, Inupiat, Yup'ik, or Central American Indian groups or South American Indian groups.”

The reviewer notes that this definition does not require enrollment in a federally-recognized tribe as a qualification. The reviewer recognizes that the Decennial Census form includes a line asking respondents who identify as AIAN to “print name of enrolled or principal tribe” appears to embrace a tribal enrollment requirement, but the reviewer believes that the inclusion of the term “principal” in addition to “enrolled” makes those who self-identify as AIAN, whether they are from the United States or elsewhere in North or South America, indistinguishable from enrolled tribal members.

Another reviewer notes that Study Group has discussed the legal question regarding whether the NAHASDA prohibits the use of AIAN population data. Some study group members believe there is no such prohibition in NAHASDA, which was also the position supported by HUD’s Office of General Counsel. NAHASDA requires that the need portion of the formula be based in part on the “number of Indian families within Indian areas of the tribe.” See Section 302(b)(2) of NAHASDA. Some of the study group members believe this requirement is satisfied because tribal enrollment data is used to cap a tribe’s AIAN population data. Those study group members, including HUD, have suggested that use of AIAN population data is permissible as an “other objectively measureable condition” under Section 302(b)(3) of NAHASDA.

The reviewer believes that the more relevant question for purposes of the study group’s technical experts is whether there is an accurate, current, complete, transparent, and available data source that can provide data on the number of tribal members, as defined in NAHASDA, that live within tribal areas. There are three strategies for counting tribal members within tribal areas. First, use of self-reported race in Census products. Second use of tribal enrollment or other administrative records that contain address information and that are regularly updated. This has been discussed elsewhere and does not appear to be feasible. Third, the tribes and HUD could create a national tribal survey that was

appropriately accurate, precise, current, complete, transparent, and available. The precise questions and protocol for identifying American Indian and Alaska Native persons and families have not been developed and this concept is evaluated separately.

The Decennial Census is a constitutionally mandated enumeration of all people, the question is what, if anything, could be done to more closely align the Census Bureau's AIAN definition with the definition of the term "Indian" in NAHASDA. It is unlikely that the Census Bureau and OMB will agree to fundamentally change how they define term "American Indian and Alaska Native." However, with the existing question and responses it is possible to run special tabulations of the raw Census data to exclude certain categories of responses from the data that would be used for IHBG formula purposes. In this way it would be possible to run a special tabulation of Decennial Census data that excludes, for example, individuals who identify their "enrolled or principal tribe" as being of Central-American, South-American, or indigenous Canadian in origin. This special tabulation could be run today upon the election of the Negotiated Rulemaking Committee and HUD.

However, one reviewer cautions strongly against the use of any special tabulation that only includes individuals who list their "enrolled or principal tribe" as a federally recognized tribe name. First, it would exclude state recognized tribes whose members fall within the definition of "Indian" within NAHASDA. Second, it would exclude shareholders of Alaska Native Claims Settlement Act (ANCSA) corporations, these shareholders clearly fall within the definition of "Indian" within NAHASDA. And it would exclude individuals that use incomplete federal tribe names, for example a respondent listing "Cherokee" could be indicating the Cherokee Nation, the United Keetoowah Band of Cherokee Indians in Oklahoma, the Eastern Band of Cherokee Indians, or even the Delaware Tribe of Indians that was formerly known as the the Delaware Cherokee.

Additionally, in certain regions respondents may identify an affiliation other than their enrolled tribe, despite actually being enrolled tribal members. One example is how many Alaska Natives may respond when asked to identify their "tribe." The tribal status of Alaska Native peoples is unique. Historically, most Alaska Natives identified along ethnic lines as being, for example, Aleut, Tlingit, or Yupik. It was not until the 1970s that the land claims of Alaska's indigenous peoples were settled with the establishment of regional and village corporations having Alaska Native shareholders. Federal recognition of Alaska tribes did not occur until the 1990s, a process that resulted, in many instances, in tribes being formally recognized on the basis of the proximity of a group of people to a particular village or geographic area. Sometimes, those people were not connected by shared ancestry, history, or culture; the manner in which the federal government recognized Alaska's tribes was in some circumstances an artificial construct.

Because of this complex history, Alaska Natives may respond in a variety of ways to the Census request for "enrolled or principal tribe". Some may identify the tribe of which they are a member. Some may identify the ANCSA regional or village corporation of which they are a shareholder. Others may identify in a traditional manner as being, for example, Aleut, Tlingit, or Yupik. This latter class of

individuals is the primary cause of concern in Alaska, as these ethnic categories are not considered to be tribes under NAHASDA. Many Alaska Native elders, for example, would be excluded from such a special tabulation because they tend to identify ethnically when asked about their “tribe” – despite being shareholders and/or tribal members.

Over many years, the United States Census Bureau has responded to the concerns of Alaska Native peoples regarding this issue. The Census Bureau recognizes and counts Alaska Natives who primarily identify along ethnic lines (e.g. Haida, Inupiaq, Athabascan, etc.) when asked about their tribal affiliation, preventing a potentially significant undercount of Alaska Native persons.

Therefore, one reviewer believes that it would be inequitable to use any count or special tabulation that does not recognize and include the unique population of Alaska Native tribal members.

One reviewer recognizes that the discussion on identification of American Indian and Alaska Native people predates the 1997 OMB “Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity”. The Census Bureau continues to listen to the concerns of tribes and to work toward a fair and equitable survey instrument that will meet their high standards for data collection and data quality. Only recently (May 22, 2015) were details of the 2015 National Content Test published in the Federal Register. The Bureau will be administering over 1.2 million surveys testing changes in response formats for the 2020 Decennial Census questions on race and origin. Also being tested are variations in the instructions given for the American Indian and Alaska Native (AIAN) Write-In Area.

The 2015 National Content Test also includes a test of questions concerning the relationships among individuals in a housing unit. Two versions of the relationship question will be tested, versions also included in the 2014 Census Test and other Census Bureau surveys. Although research to date has been informative, leading to the development of the revised relationship question, additional quantitative testing is needed. Because the incidence of some household relationships—such as same-sex couples—is relatively low in the general population, the revised question needs to be tested with large, nationally representative samples prior to a final decision to include them in the 2020 Census questionnaire.

One reviewer would rate this data source as “Good” for relevance. This data source presently collects data that supports the AIAN persons variable and it could support a limited number of other potential variables which are listed above. The source is at present unable to measure the population of enrolled tribal members (as opposed to those who merely self-identify as AIAN) or the number of low-income Indian families within formula areas, and the results of the 2015 Content Test for the 2020 Census are unlikely likely change that circumstance without significant additional input from tribes during tribal consultation sessions in 2015 and 2016. Changing the Decennial Census instrument to enable it to ask the appropriate questions and collect this specific data would be extremely difficult given that no new proposed definition of ‘American Indian or Alaska

Native' has yet been considered or proposed by OMB, nor is there any indication that one will be in the near future. Thus, the content tests preceding the 2020 Census to date have been primarily focused on exploring respondent preference concerning the wording of the "race" question and examining new ways of measuring existing subjects based on existing subject characteristics/definitions, rather than on creating a "political status" question to address tribal enrollment or assessing the value of this data for tribes and tribal programs. This may or may not produce new ways of filtering census data to come closer to satisfying NAHASDA's statutory eligibility requirements but which will not likely produce data sets equivalent to those that would be produced by directly asking precisely relevant questions in the first place. (For example, filtering out individuals from the AIAN data set who identify as being descendant of the original peoples of Mexico, Canada and Central and South America will leave a data set containing self-identified AIAN from the United States which cannot be further filtered to determine whether the remaining individuals are enrolled or not.) Even if OMB were to consider a change to the definition of 'AIAN', such a change would not likely occur until preparations are being made for the 2030 Census given the number of years necessary to change both the definition and the questionnaires implementing it. As such, the remote possibility that an enrollment question could be added to the 2020 Census questionnaire should not likely be considered in this evaluation.

Though certain tribes contend that properly counting enrolled tribal members (those eligible to be served under NAHASDA) and delineating the number of Indian families within Indian areas would be challenging (and we agree), this reviewer does not believe that this circumstance merits dismissing this as an issue that should be considered when addressing the relevance of any data source for use in the IHBG formula, especially given the importance of that issue to many tribes throughout the United States. While, as noted above, some may contend that the formula partially or fully satisfies the statutory requirement of counting Indian families in Indian areas by applying tribal enrollment numbers as part of the determination of a cap on the number of AIAN persons counted for a tribe for formula purposes, virtually no one would contend that the population of AIAN captured by the Decennial Census and ACS in any way mirrors or reflects the population of low-income Indian families or persons that are actually eligible to be served under section 201(b) of NAHASDA (for example, HUD's IHBG Formula Allocation spreadsheet listed 2,163,840 enrolled tribal members nationwide in 2010 and the 2010 Census counted 5,220,579 individuals who listed themselves as AIAN Alone or In Combination with Other Races). This reviewer assumes that none of the reviewers would support a count of American Indians or Alaska Natives by a data source that, by definition, results in an undercount of all or a subset of these populations, but attention must also be paid to the harmful effects of sweeping overcounts that distort efforts to accurately identify populations of eligible tribal members and the degree and nature of their housing need and, as a result, distort the allocation of limited funds to recipients.

Thus, this reviewer's rating of "Good" reflects both what the Decennial Census does do (count self-identified AIAN persons) for the current IHBG formula and what it does not and may never do to support the ongoing efforts of many IHBG recipients to ensure that formula allocations more closely mirror the number of

eligible low-income Indian families in formula areas who may actually be served using IHBG funds.

Currency

1. Does the frequency with which the data is collected make them reliably current on an annual basis, or can they be made reliably current? Explain, including how and how often data can be made current without introducing significant error into the estimates?

One reviewer says Yes and No. Data is collected every ten years. It is most current immediately after collection. To be made current on an annual basis, the data would have to be “aged”. Census ages this data annually through their Population Estimates Program. In the IHBG formula the process of “ageing” the decennial data is currently done in the IHBG formula using IHS birth and death rates.

One reviewer would answer “No” to this question. The data is collected every ten years and the current process for ageing IHBG formula data has been deemed inaccurate by a variety of sources involved in the process. All data sources which are not collected annually and would need to be aged using this process will be dependent upon an agreed upon ageing process to remain reliably current.

2. Is the aggregated data available for use within a reasonable time frame after it is collected? How long does it take for the data to be available? Explain any delays.

Yes, data is typically available for the formula two years after collection. Data from special tabulations must be received early enough to be included in the formula response form for the first year in which it will be used. Data for 2010 were not available until the first half of 2012, for use in the 2013 allocations. This most likely means that the 2020 Decennial Census data would not be available until 2022 for use in the 2023 allocation run.

3. Is the data stable over time? (i.e. no sudden swings in values, caused by sampling/methodology changes/etc)

Yes, the Decennial Census data is very methodologically stable. Participation rates and response rates are consistently high. Because of this methodological stability variations in count can attributed to changes in the characteristics of the population, not instability in the data collection process.

Overall, is the data source CURRENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source currency be improved? What resources needed to make these improvements?

FAIR. Although immediately after the Decennial Census its currency is Good or better, its currency decays. Until the next decennial census, the data currency is improved by adjusting for changes in the population in terms of births, deaths, and migration. This need for adjustment is not ideal for the purposes of a program with annual funding allocations. The adjustment over time has not always

accurately predicted the next decennial census. The methodology of the data collection, however, is stable from one Census to the next. Swings in values are not related to changes in methodology or sampling, but rather reflective of population changes.

One reviewer also notes that the long interval between collection cycles increases the likelihood that dramatic changes may happen in certain formula areas (while not in others), increasing the likelihood that recipients may conduct census challenges to reflect those changes, which may result in uneven currency of data across areas.

Accuracy and Precision

1. Does the data collection program methodology support deriving estimates covering formula areas as described in 25 CFR 1000.302? If not, for which other geographies can the data source derive estimates?

Yes, the Decennial Census can provide data based upon the formula areas described in 25 CFR 1000.302. HUD has the agreements in place to tabulate all Census data (Decennial and ACS) into special geographies that fit IHBG Formula Areas. Currently, formula areas are built from special tabulations of the following Census geographies: Counties (summary level 050), county subdivisions (060), census tracts (140), census tracts split by AIA/ANA/HHL (144), Alaska Native Regional Corporations (230), AIA/ANA/HHL (250), and AIA/ANA/HHL split by counties (282). These counts are constructed from the original data and will generally not be found in any other publicly released data. Additionally, it is possible for HUD to provide more specific geographies to the Census and ask for them to tabulate the data for those geographies.

It should be remembered that the Decennial Census is not intended to estimate values. It is a 100% sample. It records counts that can be aggregated to essentially any geographic region of interest.

2. Are there sufficient protocols in place to address potential respondent misunderstandings concerning data collection instruments? Explain.

Yes. The U.S. Census engages in extensive content testing of questions, including cognitive testing, many years prior to the Decennial Census to ensure that questions are worded in the manner that will be easiest for respondents to understand and provide the highest quality data. Census is currently preparing for the 2015 National Content Test. This is testing new approaches to online data collection, instructions for AI/AN respondents, alternative questions concerning Race, and alternative questions concerning relationships. Information on the 2015 National Content Test can be found in the Friday, May 22, 2015 Federal Register.

One reviewer notes the Director of the Census has appointed a National Advisory Committee on Racial, Ethnic, and Other Populations. Several individuals serving on the Committee are tribal members. Census requests feedback from the Committee regarding matters impacting tribal members and AI/AN persons, including the framing of specific questions. This is an important mechanism for tribes to use to change the decennial census to meet IHBG formula requirements.

In most Indian Areas, Census uses direct contacts (up to six contacts per housing unit) to gather data, as opposed to simply mailing out a written questionnaire. In addition to the foregoing, Census provides extensive training of field personnel in an effort to reduce/remove interviewer effects on respondents and ensure that Census personnel are able to gather the necessary data.

One reviewer would answer “No” to this question and notes that the Decennial Census represents broad national interests and, despite the inclusion of a few tribal members on the National Advisory Committee, the Decennial Census reflects a balancing of interests across subpopulations and at the national level. Thus, the procedures approved for the Decennial Census do not specifically address potential AIAN and tribal member respondent misunderstandings and, while the Census Bureau has established a range of protocols and policies that guide its dealings with tribal governments, there are few procedures for field staff established that specifically address potential AIAN-specific misunderstandings at the household respondent level.

3. Are the data collection instruments and data collection protocols culturally sensitive? Explain.

Yes. The U.S. Census engages in extensive content testing of questions, including cognitive testing, many years prior to the Decennial Census to ensure that questions are worded in the manner that will be easiest for respondents to understand and provide the highest quality data. As mentioned above the Census is planning the 2015 National Content Test to test the wording of questions about race and other issues.

Additionally, the Director of the Census has appointed a National Advisory Committee on Racial, Ethnic, and Other Populations. Several individuals serving on the Committee are tribal members. Census requests feedback from the Committee regarding matters impacting tribal members and AI/AN persons, including the framing of specific questions.

The Census Bureau has an American Indian and Alaska Native Policy Statement that pledges consultation with tribal leaders and recognizes the need to cooperate with tribes regarding Census activities. The Census Bureau recognizes that each nation forms its own government and works with them one by one.

The Census Bureau has Procedures for Conducting Interviews on American Indian Reservations. First, Census contacts the tribal government and establishes a

contact person for the initial and subsequent visits. That contact is usually the Chairperson or Chief of the tribe. Each tribe has their own protocol for Census interviews. Census Field Representatives are specially trained to conduct interviews in AIAN areas based upon local cultural considerations and other information received from tribal leaders.

One reviewer would answer “No” to this question. As noted above, the Census Bureau has in place a number of policies and protocols for consulting and interacting with tribal governments but the survey instrument itself is designed at the national level and balances the interests of all populations in the United States inherently limiting its ability to develop questions, scripts or procedures that are culturally sensitive to AIAN and tribal member populations. For the most part, the changes that may be made on a tribe-by-tribe basis concern contact protocols and methods of enumeration and translation of the survey instrument and responses

4. Are there sufficient protocols in place to verify the accuracy of collected data?

Yes. Census protocols are both stringent and updated on an as-needed basis to improve and verify the accuracy of the data collected.

One reviewer would add that the 2010 Decennial Census employed several layers of quality control to ensure the accuracy of the data collected down to the enumerator level, but issues concerning the limited quality control checks implemented to test the accuracy and comprehensiveness of the addresses/housing unit location coordinates collected (which updated the MAF that served as the survey frame for subsequent operations) have led to concerns about the accuracy of the enumeration in areas with predominantly non-city style addresses (e.g., P.O. boxes).

5. Are there major concerns about precision? For instance, are the margins of error reasonable and consistent across all Indian areas? Explain.

No. The Census is an enumeration of the entire population. No sampling is involved, and precision is not an issue.

One reviewer would add that the Decennial Census provides extensive and uniform training to its field staff and managers throughout the country and provides them with standardized manuals to ensure that procedures for collecting data are applied uniformly and that the questions are asked in the same manner nationwide.

6. Are there major concerns about accuracy? For instance, do missing administrative data or imputation and/or weighting methods introduce bias?

No, there are no major concerns. Of course any data collection using mail questionnaires, face-to-face interviews, Internet questionnaires, or the like will contain possible sources of error or bias. The mode of delivery, interviewer, contextual history, respondent, the measurement instrument, processing of records, and coverage are all recognized as possible sources of error in a survey. Over the decades, the Census Bureau has devoted substantial resources to examining these potential sources of bias, publishing the results, and

subsequently improving the census process to continue to reduce the likelihood of error being introduced. Numerous reports and papers document this. As a result, the 2010 Decennial Census process had extensive efforts to encourage participation, to make Census enumerators aware of cultural issues, to use tested wording of questions and instructions, etc., all to reduce the chance of introducing bias into the responses. This process continues, the 2015 National Content Test is currently being prepared to test variations of instructions and items related to race and relationship for use in the 2020 Census.

Census does use imputation to address nonresponse to individual items. This is seen as more desirable than not including the count of individuals for a housing unit that shows occupancy, but where no occupant response is obtained after repeated attempts. Without imputation AI/AN counts would be smaller in some formula areas and with smaller numbers funding would be reduced. The characteristics that may be addressed by imputation are sex, relationship, age, race, and Hispanic origin. Two approaches to imputation are used, nearest neighbor and administrative records. (See 2010 Decennial Census: Item Nonresponse and Imputation Assessment Report, January 24, 2012, for further discussion of each item in the 2010 questionnaire, as well as the differences between data collected by mail and data collected by enumerators.)

One reviewer would answer “Yes” to this question. Bias can result from inconsistent application of contact and follow-up protocols for different tribal areas, the inconsistent emphasis upon proxy information in tribal areas, the question-specific imputation rates for individual tribal areas, the impact of the Census definition of “household” and “AIAN” on data collected in different tribal and non-tribal areas, the accuracy of the MAF in areas with unstandardized addresses, and the higher frequency of mobile homes. For example, in areas where overcrowding is most common, overcrowded homes may be the least likely to answer this federal survey for fear of lease-related repercussions from their landlord and imputation of data from less crowded homes nearby using a nearest neighbor approach can result in questionable accuracy of the data (even if it replaces what would otherwise be an incomplete form). While efforts have been made to reduce the impacts of these issues on the accuracy of Decennial Census data, many of these efforts fall short of addressing the issues specific to tribal areas and tribal respondents due to the balancing of the interests of diverse subpopulations within this national process.

In response to a question from the Study Group concerning the relative accuracy of rolling samples versus point-in-time counts, the reviewers provide the following response. All other things being equal, when the two are compared, a point-in-time sample will provide a more accurate estimate for that specific point in time and a rolling sample will provide a more accurate estimate of average conditions over the entire period of sampling. Because a rolling sample creates estimates for the average over a window of time, the longer the window of time the less accurate those estimates are for representing any specific point (or window) in time, especially for periods of time at the leading and trailing edge of the sampling window. For example, an estimate for population based on a 5-year rolling sample from 2010 through 2014 would be least accurate for representing the population in either 2010 or 2014, though it could provide a very accurate estimate for the

average population over that time period. For a point-in-time sample, the accuracy of an estimate applied to a period other than the specific point-in-time for which it was collected decreases with time from the sampling period. For example, an estimate for population based on a point-in-time count in January 1, 2010 could be very accurate for the population at the start of 2010, but would be less accurate for representing the population in 2014. In addition, cost considerations impact sample sizes, survey content, marketing budgets and other aspects of both rolling samples and point-in-time counts, and these differences or variances have significant impacts on data quality and very often limit one's ability to make specific and direct comparisons between surveys based on this factor or difference alone.

Overall, is the data source ACCURATE and PRECISE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source accuracy and precision be improved (for example, is it possible to correct or compensate for any and all survey design issues, such as phrasing of questions, incentives for participating, imputation methods, number of attempts to collect data at sampled housing unit, etc., which are likely to introduce biases for all or a certain subgroups of tribes, including small, large, rural, urban, etc., or certain types of data, including financial, population, etc.)? What resources are needed to make these improvements?

EXCELLENT. The U.S. Census engages in extensive content testing, tribal outreach, and employee training, as described above and in numerous documents. The Census is an enumeration, rather than a survey, which reduces potential concerns about accuracy and precision when compared to data sources where samples are used to estimate the population. The Decennial Census can provide data based upon formula areas. These factors, as well as consistent improvement in the Decennial Census resulting in part from extensive independent study and review, clearly indicate that the Decennial Census gives the best available data for population.

Of course, additional research and consultation with tribes regarding appropriate imputation methodologies could be beneficial. Additional assessment could be made into aligning contact and follow-up protocols throughout tribal areas or, at a minimum, determining whether differences in contact and follow-up protocols lead to actual issues with accuracy and/or precision.

Another review rates accuracy as Good based on concerns related to the Census definition of "AIAN" and "household" on data collected, the accuracy of the MAF in areas with unstandardized addresses, and the higher frequency of mobile homes.

One reviewer rates this data source as "Good" for Accuracy and Precision. This reviewer has concerns regarding imputation and proxy rates and the relative accuracy of the Master Address File (MAF). As these two issues impact the quality and completeness of the survey frame (the list of housing units contacted and counted during the census) and subsequent enumeration as well as the quality of the data actually collected when a respondent completes the questionnaire. Uncertainty concerning both of these key issues merit reduction of the rating from Excellent to Good. If data produced by this source were filtered in an attempt to estimate subsets of the AIAN population or derive families based on intra-

household relationships, its rating for accuracy and precision would likely be further downgraded.

Completeness

1. Does the data source collect data for all Indian tribes as defined in Section 4 (13) of NAHASDA?

Yes. The Decennial Census is an enumeration, i.e. an effort to obtain an exact count of all individuals in the United States.

2. Are outreach efforts to encourage participation in the data source appropriate and effective within tribes/tribal areas? Are those efforts equally effective and equally implemented across all Indian areas? Explain.

Yes. See Accuracy and Precision, Questions 2 & 3. One reviewer noted that there may be evidence that the Decennial Census count slightly undercounts AIAN population in tribal areas; however, the reviewer noted that there was no clear evidence that this occurs at different rates for different tribes.

One reviewer notes that in each successive Census since full American Indian and Alaska Native enfranchisement, the count of AIAN persons has improved.

One reviewer notes that it would be difficult to state with certainty whether the “count of AIAN persons has improved” over time since there is little comparative data to base that statement upon, though it does appear that the effort made to complete that count has improved. The outreach effort conducted by the Census Bureau prior to and during the 2010 Census, for example, was substantial, though the absolute extent of outreach within each tribal area was heavily dependent upon the individual Partnership staff members assigned to each tribal area, their respective outreach efforts and the level of engagement by tribes that they were able to foster. While the relative level and effectiveness of outreach certainly contributes to or detracts from the outcome of a survey and the willingness and preparedness of respondents to provide requested information, more extreme undercounts of AIAN and tribal member populations are generally assumed (though it is nearly impossible to test nor has it been specifically tested by the Census Bureau) to occur in places where issue concerning the standard procedures and questions implemented by the survey are amplified by specific local conditions, cultures or perceptions.

3. Are all populations well represented in the data source, as evidenced by high response and inclusion rates or any other criteria? Explain any identified areas, populations, and/or topics where response or inclusion rates may be a cause for concern.

Yes, says one reviewer. Representation has at least two aspects. First, is everyone included? Since this is an enumeration, and not a sample survey, the answer is yes. Census begins with the best listing of housing that they have available, the

Master Address File (MAF). In 2010 many of the 600,000 temporary employees were involved in verifying the accuracy of the MAF, and as census-takers discovered new housing units, they were added to the MAF. Tribal governments are also encouraged to review the MAF. Second, did everyone participate? Census worked to obtain a high rate of participation through advertising, multiple contacts, sending census-takers to homeless shelters and other means.

One reviewer notes that Census works hard to include all in the Census. In areas with non-city addresses Census questionnaires are not mailed to households. The Census Bureau establishes different methods of delivering forms and completing the enumeration depending on 1) the relative urban or rural nature of the area or 2) the method selected by the tribal government. In most rural tribal areas in the western United States during the 2010 Census, the method of enumeration was Update/Enumerate (U/E). This method is limited to in-person interviews and no questionnaire is delivered by mail to the housing unit. Other areas were included in the Update/Leave (U/L) operation in which the forms were left at the housing unit and were either mailed back by the respondent or nonresponse follow-up was completed by in-person interview at the unit. The enumeration of areas solely through in-person interviews has both positive and negative impacts on response rates and the quality of data collected from respondents.

One reviewer would answer “Yes and No” to this question. Rural populations with non-standard addresses and addressing systems (e.g., P.O. Boxes) are likely undercounted to a greater degree than other areas due to the increased chance that units may not have been added to the MAF in preparation for the subsequent enumeration. Homeless, “houseless” (doubled-up individuals who are less likely to be considered part of a “household”), and transient populations are also likely undercounted which may disproportionately impact counts in certain tribal areas.

Another reviewer notes that it would be difficult to state with certainty the extent of undercount in rural or urban areas since there is no comparative data to base that statement upon.

In response to a request from the Study Group to summarize the more general issue concerning the likely change in outcome based on whether a survey is mandatory or voluntary, the reviewers provide the following response. There is no way to disentangle all of the factors that contribute to high response rate. It may be a fair assumption that for two otherwise identical surveys, one defined as mandatory by an authoritative body will have higher response rates than one marked as voluntary, but there is no reason to think that ANY mandatory survey will automatically result in a higher response rate than ANY voluntary survey, especially when there is no enforcement of the requirement. Survey length, the intensity of (and budget for) non-response follow up, the respondents’ understanding of how the data will be used and many other issues are all extremely important. The U.S. Decennial Census, for example, in addition to being mandatory, is a short survey with a large budget for advertising and follow-up and a direct connection to electoral representation and many funding sources. There is not a voluntary survey comparable to the Decennial Census in those terms to investigate the impact of the mandatory vs. voluntary designation alone.

The Census Bureau did a study to investigate how making ACS a voluntary survey would impact response rates for that survey and found that mail response fell by over 20%, while the overall response rate was about 5% lower than for the mandatory survey. A negative impact on response rates in traditionally low response areas was also identified though the specific impact on AIAN areas was not specifically quantified (see Griffin et al, 2003). However, this study was conducted in 2003, when ACS was still quite new. Now, more than ten years later, there still has not been a particularly effective marketing campaign to encourage participation and awareness of that survey, so this mandatory designation by the U.S. government may have been especially important. A more recent study (Griffin and Starsinic 2012) argues that the “hardest-to-interview populations” were equally represented in the voluntary and mandatory implementations, and that it is the people with higher education and income levels, as well as more mobile populations, that are likely missed by voluntary surveys. So, although it has been determined that ACS has a higher response rate as a mandatory survey than a voluntary survey (when using the particular language used to introduce the surveys in that study, see Griffin et al., 2004 for more information on the impact of wording), it does not necessarily follow that no voluntary survey would be able to achieve a response rate equal to or greater than that achieved by ACS. There are a myriad of other factors and techniques that influence response rate.

Overall, is the data source COMPLETE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source completeness be improved? What resources are needed to make these improvements?

One reviewer says EXCELLENT. No data source is perfect. Even the Decennial U.S. Census, a national enumeration required by the Constitution and backed by billions of dollars, countless hours of research and testing, and a staff that numbered into the hundreds of thousands during the Census, has some challenges with completeness of the enumeration that require follow-up and imputation of some data. However, such challenges are relative and apply to all data collection efforts regardless of the organization conducting the work; the U.S. Census overall provides very complete data. Further, there exists a process for tribes to challenge the data with the Census in the event that technical errors occurred during the data collection process.

One reviewer would rate this source as “Good” for Completeness. The MAF is an incomplete, but likely improving, survey frame that is problematic in rural areas with non-standard addresses and addressing systems. This increases the likelihood that many poor, rural Indian areas will be underrepresented in the data set. People without a permanent home, including people living in a ‘doubled-up’ situation, are also less likely to be counted in these tribal settings. Additional funding and training to improve the MAF in these areas would improve this situation, as would developing new strategies to better count homeless/houseless and transient individuals. It should be noted that the process for challenging Census data with the Census Bureau during the operation is extremely limited in scope and duration and is in fact a challenge of the process rather than the data itself. In essence, this process relies on a tribe obtaining definitive information

that particular units or a particular area, for example, were not included in the enumeration or address canvassing efforts. Due to privacy constraints, no opportunity exists for tribes to see or challenge the household-level data collected so any assessment of the quality of the data collected is obviously not possible.

Availability

1. Can the data be collected and analyzed with no significant additional resources?

Yes. Congress funds the Decennial Census. There is minimal cost to HUD for purchasing special tabulations of the Decennial Census data at special geographies needed to run the IHBG formula. There is no cost to tribes unless they decide to challenge Census data.

2. Is there a source of funding available for the data collection and analysis? Explain the resources needed (and the source of these resources) to develop, administer, and analyze the data.

Yes. Congress funds the Decennial Census and HUD pays for the special tabulations needed to run the IHBG formula.

3. Can the data collection process be completed without imposing an additional administrative burden on tribes/TDHEs? If no, describe what support is available or needed (if not available) to reduce those burdens? Explain.

Yes. The data collection is managed by the U.S. Census Bureau. No additional administrative burden is imposed upon tribes, although they are invited to consult on means to collect data in tribal areas. This invitation to participate would exist even if tribes chose to conduct their own census. Tribes may elect to challenge Census data, which can be undertaken through a third party consultant or the tribe itself. The tribe may fund data challenges with Indian Housing Block Grant funds or from other sources.

4. Is the data quantifiable and easily integrated into a funding allocation formula?

Yes. The data generated by the Decennial Census is used for numerous funding allocation formulas across many diverse aspects of government. The current IHBG formula is based in part upon Decennial Census Data.

Overall, is the data source AVAILABLE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source availability be improved? What resources are needed to make these improvements?

One reviewer says EXCELLENT. The data source is required by the Constitution and is funded by Congress. HUD pays the small amount necessary to purchase special tabulations that allow Decennial Census data to be used based upon formula areas. The data collection is managed by the Census Bureau and no

additional administrative burden is imposed upon tribes, though tribes are invited to engage with HUD to help develop appropriate strategies to collect accurate data in tribal areas. Decennial Census data is used for numerous funding allocation formulas for diverse aspects of government.

Tribes are able to challenge Census data, which, if done, could require engagement on the part of the tribe/TDHE or a contractor. The burden across Indian Country would be minimal compared, for example, to a tribally administered national tribal survey, which would require all tribes to engage in the primary, underlying data collection driving formula allocations.

One reviewer would concur with rating of this data source as “Excellent” for Availability but would note that the assessment of individual versus collective burden described above is not entirely appropriate given that the two data sources would likely be collecting very different data which requires a more extensive balancing of burden vs. benefit than simple availability.

Transparency

1. **Has the data source been subjected to previous study/evaluation to assess strengths and weaknesses? If yes, are those studies available?**

Yes, the Decennial Census has likely undergone more rigorous study and evaluation than any data collection in the history of mankind. It has been extensively reviewed and critiqued, and the U.S. Census Bureau has over many decades responded by making countless revisions and improvements in its practices and methodologies. Few other data sources have benefitted from such study, which has led to significant improvements in the Census Bureau’s AIAN count over time. There are too many studies/evaluations to reference.

One reviewer notes that, while study of the Decennial Census has clearly been substantial, the impact of such study on the AIAN count may be reduced in part due to the overarching limitation that the Decennial Census is a national survey that must be conducted in a nearly uniform manner across all areas of the country. Certain measures to further engage tribes and assist field staff with resources such as translators have clearly been positive, but the training materials and procedures implemented by the Census Bureau have changed very little based on studies related to AIAN and tribal member populations (presumably in part due to the fact that they represent a very small portion of the national population).

2. **Were you able to find answers to most data screening, characterization and evaluation questions? Explain which questions you were not able to answer and why.**

Yes. There are few unknowns with respect to the Decennial Census. Census methodology is public, and Census staff provided additional information upon request.

One reviewer would add that, while it could find answers to most of the questions, it would like more information about inclusion, coverage and imputation rates among AIAN households in Indian areas. In addition, questions remain regarding

proxy rates in Indian areas, which may be of particular concern to tribes experiencing significant overcrowding as proxies are less likely to know how many people reside or are staying in a housing unit, much less particular information about each one of them.

Overall, is the data source TRANSPARENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor How? Provide a narrative explanation for the overall rating. can the data source transparency be improved? What resources are needed to make these improvements?

One reviewer says EXCELLENT. Census has undergone extremely rigorous review and evaluation over many decades. The Census Bureau has frequently responded by revising and improving its practices and methodologies. No other data source being evaluated in the course of this process has been subjected to review as rigorous as that to which the Decennial Census has been subjected. Census makes its methodology public, and Census staff has in the course of the characterization and evaluation of Decennial Census data provided information to technical experts. The data that is collected is transparent unless Census believes that the privacy of an individual would be compromised.

One reviewer would rate this source as “Good” for Transparency with respect to the data necessary to evaluate the fitness of this source for current and potential uses in the IHBG formula. As noted above, the Census Bureau is quite transparent as an agency but, in this case, certain specific information about the effectiveness of the Decennial Census in Indian areas was not readily available.

Summary and Conclusions

1. Overall, is the data source appropriate for measuring one or more current IHBG formula variable(s)? Choose one of the following options and explain: Excellent, Good, Fair, Poor. What are the areas of biggest concern?

One reviewer says GOOD. There are two primary challenges associated with the use of Decennial Census data for IHBG formula purposes. The first is the frequency of data collection. The ten-year period between data collections will, for some tribes, result in large changes in their data and therefore significant funding volatility. To be updated more frequently, Decennial Census data must be aged in a reliable and accurate manner. The other challenge is how to gather population data for tribal members living remotely within tribal areas or living as a transient with no attachment to a housing unit. Any data collection by another group would be faced with trying to make sure all such individuals were included.

This same reviewer finds that the challenges associated with the use of Decennial Census data are offset by the strengths of Decennial Census data, including but not limited to the following:

- **Data source is in existence and has been for many decades;**
- **Cost born by the federal government;**
- **No mandatory administrative burden imposed upon tribes/NAHASDA recipients;**

- National in scope;
- Accurate and precise;
- Extensively studied and evaluated;
- Highly transparent;
- Extensive tribal outreach and engagement;
- Significant efforts to utilize culturally sensitive protocols and questions;
- Professionally developed and administered;
- Widely utilized for a variety of purposes, including funding allocation formulas.

Another reviewer summarizes this variable as Excellent with this summary: Census 2010 was an attempted 100 percent count of all individuals in the United States. Race data are available at very small geography. The data for race and small area geography are not updated for 100 percent until 2020; in interim years county population estimates combined with the ACS update the count. Self-identification of Native American has some problems because it includes persons who are not members of tribes covered by NAHASDA but nonetheless may be included in some tribes' formula allocation. It is also not a true 100 percent count because many Native Americans do not get surveyed or do not respond; which can create an undercount. Nonetheless, absent better enrollment or similar data, it is the best data available on the near 100 percent count of self-identified Native Americans in IHBG formula areas.

Another reviewer notes that the issues with AIAN definition are significant. Including individuals whose origins are in South and Central America could affect formula allocations. The definition Additionally, issues with the "MAF" and locating individuals in mobile homes and other non standard units, and with counting transient populations such as those who move from summer to winter "camps" and among fishing encampments make this source for counting members of Native American Tribes at best "Good".

Another reviewer rates this data source as "Good," acknowledging many of the strengths and weaknesses presented by the reviewers above, while refraining from endorsing the "it's the best thing we have at the moment" approach as this was the approach which initially made Decennial Census data a foundation of the IHBG formula and that approach would seem contradictory with the goal or purpose of this evaluation. This reviewer believes that our purpose here is to address the specific weaknesses of sources to both identify the best source to support formula variables but also identify areas for improvement of existing or potential sources. As such, the inherent restrictions and limitations placed on the Decennial Census by OMB in terms of survey definitions and content, the balancing of a vast array of national interests in designing and implementing the survey, and the need for procedural and substantive uniformity at a national level limit its ability to adapt to specific cultural concerns and socio-economic realities that either impact tribes and tribal members differently or with different degrees of severity (e.g., unit overcrowding and the presence of multiple families and "houseless" individuals who are often not counted as members of households within housing units). To summarize, this source's limited relevance or application for formula purposes

beyond providing AIAN person numbers (e.g., its inability to identify the number of program-eligible enrolled tribal members or the number of Indian families in formula areas), the limited opportunity to modify or supplement this national questionnaire to better address the needs of Indian populations or the IHBG formula, and the likelihood that rural or remote populations with the greatest need are undercounted to varying degrees, provide the basis for an overall rating of **“Good.”**

2. Overall, is the data source appropriate for measuring other aspects of housing need (as developed in the characterization phase) that are not current formula variables?

One reviewer says Yes. The Decennial Census could provide data to measure other demographic variables related to housing. Whether those data points measure “other aspects of housing need” would be subject to the determination of the IHBG Formula Negotiated Rulemaking Committee. Further, how the data might be used within the formula would be subject to the discretion of the IHBG Formula Negotiated Rulemaking Committee. It would appear to the technical experts that the most likely used of the following data points would be as new variables in the Needs portion of the IHBG formula:

- **Number of families based on reported relationships**
- **Families per housing unit**
- **Household size**
- **General vacancy rates**

One reviewer would first note that the concerns raised above would generally apply to other aspects of housing need that were not already covered in the questionnaire (or dealt with populations other than total population or self-identified AIAN). For example, this data source is presently unable to distinguish enrolled tribal members from those who merely self-identify as AIAN and no filter applied to the data can accurately delineate enrolled tribal members from those self-identifying AIAN who are not enrolled. This reviewer would concur with the statement above that “other aspects of housing need” would need to first be specifically identified and described by the Negotiated Rulemaking Committee in order for reviewers to properly evaluate the Decennial Census’ ability to measure them. This reviewer would also note that the accuracy of this data source with respect to its role in the IHBG formula would be severely diminished if it were extended to data sets, such as families per housing unit, which are not directly collected by the survey instrument and were deduced based on intra-housing unit relationships.

Evaluate the Data Source – American Community Survey

Relevance

1. Does the data source measure data that is based on factors that reflect the need of the Indian tribes and the Indian areas of the tribes for assistance for affordable housing activities, including *(answer Y/N for each)*:

- a. the extent of poverty within Indian areas of the tribe – **Yes**
- b. economic distress within Indian areas of the tribe - **Yes**
- c. the number of Indian families within Indian areas of the tribe - **Yes**
- d. other objectively measureable conditions as the Secretary and the Indian tribes may specify –

Probably Yes, depending on what those objectively measureable conditions are.

2. Does the data source reflect the following other factors for consideration, *(answer Y/N for each)*:

- a. the relative administrative capacities and other challenges faced by the recipient, including, but not limited to geographic distribution within the Indian area and technical capacity - **No**
- b. the extent to which terminations of assistance under subchapter V of section 302 of NAHASDA will affect funding available to State recognized tribes – **No**

3. Does the data source measure the formula variables in 24 CFR Part 1000?
<select from checklist of current variables here>

- ☒ AIAN persons
- ☒ AIAN households with annual income less than 30% of median income
- ☒ AIAN households with annual income between 30% and 50% of median income
- ☒ AIAN households with annual income between 50% and 80% of median income
- ☒ AIAN households which are overcrowded or without kitchen or plumbing
- ☒ AIAN households with housing cost burden greater than 50% of annual income
- ☒ Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock)

4. Does the data source measure other aspects of housing need?

< select from checklist of other aspects of housing need created during the characterization phase>

Examples of Housing Stock Characteristics Potentially Related to Housing Need:

- ☒ Total number of units
- ☐ Safe and sanitary
- ☒ Age of structure
- ☒ Occupancy
- ☒ Room count and/or size (square footage)
- ☒ Structure type
- ☒ Facilities (kitchen, plumbing, etc.)
- ☒ Household tenure/ownership
- ☒ Other: Household size
- ☒ Other: General vacancy rates
- ☒ Other: Housing value

Examples of Demographic Information Potentially Related to Housing Need:

- ☒ Population
- ☒ Income
- ☒ Expenses
- ☒ Employment
- ☒ Disability
- ☒ Other: Education
- ☐ Other: _____
- ☐ Other: _____

Yes, ACS does measure other aspects of housing need. Housing need is dependent upon the *supply* of housing and the *demand* for housing. Supply factors include quantity, quality, and occupancy cost. Demand factors include the need for shelter, personal characteristics, household characteristics, the desire for amenity, and the ability to pay. It is important to distinguish housing need from other needs. It is also important to distinguish housing need from housing wants, this introduces a factor of societal acceptance into the discussion. The point is that in selecting items from an existing survey or developing a new survey instrument it is important to develop an understanding of the conceptual variables, how other concepts might nest within these, and then to look for or create operational measures of specific concepts.

Another reviewer supports the notion that a more precise and meaningful examination of data sources would begin with a pre-defined set of existing or potential variables produced as a result of a preliminary discussion of which data sets would best indicate, represent or quantify housing need. Unfortunately, due to the fact that such a set was not

produced during the earlier sessions of Negotiated Rulemaking, the Technical Support Committee was tasked with identifying the existing formula variables and other potential aspects of housing need (or categories of housing need) that could be supported by the data sources to be evaluated, then address how well those sources could support those variables or aspects of housing need.

Overall, is the data source RELEVANT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source relevancy be improved? What resources are needed to make these improvements?

One reviewer says EXCELLENT. The ACS provides data for each of the seven Needs variables in the IHBG formula. As seen in question #4, the ACS also provides data that could be determined by the Negotiated Rulemaking Committee to measure other aspects of housing need.

One reviewer raises issues about the units of measurement the U.S. Census Bureau applies in the course of its data collections for the ACS, specifically AI/AN persons and AI/AN households versus families. This discussion is also relevant to the evaluation of the American Community Survey. Please review the response in the Decennial Census evaluation to the question, "Overall, is the data source RELEVANT?"

Another reviewer supports excellent on the relevancy section but notes that the ACS is not identical to the data from the Census 2000 long-form. It has very different overcrowding results and in the week of May 24th, 2015, the Census Bureau published in the Federal Register that it intends to drop the question that asks about a working toilet; this may impact the "without complete kitchen and plumbing" variable.
<http://www.gpo.gov/fdsys/pkg/FR-2015-05-29/html/2015-13061.htm>

Another reviewer rates this data source as "GOOD." As noted above, this data source collects data to support the current formula variables and could support other variables depending on what new variables were chosen. Unfortunately, the data source does not provide data concerning the number of enrolled tribal members or the number of Indian families with Indian areas. Thus, while the source collects a vast array of data that could support the IHBG formula, depending on the variables ultimately selected by the Negotiated Rulemaking Committee and the units of measurement they require, it falls short of Excellent based on its current inability to capture data concerning enrolled tribal members or Indian families in Indian areas and the unlikelihood that the form can or will be changed in the near future to collect this data.

One reviewer notes that it would be difficult to state with certainty whether the Census count of AIAN persons American Indian persons or families since there is little comparative data to base that statement upon.

Currency

1. Does the frequency with which the data is collected make them reliably current on an annual basis, or can they be made reliably current? Explain, including how and how often data can be made current without introducing significant error into the estimates?

One reviewer says Yes. Data for the ACS is collected over a five-year period, generally in a set of monthly samples of housing units. The exception to the

monthly sampling is Alaska where the severest winter months are not in the sampling plan. The idea of a rolling sample is one that statisticians and demographers have researched and refined over the last half century. It has been used to develop data internationally.

The sampling of any Census geography used in the five year rolling sample begins with a listing of all housing units in the geography. The total units are divided into five equally sized groups. Samples for a year are drawn from only one group. The same number of samples are drawn from each group. In this way, no address occurs more than one time in the five-year period. In year six samples are again drawn from group one, the original group one data is removed and new five year averages are calculated. This use of rolling averages allows ACS data to be updated annually, based upon the most recent five years of data.

Another review answers this question “Yes and No.” Data is collected on a rolling sample and represents average conditions over five-year periods, which are released annually. It does not require yearly ageing, but because of the five-year time span cannot be said to represent current conditions (as opposed to, for example, an annual point-in-time sample). In addition, in the Negotiated Rulemaking process, it was generally acknowledged by HUD representatives and other that ACS data would likely be applied as five-year sets rather than updating the data for the IHBG formula on an annual basis. In this scenario, the data would not likely be aged on annual basis nor would it be reliably current on an annual basis.

Another reviewer notes that Census says that they can provide the data annually if they are requested to by HUD.

2. Is the aggregated data available for use within a reasonable time frame after it is collected? How long does it take for the data to be available? Explain any delays.

Yes. The five year data for 2009-2013 was released in 2014. However, its release was not until November or October. Thus it would not have been available for the 2014 distribution of the Formula Response Form that notifies tribes of the data to be used in that year’s IHBG allocation. Thus the 2009-2013 data could not have been used until 2015. Data should be considered as being available two years after completion of the five year cycle.

3. Is the data stable over time? (i.e. no sudden swings in values, caused by sampling/methodology changes/etc)

Yes, ACS data is stable in terms of response rate. No instability has been noted in the yearly publication of data for the larger geographies. However, the future stability of ACS data relies in large part upon Congressional funding. If the Congress substantially cuts this data collection process to save money for other activities, sample sizes could be reduced and the reliability of estimates for small and rural geographies would potentially be threatened. However, the need for this important demographic data for many programs have overridden attempts to defund ACS.

Overall, is the data source CURRENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How

can the data source currency be improved? What resources needed to make these improvements?

One reviewer says GOOD. The ACS five-year estimates are updated annually and become available approximately two years after collection. The methodology of the data collection is stable from year to year, with the exception of improvements being made by the Census Bureau to the design and protocols for the ACS. Although there is the potential that Congressional cuts to ACS funding could impact sample size and other aspects of ACS, the need for the ACS data has allowed it to withstand proposals to defund the program.

Another reviewer concurs with the rating of this data source as “Good” for Currency and adds that, while the data source may not need to be aged artificially, the data represents an average over a moving five-year window rather than current conditions.

Accuracy and Precision

1. Does the data collection program methodology support deriving estimates covering formula areas as described in 25 CFR 1000.302? If not, for which other geographies can the data source derive estimates?

Yes says one reviewer, the American Community Survey can provide data based upon the formula areas described in 25 CFR 1000.302. As described in the Decennial Census Evaluation, Census codes multiple levels of geography on the individual responses. HUD obtains special tabulations of the original data that fit IHBG formula areas. Additionally, it is possible for HUD to ask Census to tabulate the data for additional geographies if that becomes necessary.

Publically available data, found on FactFinder and elsewhere, does not necessarily produce data for all formula areas in the IHBG program. However, this published information is not the data used in the formula. HUD receives special tabulations of data where the ACS data is aggregated specific geographies that make up formula areas and then HUD aggregates those to form formula areas. The special tabs data is what is provided to Tribes on the Formula Response Form.

Another reviewer notes that the methodology definitely supports deriving estimates covering the larger and more homogeneously AIAN formula areas, but, due to the low number of units sampled in many of the areas (102 areas had less than 10 total cases in the sample between 2008 and 2012), Deriving estimates for the self-identified AIAN populations and households within those areas incorporates additional uncertainty. The current census challenge guidelines require surveying all households if there are fewer than 575 units, so a sample of 10 (which may or may not include any AIAN households) is quite low.

Another reviewer notes that starting in 2011 and continuing the Census Bureau significantly increased its sample size in tribal areas, and that for purposes of the IHBG formula, the sample is aggregated over 5 years to improve the precision of the estimate. This suggests that the ACS 2012-2016 5-year estimate will have

greater precision than the 2006-2010 sample used for the formula negotiated rulemaking discussions.

To summarize the issues addressed above, the reviewers would note that the Census Bureau has increased sampling rates in tribal areas over the last several collection cycles and this will likely increase the number of cases completed in even the tribal areas with the smallest populations. The samples in many tribal areas could rival and even exceed the long form of the Census though we are not certain that this is in fact the case for all tribes at this time because we haven't examined all of the individual tribal samples. Some concerns remain about the accuracy and precision in several smaller tribal areas (some portion of which may already be "minimum funding" tribes under NAHASDA) and a smaller number of larger areas, and it should be noted that monthly or annual rolling samples are also not precisely cumulative when compared, for example, to the sample for a point-in-time count as the samples reflect different periods of time which inherently produces data that is, to some degree, "fuzzy."

The numbers provided in response to TA Request 3 (Starsinic 2014, American Community Survey Response and Nonresponse Rates for American Indian and Alaska Native Geographic Areas) and listed in the characterization and evaluation documents were not annual figures but were actually for the full 5-year period from 2008-2012. The study group was not provided with information about the number of cases by tribal area for more recent 5-year periods (or 1-year periods). Between 2008 and 2012, there were 102 tribal areas with fewer than ten total cases over the entire 5-year period, including both respondents and nonrespondents of unknown AIAN status. Many of these areas may in fact have very small populations, which may explain the small number of completed cases for several of these tribes, but we have not been able to confirm whether increased sampling rates has remedied all of the issues concerning the low number of completed surveys in certain tribal areas.

One way to assess the error in the ACS data related to tribal areas is to compare the ACS 2009-2013 5-year estimate on the total number of people self-identifying as AIAN (alone or multi-race) with the 2010 Decennial Census. Small changes are possible due to changes in population counts over time, but larger differences are more likely due sampling error. A simple way to look at this difference is to look at the over 500 areas defined by the Census Bureau as tribal areas (excluding Hawaii Homelands but including a number of state tribes not eligible for NAHASDA). The attached table shows these areas by count of housing units relative to the average size of difference between the Census 2010 "100 percent" count and the ACS 2009-2013 count weighted from the sample. It also shows what the AIAN population is in the ACS 2013 relative to the Census 2010 population for AIAN (alone and in combination).

In general, tribal areas with more than 400 housing units or higher sampling rates appear to be similar in AIAN counts between the 2013 ACS and Census 2010. However, the majority of smaller tribes often have much lower AIAN counts in the ACS than in Census 2010. Assuming that this is due to statistical error in the ACS, this will negatively impact the ACS data estimates of need.

2. Are there sufficient protocols in place to address potential respondent misunderstandings concerning data collection instruments? Explain.

Yes. The U.S. Census engages in extensive content testing of questions, including cognitive testing, to ensure that questions are worded in the manner that will be easiest for respondents to understand and provide the highest quality data. For example, on January 22, 2015 Census announced in the Federal Register its plan for continued testing in the period 2016-2018. These plans include: a 2016 ACS Content Test, a 2016 mail messaging test, a 2017 self-response test with the potential to test both mail messaging as well as questionnaire content, a 2018 self-response test, as well as tests of Internet data collection enhancements in 2017 and 2018. They note they may conduct additional testing as needed. Any additional testing would focus on methods for reducing data collection costs, improving data quality, revising content, or testing new questions that have an urgent need to be included on the ACS.

One reviewer notes the Director of the Census has appointed a National Advisory Committee on Racial, Ethnic, and Other Populations. Several individuals serving on the Committee are tribal members. Census requests feedback from the Committee regarding matters impacting tribal members and AI/AN persons, including the framing of specific questions. This is an important mechanism for tribes to use to change the decennial census to meet IHBG formula requirements.

Census works with the tribal contact person to identify a paid interpreter as needed. Each tribe has their own protocol for Census interviews. Census Field Representatives are specially trained to conduct interviews in AIAN areas based upon local cultural considerations and other information received from tribal leaders.

One reviewer notes that in most Indian Areas, Census uses direct contacts to gather data, as opposed to simply mailing out a written questionnaire. In addition to the foregoing, Census provides extensive training of field personnel in an effort to reduce/remove interviewer effects on respondents and ensure that Census personnel are able to gather the necessary data.

Another reviewer simply notes that many of the Census Bureau's protocols with respect to tribal governments do not address respondent misunderstanding or specific misunderstandings that may arise in Indian areas, and a chief concern regarding this data source is its reliance upon a data instrument that targets broader national interests. As such, the instrument cannot and will not be tailored to address the potential misunderstandings of tribal members and AIAN populations. Field Representatives receive limited additional training to conduct surveys in tribal areas and may not be readily aware of a particular misunderstanding unless it is raised by the respondent as they may not be from the Indian area in which they are working (due to the much larger geographies worked by ACS Field Representatives as a result of relatively small monthly samples).

3. Are the data collection instruments and data collection protocols culturally sensitive? Explain.

Yes. As stated above, the U.S. Census engages in extensive content testing of questions, including cognitive testing, to ensure that questions are worded in the manner that will be easiest for respondents to understand and provide the highest quality data. Additionally, the Director of the Census has appointed a National Advisory Committee on Racial, Ethnic, and Other Populations. The Census Bureau has an American Indian and Alaska Native Policy Statement that pledges consultation with tribal leaders and recognizes the need to cooperate with tribes regarding Census activities. The Census Bureau recognizes that each nation forms its own government and works with them one-to-one. The Census Bureau has Procedures for Conducting Interviews on American Indian Reservations. Finally Census Field Representatives are specially trained to conduct interviews in AIAN areas based upon local cultural considerations and other information received from tribal leaders.

Another reviewer would answer “Yes and No.” While certain measures have been put in place to support the collection effort in tribal areas with respect to issues outside of the implementation of the survey instrument and script themselves, the survey instrument and collection procedures must balance the interests of many different subpopulations and broader national interests and maintain a high degree of uniformity to promote national level data accuracy. The extent to which the survey instrument can or ever will be adjusted to reflect the specific cultural sensitivities of AIAN persons is extremely limited.

4. Are there sufficient protocols in place to verify the accuracy of collected data?

Yes. Census protocols are stringent and updated on an as-needed basis to improve and verify the accuracy of the data collected. When ACS data was initially collected the responses were entered manually by individuals referred to as “keyers”. The training of keyers included 100% verification of their work, verification is the process of entering the data from survey forms two times and then the comparing the entered data item-by-item. After training keyers at all levels were expected to maintain an error rate of less than 0.8 percent, but most had a much lower rate. In mid-2007, the Census Bureau moved to a key-from-image (KFI) data capture system for the housing unit questionnaires, which involves imaging the questionnaire, interpreting the check box entries with optical mark recognition (OMR), and keying write-in responses from the images using a computerized system. KFI reduced costs and increased data capture accuracy.

To further improve the accuracy of the collected ACS data, keyed data are processed in batches through a computerized edit to check coverage consistency and content completeness. This edit identifies cases requiring additional information. Cases that fail are eligible for the telephone follow-up, if a telephone number for the sample address is available. This is designed to improve the final quality of mail-returned questionnaires. Approximately 33 percent of the keyed mail-return questionnaires in 2006 and 2007 required follow-up. A new set of

follow-up cases is generated each business day, and telephone center staff call respondents to obtain the missing data. The interview period for each FEFU case is 3 weeks.

5. Are there major concerns about precision? For instance, are the margins of error reasonable and consistent across all Indian areas? Explain.

No says one reviewer, there are no concerns about precision. Loss of precision is the result of sampling error. Sampling error is the uncertainty associated with an estimate that is based on data gathered from a sample of the population rather than the full population. As explained in the Census presentation to the Committee, sample-based estimates will vary depending on the particular sample selected from the population. Measures of the magnitude of sampling error, such as the variance and the standard error (the square root of the variance), reflect the variation in the estimates over all possible samples that could have been selected from the population using the same sampling methodology. The American Community Survey (ACS) is committed to providing its users with measures of sampling error along with each published estimate. To accomplish this, all published ACS estimates are accompanied either by 90 percent margins of error or confidence intervals, both based on ACS direct variance estimates. Due to the complexity of the sampling design (sampling over 5 years) and the weighting adjustments performed on the ACS sample, unbiased design-based variance estimators of the type learned in beginning statistics courses do not exist. As a consequence, the direct variance estimates are computed using a replication method that repeats the estimation procedures independently several times.

For the ACS data there will be a difference in margin of error (MOE) between tribes because of variation in the total units in the statistical areas. All published ACS margins of error and the lower and upper bounds of confidence intervals presented in the ACS data products are based on a 90 percent confidence level, which is the Census Bureau's standard (U.S. Census Bureau, 2010b). A margin of error contains two components: the standard error of the estimate, and a multiplication factor based on a chosen confidence level.

One reviewer would answer "Yes" to this question and would note that there generally tends to be less relative error in dense, urban areas than rural areas. While formula allocations based on ACS data would likely be administered based on the reported estimates or values, the reviewer believes that excluding relative margins of error from consideration could result in inequitable outcomes. Basing funding allocations on numbers that do not acknowledge these error terms and do not reflect that two tribes receiving different funding levels may actually have population and other figures that overlap when margins of error are factored in (in other words, they are statistically indistinguishable) could lead to inequitable outcomes.

Another reviewer says they know of no intention to calculate the formula estimates with a number other than the value in the ACS data. The above "what if" seems to suggest that for some tribes the data used in the formula would be the ACS value plus or minus the increment represented by the MOE. There is no reason to manipulate the data in that manner and to do so would be very strange.

6. Are there major concerns about accuracy? For instance, do missing administrative data or imputation and/or weighting methods introduce bias?

No, any data collection using mail questionnaires, face-to-face interviews, Internet questionnaires, or the like will have possible sources of inaccuracy or bias. The mode of delivery, interviewer, contextual history, respondent, the measurement instrument, processing of records, and coverage are all among possible sources of error. The Census Bureau has devoted substantial resources to improving the ACS to reduce the likelihood of error being introduced. As a result, the ACS process includes extensive efforts to encourage participation, make ACS Field Representatives aware of cultural issues, test the wording of questions, use multiple languages, etc., all to reduce the chance of introducing bias into the responses.

Two reviewers suggested that the use of Master Address File (MAF) addresses to select participants may adversely affect Tribes in rural areas. Certain research indicates that coverage in rural areas is poorer than in the urban areas. While filter rules can be examined and potentially modified to account for erroneous exclusions, improving overall coverage in rural areas cannot be done without finding a way to get missing units added to the MAF. This may require greater awareness among tribes of the need to inform the Census Bureau about new housing units, structures newly converted to housing, and non-traditional places of habitation. Under coverage for mobile homes is also a problem. The FACHS National evaluation estimated the gross undercoverage for mobile homes at 18.9 percent, including an omission rate of 15.2 percent. The undercoverage rate for mobile homes in the current surveys' area frame was higher than the under coverage rate of those units in the permit frame (24 percent versus 15 percent), but coverage of mobile homes appears to be an issue regardless of the type of area where the mobile home is located. Families living in mobile homes, units without "city type" addresses, tents, trailers, e.g. in mobile fishing and hunting communities, etc. are underrepresented.

Another reviewer commented that the foregoing concerns about MAF coverage in rural areas is especially important for ACS years prior to 2012, where the ACS was using old versions of the MAF that missed many new, non-standard (many of them rural) addresses built after 2000. However, it seems likely that the extensive address canvassing performed in the 2010 Decennial Census rectified a lot of these coverage issues. It is possible that tribes could assist ACS staff to update their sampling frame in intercensal years so their sampling frame best reflects the current housing stock in Indian Country.

Another reviewer noted that the ACS uses a rolling sample to estimate the average condition within geographic areas over a 5-year period. Any inaccurate address canvassing prior to 2010 could still negatively impact the data for areas with non-standard addresses until 2015 (available in 2017). As noted above, Address Canvassing completed in 2009 prior to the enumeration for the 2010 Census generated improved housing unit maps. However, the reviewer suggests that the accuracy of those maps should not be overstated given technological issues encountered in the mapping phase (Address Canvassing) and associated user-error.

One reviewer would answer "Yes" to this question and note that there continue to be major concerns about the accuracy of ACS data in Indian areas due to small sample sizes in certain areas, potentially low inclusion rates for AIAN populations relative to other populations, the likely continuing inaccuracy of the MAF in rural Indian areas even after

the 2010 Census (due to user error by field staff, base map development issues experienced by the Census Bureau and the higher level of difficulty finding and mapping all units in remote and rural areas), the unknown but likely varying rates at which question-specific data is imputed in certain Indian areas, and the limited awareness of many tribal members of the existence of the American Community Survey prior to contact by a Field Representative.

In response to a question from the Study Group concerning the relative accuracy of rolling samples versus point-in-time counts, the reviewers provide the following response. All other things being equal, when the two are compared, a point-in-time sample will provide a more accurate estimate for that specific point in time and a rolling sample will provide a more accurate estimate of average conditions over the entire period of sampling. Because a rolling sample creates estimates for the average over a window of time, the longer the window of time the less accurate those estimates are for representing any specific point (or window) in time, especially for periods of time at the leading and trailing edge of the sampling window. For example, an estimate for population based on a 5-year rolling sample from 2010 through 2014 would be least accurate for representing the population in either 2010 or 2014, though it could provide a very accurate estimate for the average population over that time period. For a point-in-time sample, the accuracy of an estimate applied to a period other than the specific point-in-time for which it was collected decreases with time from the sampling period. For example, an estimate for population based on a point-in-time count in January 1, 2010 could be very accurate for the population at the start of 2010, but would be less accurate for representing the population in 2014. In addition, cost considerations impact sample sizes, survey content, marketing budgets and other aspects of both rolling samples and point-in-time counts, and these differences or variances have significant impacts on data quality and very often limit one's ability to make specific and direct comparisons between surveys based on this factor or difference alone.

Overall, is the data source ACCURATE and PRECISE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source accuracy and precision be improved (for example, is it possible to correct or compensate for any and all survey design issues, such as phrasing of questions, incentives for participating, imputation methods, number of attempts to collect data at sampled housing unit, etc., which are likely to introduce biases for all or a certain subgroups of tribes, including small, large, rural, urban, etc., or certain types of data, including financial, population, etc.)? What resources are needed to make these improvements?

One reviewer says EXCELLENT. The U.S. Census engages in extensive content testing, tribal outreach, and employee training, as described above. Approximately 430 dedicated ACS Field Representatives are specially trained to conduct interviews in AIAN areas, using established Census Bureau protocols that take into consideration unique geographic, cultural, and language considerations. The ACS can also provide data based upon IHBG formula areas when five-year rolling averages are used, and the propriety of using rolling averages as a sampling technique has been validated. These factors, as well as consistent improvement in the ACS design, methodology, and field work, outweigh concerns about imputation methodology, margins of error in more rural tribal areas, and the relative accuracy of the MAP.

Additional research and consultation with tribes regarding appropriate imputation methodologies could be beneficial. Additional assessment could be made into aligning contact and follow-up protocols throughout tribal areas or, at a minimum, determining whether differences in contact and follow-up protocols lead to actual issues with accuracy and/or precision.

Two other reviewers think "GOOD" is more appropriate here. ACS is mandatory, giving it a 95 percent response rate which is great. But it suffers from small sample sizes in some places and problems with missing units from its sampling frame. Both of those problems have been partly resolved providing more confidence in the 2012-16 five year estimates.

Another reviewer rates this source as "FAIR TO GOOD" for Accuracy and Precision. While this data source has been improving since its creation and the Census Bureau has taken several steps to address specific concerns regarding small sample sizes and data collection practices in tribal areas, the low number of surveys completed in many tribal areas and the fact that many questions remain regarding the completeness of AIAN and tribal member responses (which necessitates an assessment of the impacts of data imputation) and the overall inclusion rate of AIAN and tribal member populations limits our ability to provide a higher rating for this data source at present. Response rates remain an important indicator of the success of a survey but the quality and completeness of responses is of paramount importance when discussing the accuracy and precision of the data to be used in the IHBG formula. This source may in fact rate "Good" or "Excellent" if further information were available to address one or more of these concerns.

Completeness

1. Does the data source collect data for all Indian tribes as defined in Section 4 (13) of NAHASDA?

Yes.

2. Are outreach efforts to encourage participation in the data source appropriate and effective within tribes/tribal areas? Are those efforts equally effective and equally implemented across all Indian areas? Explain.

Yes says one reviewer. Census works with communities and tribes to provide increased awareness of the legitimacy and importance of the ACS by providing information that can be posted, published, broadcast, etc. No cash or product incentives are used. In conducting the survey, a multiple stage data collection process is used. The first contact is made by email and mail. Non-respondents to this first stage are then contacted by phone or in person. Multiple attempts are made to receive data from each of these attempts.

Participation is encouraged by stating the mandatory nature of responding to the survey. Census has studied the impact of "voluntary" versus "mandatory" data

collection and reports that costs would increase for a voluntary collection, and the confidence interval would widen.

Census employs a staff that is continually tasked with ACS data collection. These permanent staff members, including approximately 430 Field Representatives, provide more controlled and reliable interviews than the non-permanent hires previously used to collect long form data in the Decennial Census. Strategies for increasing response, and thus coverage, include a multiphase collection that includes Internet, phone, mail, and face-to-face presentation of questions.

The Census Bureau provided the IHBG Formula Negotiated Rulemaking Committee with a list of 14 articles describing their outreach process for Decennial and ACS surveys. Also, see questions 2 & 3 under Accuracy and Precision (above) for additional description of the special Census protocols for conducting the ACS in tribal areas.

Two reviewers noted that the multi-stage data collection process depends on the availability of each of these modes of contact for a given respondent. In many rural areas, land lines are not commonly maintained, residents have either not provided cell phone numbers or will not answer their phones for unknown callers, and mail is delivered only to P.O. Boxes which are not connected to specific housing units. Thus, the multi-staged contact and follow-up process becomes limited to one form, the in-person interview at the housing unit itself. One reviewer has not identified any reports detailing the rates at which the various stages of the multi-stage process have been utilized or examining whether these varying rates of application have impacted response, imputation or coverage rates.

These reviewers also commented that while ACS field staff are permanent employees of the Census Bureau, they tend to cover large areas and are therefore less likely to be residents of the tribal communities in which they work. This could potentially impact their ability to locate the right house in the sample and/or to elicit complete and accurate responses from their interviewees.

One reviewer also notes that, unlike the Decennial Census which had a paid advertising budget alone of \$167 million dollars, the marketing budget for ACS is limited to the point that is often only referenced by Census Bureau staff simply as a severe limitation. Thus, very little direct marketing of this survey is conducted in Indian areas (though efforts to market through tribal governments has increased), which increases the likelihood that a respondent will be unaware of the existence of the survey prior to being contacted. This circumstance limits whether they choose to respond, or, more likely given that response to the survey is mandatory, whether they provide an accurate or complete response.

3. Are all populations well represented in the data source, as evidenced by high response and inclusion rates or any other criteria? Explain any identified areas, populations, and/or topics where response or inclusion rates may be a cause for concern.

Yes, says one reviewer. The initial ACS sample includes 295,000 housing units each month or 3.54 million housing units each year plus 18,000 group quarters facilities each year

ACS samples housing units in less populous areas at higher rates (as high as 15% annually), and special provisions exist to increase the sampling rates for American Indian and Alaska Native Areas. Census constantly evolves data collection techniques to improve the quality of the data collected. Sample design changes in 2011 included:

- Reallocate the sample with the goal to produce more even quality across areas,
- Higher overall sample size, and
- Full CAPI follow-up in most American Indian and Alaska Native Areas.

Census has worked to improve the quality of ACS data in recent years. Compare 2010 ACS 1-year initially selected sample size and interview counts to 2012:

- Initially selected housing unit addresses
 - Increase from ~80,000 to ~101,000
 - Relative terms, a 26% increase
- Final housing unit interviews
 - Increased from ~47,000 to ~84,000 housing units
 - Relative terms, an 80% increase

The overall percent in sample for the U.S. increased from 2.1% in 2010 to 2.6% in 2012. In AIAN areas, the average percent sampled grew significantly more during the same period.

Number of Housing Units in AIAN Area	2010	2012
Less than 400	9.6	13.6
401 to 1,200	7.5	10.3
1,201 to 8,000	6.0	7.6
8,001 and higher	4.3	5.0
Overall	8.6	12.0

In AIAN areas, Census adjusts the size used to determine the sampling rates for the ACS by the proportion of American Indians in that AIAN area. This makes the sizes of the AIAN areas appear smaller when they determine sampling rates and thus they tend to assign higher sampling rates to AIAN areas as a result of this adjustment.

Response rates in AIAN areas for the 2006-2010 ACS 5-year were very good:

- National response rate – 97%
- Weighted response rate of 97% across all American Indian and Alaska Native areas, which equals the national rate
- 90% of all American Indian areas have a response rate of 90% or greater

The table below shows that response rates are high for most AIAN areas:

Response Rate	Number/Percent of AIAN Areas With This Response Rate	
95 to 100 percent	399	77.3
90 to 94 percent	70	13.6
85 to 89 percent	17	3.3
80 to 84 percent	14	2.7
Less than 80 percent	16	3.1
Total	516	100.0

Note: Only AIAN areas with ten or more sample cases are shown in this table.

Overall, the response rate was 97.9% in all AIAN areas for the 2008-2012 ACS. Only 0.8% of respondents in AIAN areas refused to participate in the survey (which is lower than the national refusal rate) and only 0.1% of surveys represented addresses the Census could not locate.

One reviewer noted that Census questionnaires are not mailed to households in all areas. The Census Bureau establishes different methods of delivering forms and completing the survey depending on the relative urban or rural nature of the area or the method specifically selected by the tribal government. In most rural tribal areas in the western United States data collection is limited to in-person interviews and no questionnaire is delivered to the housing unit by mail. Other areas were included in the Update/Leave (U/L) operation in which the forms are left at the housing unit and are either mailed back by the respondent or nonresponse follow-up was completed by in-person interview at the unit. The survey of areas solely through in-person interviews has both positive and negative impacts on response rates and the quality of data collected from respondents.

One reviewer would answer a preliminary “No” to this question. When the data is averaged across tribal areas, the response rates for tribal areas is impressive. However, as noted above, there are a very low total number of sampled cases in 102 Indian areas for the entire five-year sample from 2008-2012. Of the remaining 516 Indian areas, almost 10% had response rates less than 90%. State reservations in particular tended to have lower response rates. We also need more information about current AIAN-specific inclusion rates to determine how well AIAN populations are represented in this data source. This reviewer would also add that all of the response rate information provided above describes the response among all sampled housing units in AIAN areas, not among units that house AIAN persons. Even an impressive response rate does not guarantee that the self-identified AIAN populations within those areas are receiving or completing the ACS questionnaire.

Another reviewer notes that it was partially because of the 2008-2012 study of response rates that Census increased the sample size in smaller Indian country areas. Also it should be noted that while a rural area may have a small annual sample, the number of units included in any special tabulation file would be the total for five years.

In response to a request from the Study Group to summarize the more general issue concerning the likely change in outcome based on whether a survey is mandatory or voluntary, the reviewers provide the following response. There is no way to disentangle all of the factors that contribute to high response rate. It may be a fair

assumption that for two otherwise identical surveys, one defined as mandatory by an authoritative body will have higher response rates than one marked as voluntary, but there is no reason to think that ANY mandatory survey will automatically result in a higher response rate than ANY voluntary survey, especially when there is no enforcement of the requirement. Survey length, the intensity of (and budget for) non-response follow up, the respondents' understanding of how the data will be used and many other issues are all extremely important. The U.S. Decennial Census, for example, in addition to being mandatory, is a short survey with a large budget for advertising and follow-up and a direct connection to electoral representation and many funding sources. There is not a voluntary survey comparable to the Decennial Census in those terms to investigate the impact of the mandatory vs. voluntary designation alone.

The Census Bureau did a study to investigate how making ACS a voluntary survey would impact response rates for that survey and found that mail response fell by over 20%, while the overall response rate was about 5% lower than for the mandatory survey. A negative impact on response rates in traditionally low response areas was also identified though the specific impact on AIAN areas was not specifically quantified (see Griffin et al, 2003). However, this study was conducted in 2003, when ACS was still quite new. Now, more than ten years later, there still has not been a particularly effective marketing campaign to encourage participation and awareness of that survey, so this mandatory designation by the U.S. government may have been especially important. A more recent study (Griffin and Starsinic 2012) argues that the "hardest-to-interview populations" were equally represented in the voluntary and mandatory implementations, and that it is the people with higher education and income levels, as well as more mobile populations, that are likely missed by voluntary surveys. So, although it has been determined that ACS has a higher response rate as a mandatory survey than a voluntary survey (when using the particular language used to introduce the surveys in that study, see Griffin et al., 2004 for more information on the impact of wording), it does not necessarily follow that no voluntary survey would be able to achieve a response rate equal to or greater than that achieved by ACS. There are a myriad of other factors and techniques that influence response rate.

Overall, is the data source COMPLETE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source completeness be improved? What resources are needed to make these improvements?

EXCELLENT says one reviewer. No data source is perfect. Even the Decennial U.S. Census, a national enumeration backed by billions of dollars, countless hours of research and testing, and a staff that numbers into the hundreds of thousands during the Census, has some challenges with completeness that require follow-up and imputation of some data. However, such challenges are relative, and the ACS overall provides very complete data.

As described earlier, the ACS staff engages in extensive content testing, tribal outreach, and employee training, as described above. Specially trained ACS Field Representatives conduct interviews in AIAN areas, using established Census Bureau protocols that take into consideration unique geographic, cultural, and language considerations.

The ACS provides data for all Indian tribes and sampling, coverage rates, and response rates are all good for tribal areas. In 2012, ACS sampling for the total U.S. population was 2.6%. In AIAN areas, sampling was 12% overall. This represents a 40% increase in sampling in AIAN areas from the 2010 ACS and will lead to better quality ACS data in future years. Coverage rates for the total U.S. population were 95%, compared to 93% for AIAN areas. This coverage rate is good, particularly considering that many AIAN areas are very rural in nature. Most notably, ACS response rates in AIAN areas were extremely good. For the 2008-2012 ACS, the overall response rate in all AIAN areas was 98%. Only 0.8% of respondents in AIAN areas refused to participate in the survey (which is lower than the national refusal rate) and only 0.1% of surveys represented addresses the Census Bureau could not locate.

The foregoing factors, as well as consistent improvement in the ACS design, methodology, and field work, tend to outweigh concerns about the methods of enumeration used in more rural areas and the fact that ACS Field Representatives do not live in each of the tribal communities surveyed.

GOOD TO FAIR - Another reviewer notes that the problems in communicating with Tribal members make the data less than ideal. Just because it is expensive and completed by the government does not make it 'excellent'. The problems with (i) finding units initially using the MAF, then (ii) following up by contacting Tribal individuals by mail when there are P.O box versus address issues, and finally (iii) calling Tribal individuals for follow-up when many do not have land lines and others don't answer calls from unknown callers makes this source at best good for completion.

Another reviewer rates this source as "GOOD" and would add to the reviewer's comments directly above. While data is collected in all formula and Indian areas, there are concerns about how often individuals answer specific questions and about the small number of units sampled in some areas.

Availability

1. Can the data be collected and analyzed with no significant additional resources?

Yes. Congress funds the ACS. There is minimal cost to HUD for purchasing special tabulations of the ACS data at special geographies needed to run the IHBG formula. There is no cost to tribes unless they were to challenge ACS data.

2. Is there a source of funding available for the data collection and analysis? Explain the resources needed (and the source of these resources) to develop, administer, and analyze the data.

Yes. Congress funds the ACS and HUD pays for the special tabulations needed to run the IHBG formula.

3. Can the data collection process be completed without imposing an additional administrative burden on tribes/TDHEs? If no, describe what support is available or needed (if not available) to reduce those burdens? Explain.

Yes. The data collection is managed by the U.S. Census Bureau. No additional administrative burden is imposed upon tribes, although they are invited to consult with HUD regarding appropriate and effective means to collect data in tribal areas and to provide information that would update the MAF.

4. Is the data quantifiable and easily integrated into a funding allocation formula?

Yes. The Census Bureau process all responses and would produce a special tabulation of data for HUD for use in the IHBG formula. There should be little change from what has happened in the past with special tabulations from Census for the formula.

Overall, is the data source AVAILABLE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source availability be improved? What resources are needed to make these improvements?

EXCELLENT. The data source exists and is funded by Congress. HUD pays the small amount necessary to purchase special tabulations that allow ACS data to be used based upon formula areas. The data collection is managed by the Census Bureau and no additional administrative burden is imposed upon tribes, though tribes are invited to engage with HUD to help develop appropriate strategies to collect accurate data in tribal areas. ACS data is used extensively by planners, administrators, national and regional organizations, businesses, state and local government, and the federal government. ACS is used for diverse aspects of federal government planning and operations, including funding allocation formulas.

Transparency

1. Has the data source been subjected to previous study/evaluation to assess strengths and weaknesses? If yes, are those studies available?

Yes says one reviewer, the ACS has undergone rigorous study and evaluation. It has been extensively reviewed and critiqued, and the U.S. Census Bureau has responded by making improvements in its methodologies and protocols. Few other data sources have benefitted from such extensive study and testing, which has led to improvements in the AIAN count. Because data for the smallest geographies is gathered as part of a five-year rolling averaging, many of those improvements will begin with the data set for 2011-2015, which will be fully available in 2017.

Studies are available through the Census Bureau website, http://www.census.gov/acs/www/data_documentation/documentation_main/.

2. Were you able to find answers to most data screening, characterization and evaluation questions? Explain which questions you were not able to answer and why.

Yes. There are few unknowns with respect to the ACS. Census methodology is public, and Census staff provided additional information upon request.

Another reviewer would answer “No” to this question. It is difficult to find detailed information about imputation rates among AIAN households and the number of AIAN respondents used to extrapolate values for AIAN populations within Indian areas. There may be privacy concerns preventing the release of this information, but it should be possible to aggregate data providing insight into these concerns.

Overall, is the data source TRANSPARENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor How? Provide a narrative explanation for the overall rating. can the data source transparency be improved? What resources are needed to make these improvements?

EXCELLENT says one reviewer. The American Community Survey has undergone extremely rigorous review and testing, leading to improvements in data quality. Other than the Decennial Census, no other data source evaluated for formula use has been subjected to this level of testing and review. Census makes the outcome of all reviews and testing public. Census staff have been responsive to questions during the course of this characterization and evaluation of ACS data.

Another reviewer rates this source as “GOOD” with respect to Transparency. Most topics have been easy to research and have been studied since the project began. Because it is a relatively new data source and the five-year estimates are still a newer data product, more research is necessary to fully evaluate the use of ACS data in various settings, but in general the U.S. Census Bureau is a very transparent organization given its privacy constraints. We do need more information about response rates and imputation rates among AIAN respondents to fully evaluate the fitness of this source for use in the IHBG formula.

Summary and Conclusions

1. Overall, is the data source appropriate for measuring one or more current IHBG formula variable(s)? Choose one of the following options and explain: Excellent, Good, Fair, Poor. What are the areas of biggest concern?

GOOD says one reviewer. Like any data sources, there are advantages and disadvantages to using ACS data to measure IHBG formula variables.

There are lingering concern about the ACS data including:

- **How to gather population data for tribal members living within tribal areas, as discussed extensively in the relevancy section above;**

- The impact of incorporating a rolling sample into the formula on tribal challenges of that data (i.e. could a point in time survey estimate be used to challenge 5-year rolling averages?);
- The difficulty of adapting the ACS to changing formula variables, due to its process for testing and potentially changing survey questions;
- Uncertainty regarding imputation of data in AIAN areas; and
- Concerns among some stakeholders regarding sample sizes in tribal areas and AIAN inclusion rates.

Concerns over OMB definitions of race predate the ACS. The fact that concerns with issues such as determining tribal affiliation, reporting on data on families, and locating all housing units and individuals for inclusion in the ACS continue to exist should not be seen as a failure of the Census Bureau to address these issues. Instead the continued presence of these concerns should be seen as an indication of the difficulty of their resolution. In the report on 2007 consultation sessions with tribes the Census Bureau received contradictory feedback from tribal members and leaders on issues such as these. Until there is a consensus among tribes, any survey, whether administered by HUD, the Census Bureau, or Gallup, Inc., will be faced with these same issues.

One reviewer sees these advantages in using ACS data:

- Data source exists today;
- Cost born by the federal government;
- No mandatory administrative burden imposed upon tribes/NAHASDA recipients;
- National in scope with a uniform collection methodology;
- Accurate and precise, with increasingly appropriate sampling, coverage rates, and response rates;
- Extensively studied and evaluated prior to use, and after implementation;
- Highly transparent;
- Extensive tribal outreach and engagement;
- Significant efforts to utilize culturally sensitive protocols and questions;
- Professionally developed and administered;
- Widely utilized for a variety of purposes, including funding allocation formulas;
- Additional improvements in design and data collection will be in place by approximately 2017.

One reviewer sees that even though there seem to be several intractable issues such as identifying Indian families, improvements to the ACS made in recent years address many of the concerns the Census heard during consultation in 2007, including issues about the accuracy and precision of ACS estimates in rural and tribal areas. The two most important changes to consider are the large increase in completed surveys in AIAN areas in 2011 and the use of a new Master Address File (MAF) that fully incorporated the work of the 2010 address canvassing, which gave the ACS a major refresh in new addresses for rural and non-standard addresses. Since the IHBG formula could only use the 5 year ACS products, the full effect of these changes won't be seen until later ACS product releases. Thus, the most

robust and accurate ACS products will likely begin with the 2012-2016 5-year product to be released in 2017. The least statistically reliable ACS 5-year product was likely the 2005 – 2009 product.

It should be noted that the IHBG Formula Negotiated Rulemaking Committee saw formula runs based upon the earlier 2006 – 2010 ACS data. This was data collected before improvements in the MAF and expansion of the sample size. However, the Formula Negotiated Rulemaking Committee reached consensus on regulatory language that would prevent the implementation of a new data source prior to FY 2018. The ACS data for that run should be the more accurate 2012-2016 data.

Another reviewer rates this source as “GOOD” for measuring one or more current formula variables. The Census Bureau has taken clear steps to improve this data source over the past 10 years, which may diminish concerns regarding its accuracy, precision and completeness in tribal areas to some extent over time. Continuing areas of greatest concern for this evaluation are the low number of sampled AIAN households within certain Indian areas and the uncertainty regarding the inclusion rates of AIAN populations and question-specific imputation rates among AIAN households. In addition, if the current formula were to be adjusted or changed to require information that is not currently collected by this survey, the ability of the ACS survey instrument to adapt to such changes is extremely limited (and, depending on the change, such a change may not be possible) due to the national interests it represents and balances. The time frame required for such a change to the form could also be as long as five (5) years. Thus, as noted above, the issue of whether or not the American Community Survey properly captures the population of enrolled tribal members or the number of Indian families in Indian areas is not raised for purposes of assigning blame to the Census Bureau for its perceived failure to ask these questions or collect this data (which are not part of the current formula and are not required by current OMB definitions), rather the appropriate question addressed below concerns whether ACS could measure these data, the likelihood of being able to make specified IHBG-specific changes to the form and the time necessary to make those changes. These issues and concerns, in addition to the complexity of integrating a rolling sample into the IHBG formula alongside the Decennial Census (resulting in household income and other data for variables that are based on AIAN population estimates which are often very different from the AIAN persons count generated by the Decennial Census) and developing the requisite procedures to allow recipients to challenge this data, if possible, merit rating this source as “Good.”

2. Overall, is the data source appropriate for measuring other aspects of housing need (as developed in the characterization phase) that are not current formula variables?

One reviewer sees that the ACS could provide data to measure conceptual variables that could be seen as being related to the concept of housing need. However it would be up to the IHBG Formula Negotiated Rulemaking Committee to discuss what housing need is and how it might be observed. Following that discussion data from the ACS could be reviewed to see if any represent measures

of the components of housing need. Further, how the data might be used within the formula would be subject to the discretion of the IHBG Formula Negotiated Rulemaking Committee. However, it appears to the technical experts that the items most likely to be useful in describing a new variable describing some aspect of housing need would be the following:

- Age of structure
- Occupancy
- Room count and/or size (square footage)
- Structure type
- Facilities (kitchen, plumbing, etc.)
- Household tenure/ownership
- Household size
- General vacancy rates
- Housing value
- Income
- Expenses
- Employment
- Disability
- Education

Another reviewer would note that the same concerns raised above would also apply to other aspects of housing need. Additionally, if the new aspects of housing need were not already covered in the questionnaire (or dealt with a population other than total population of self-identified AIAN population within an area), it may not be possible to incorporate new questions into the ACS instrument due to the balancing of national interests that the ACS survey instrument represents. Even if it were possible, it would likely take at least 5 years to implement these changes.

Evaluate the Data Source – IHS Population Estimates

Relevance

1. Does the data source measure data that is based on factors that reflect the need of the Indian tribes and the Indian areas of the tribes for assistance for affordable housing activities, including (*answer Y/N for each*):
 - a. the extent of poverty within Indian areas of the tribe **No**
 - b. economic distress within Indian areas of the tribe **No**
 - c. the number of Indian families within Indian areas of the tribe **No**
 - d. other objectively measurable conditions as the Secretary and the Indian tribes may specify **No**
2. Does the data source reflect the following other factors for consideration, (*answer Y/N for each*):
 - a. the relative administrative capacities and other challenges faced by the recipient, including, but not limited to geographic distribution within the Indian area and technical capacity.

No
 - b. the extent to which terminations of assistance under subchapter V of section 302 of NAHASDA will affect funding available to State recognized tribes

No
3. Does the data source measure the formula variables in 24 CFR Part 1000?
<select from checklist of current variables here>

- AIAN persons

YES. The IHS Service Area Population begins with the decennial census, although it has not begun to use the 2010 Census. Then the Demographic Statistics Branch (DSB) projects these counts with linear regression techniques, using the latest 10 years of Indian birth and death data provided by the National Center for Health Statistics (NCHS). The estimated natural change for a county (estimated number of births minus estimated number of deaths) is applied accumulatively to the latest Census enumeration for the county for each year beyond the Census. DSB produces a new set of projections each year based on the most current 10 years of birth and death data that it has obtained from NCHS.

One reviewer notes that this data source is primarily being reviewed with respect to its capacity the “age” the AIAN persons data as the underlying source for that data could change and the current source of the base data, the Decennial Census, was separately reviewed.

- AIAN households with annual income less than 30% of median income **No**
- AIAN households with income between 30% and 50% of median income **No**
- AIAN households with annual income between 50% and 80% of median income **No**
- AIAN households which are overcrowded or without kitchen or plumbing **No**
- AIAN households with housing cost burden greater than 50% of annual income **No**
- Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock) **No**

Does the data source measure other aspects of housing need? **No**
< select from checklist of other aspects of housing need created during the characterization phase>

Examples of Housing Stock Characteristics Potentially Related to Housing Need:

- Total number of units
- Safe and sanitary
- Age of structure
- Occupancy
- Room count and/or size (square footage)
- Structure type
- Facilities (kitchen, plumbing, etc.)
- Household tenure/ownership
- Other _____

Examples of Demographic Information Potentially Related to Housing Need:

- Relevant population
- Income
- Expenses
- Employment
- Disability
- Other: _____

Overall, is the data source RELEVANT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source relevancy be improved? What resources are needed to make these improvements?

Fair – The data source can be used to estimate AIAN population. However, in the current iteration, there are data quality issues, which are discussed under accuracy below.

One reviewer rates this as Fair/Good, noting that this data is currently used to “age” the Decennial Census data and, if the underlying Decennial Census data were updated to the most recent collection cycle, the source itself (while still flawed in the ways described above) would provide a slightly more serviceable means of updating AIAN persons data.

Currency

1. Does the frequency with which the data is collected make them reliably current on an annual basis, or can they be made reliably current? Explain, including how and how often data can be made current without introducing significant error into the estimates?

No, this source still relies on the 2000 census data (collected every 10 years and, in the present case, 15 years ago) which IHS ages annually using birth and death records collected by states relying on reports from hospitals and funeral homes. The aging of Decennial Census data over 15 years after it was collected makes the data inherently less reliable.

2. Is the aggregated data available for use within a reasonable time frame after it is collected? How long does it take for the data to be available? Explain any delays.

Yes, IHS releases its updates annually.

3. Is the data stable over time? (i.e. no sudden swings in values, caused by sampling/methodology changes/etc)

Yes, the underlying data is from the 2000 Census that IHS ages annually. There have been no large fluctuations of data in any one year. When IHS implements the 2010 census numbers, there may be a larger one-time fluctuation.

Overall, is the data source CURRENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source currency be improved? What resources needed to make these improvements?

Poor – The underlying AIAN persons data is from the 2000 census. IHS has not disclosed when they will update to the 2010 census. As the base data is aged it becomes less reliable and accurate.

Accuracy and Precision

1. Does the data collection program methodology support deriving estimates covering formula areas as described in 25 CFR 1000.302? If not, for which other geographies can the data source derive estimates?

No, the IHS Service Area Estimates are made at the County level

2. Are there sufficient protocols in place to address potential respondent misunderstandings concerning data collection instruments? Explain.

No, there are no consistent standards or protocols for states to use in reporting race on birth and death certificates. There appears to be an underreporting of the AIAN population in death certificates at the national level.

Yes, another review states yes with respect to the Census data (see the Decennial Census evaluation for details) and No for administrative records.

3. Are the data collection instruments and data collection protocols culturally sensitive? Explain.

Census workers receive some training. States rely on Funeral directors and hospitals for vital statistics. Some of these reporters may be culturally sensitive others may not be.

One reviewer notes that Decennial Census field staff receive limited training with respect to the cultural sensitivities of tribes and tribal members and certain additional tribe-specific measures are implemented (the option to solely conduct in-person household surveys, hiring of translators, etc), though the Decennial Census data collection instruments themselves generally reflect the broader national interests that the Census is designed to address. The birth and death certificates used to collect vital statistics themselves are not inherently culturally sensitive as they are designed to be completed by administrators, though, as noted above, administrators may apply their own cultural sensitivities to otherwise rather generic forms.

One reviewer is aware of several studies that identify the extent of underreporting AIAN race on death certificates. These show variation by states. North Carolina had a high rate of underreporting while New Mexico had a very low rate.

4. Are there sufficient protocols in place to verify the accuracy of collected data?

Two reviewers note that there are sufficient protocols to verify the accuracy of Decennial Census data. States and the CDC have their own protocols for verifying the accuracy of birth and death data. The underrepresentation of the AIAN population on death certificates at the national level may in part reflect a lack of sufficient protocols to verify this data, but mainly just reflects the methodology by which that data is currently collected.

Another reviewer concludes Yes, with respect to the census data. See the evaluation of Decennial Census or ACS for more details.

5. Are there major concerns about precision? For instance, are the margins of error reasonable and consistent across all Indian areas? Explain.

Although, it is currently used as an adjustment factor in the formula, there are data quality issues with this source for calculating the AIAN population. The data source does not differentiate between single and multi-race AIAN populations, it

does not take into account migration patterns, and it only collects information down to the county level, which doesn't reflect formula areas, and deaths may be underreported.

One reviewer notes that there are no margins of error published with this data, but it is important to note that the compounding nature of any inaccuracies in this data source produces an ever-increasing gap with each passing year between the true number of AIAN persons and the projected/estimated numbers for each tribe that are utilized within the formula.

6. Are there major concerns about accuracy? For instance, do missing administrative data or imputation and/or weighting methods introduce bias?

Yes, there are three major concerns with this data set. The first is the lack of consistency in race reporting. States do not all use the same standards in reporting race and ethnicity in their birth and death certificates. The biggest issue is that some states have not allowed the option of checking more than one race. The Decennial Census does allow respondents to identify with more than one race. Census use a technique called "bridging race" data to estimate single race categories. This increased the AIAN alone population in the 2000 Census from 2.5 million to 3.3 million (4.2 million people identified as AIAN alone or in combination with another race.) This technique is standard procedure, but it is unknown if it over or under estimates AIAN populations in specific geographies.

The second major concern is the underreporting of the AIAN population on death certificates at the national level. This may overestimate population growth in the AIAN population when IHS applies its aging techniques.

The third concern is that IHS estimates do not account for migration patterns across the country, which may overestimate population growth in some Indian areas and underestimate growth in others.

Overall, is the data source ACCURATE and PRECISE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source accuracy and precision be improved (for example, is it possible to correct or compensate for any and all survey design issues, such as phrasing of questions, incentives for participating, imputation methods, number of attempts to collect data at sampled housing unit, etc., which are likely to introduce biases for all or a certain subgroups of tribes, including small, large, rural, urban, etc., or certain types of data, including financial, population, etc.)? What resources are needed to make these improvements?

Fair – Although, it is currently used as an adjustment factor in the formula, there are data quality issues with this source for calculating the AIAN population. The data source does not differentiate between single and multi-race AIAN populations, it does not take into account migration patterns, and it only collects information down to the county level, which doesn't reflect formula areas, and deaths may be underreported.

One reviewer states, that the accuracy and precision for the Decennial Census, which is the underlying data set for this source is Excellent. However, the administrative records used in making the Service Area Population estimates are plagued with inaccuracy that varies by state.

One reviewer notes that, as discussed in the Decennial Census evaluation, concerns exist about the relative accuracy and precision of the Census data source as well (especially when, as is the case here, the data relied upon is from a decennial census conducted 15 years prior). The issues raised about the accuracy and precision of the IHS ageing technique merely add to any issues presented by Decennial Census data.

One reviewer rates this as Fair/Good, noting that this data is currently used to “age” the Decennial Census data and, if the underlying Decennial Census data were updated to the most recent collection cycle, the source itself (while still flawed in the ways described above) would provide a slightly more serviceable means of updating AIAN persons data.

Completeness

1. Does the data source collect data for all Indian tribes as defined in Section 4 (13) of NAHASDA?

Yes

2. Are outreach efforts to encourage participation in the data source appropriate and effective within tribes/tribal areas? Are those efforts equally effective and equally implemented across all Indian areas? Explain.

The census reaches out to all populations. The aging process is based on vital statistics collected by States; however, there are no reporting standards among the states that would ensure consistency or completeness of the administrative data used to age the underlying census data.

One reviewer agrees that, as mentioned, the Decennial Census conducts extensive outreach in Indian area. However, with respect to the other sources of data, the issue of outreach concerns the administrators who are supposed to submit the data to the states and CDC and inconsistency in the rate of reporting would call into question the effectiveness of the outreach for this program.

3. Are all populations well represented in the data source, as evidenced by high response and inclusion rates or any other criteria? Explain any identified areas, populations, and/or topics where response or inclusion rates may be a cause for concern.

All populations are represented in the 2000 census. However, death and birth statistics may not accurately reflect the actual growth in population in Indian areas and migration is not considered.

One reviewer notes that, as mentioned previously, the lack of data differentiating AIAN Alone vs. AIAN Alone or In Combination persons inherently limits how well these relevant populations are represented by this data. In addition, areas that experience particularly high rates of migration within their populations or are geographically, politically or technologically disconnected from the agencies to which this data is reported may not be well represented.

Overall, is the data source COMPLETE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source completeness be improved? What resources are needed to make these improvements?

Fair, the underlying census data is complete, however, the aging techniques produce results that may over or underestimate population in Indian areas.

One reviewer rates this data source as Good for completeness but notes that, while agreeing that the underlying Decennial Census data rates well in Completeness, it is not without its own limitations. Thus, any further limitations introduced by the other data sources simply amplify this issue.

GOOD, this data address the requirement in 24 CFR 1000.330(b), for the Needs variables data to be adjusted annually beginning the year after the Needs data is collected by using IHS projections based upon birth and death rate data as provided by the NCHS.

Availability

1. Can the data be collected and analyzed with no significant additional resources?

Yes, Census funds creation of the bridged race file, the states fund collection of vital statistics, the CDC funds collection of statistics from the states and the IHS funds merging the data and running the algorithms to produce the population estimates. No additional resources would be required.

2. Is there a source of funding available for the data collection and analysis? Explain the resources needed (and the source of these resources) to develop, administer, and analyze the data.

Yes. As noted above, this project is currently funded.

3. Can the data collection process be completed without imposing an additional administrative burden on tribes/TDHEs? If no, describe what support is available or needed (if not available) to reduce those burdens? Explain.

Yes

4. Is the data quantifiable and easily integrated into a funding allocation formula?

Yes, the data is currently integrated into the IHBG formula as an “ageing” factor.

Overall, is the data source AVAILABLE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source availability be improved? What resources are needed to make these improvements?

Excellent. The data is readily available and is currently used in the formula.

Transparency

1. Has the data source been subjected to previous study/evaluation to assess strengths and weaknesses? If yes, are those studies available?

None known

Decennial Census data has been extensively studied, and those reports are available. No known reports have been written specifically on the IHS annual population estimates based on census data and annual birth and death rates.

2. Were you able to find answers to most data screening, characterization and evaluation questions? Explain which questions you were not able to answer and why.

Yes

Overall, is the data source TRANSPARENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor How? Provide a narrative explanation for the overall rating. can the data source transparency be improved? What resources are needed to make these improvements?

Good – The underlying data Census data is a known reliable data source. The technique to age the data using a regression formula is known, which makes the data source transparent.

One reviewer would disagree that, in its current state, this is a “known reliable data source” as it was effectively dismissed as a viable ongoing option and identified as one of the chief causes of data distortion in the formula by those who currently run the formula and others during the Negotiating Rulemaking process. This reviewer would rate the transparency of the ageing process itself as Good because, while the underlying aggregated data and techniques used to age the data may be known, the results of their application at the county level within the formula are presently much more difficult to obtain or scrutinize.

Summary and Conclusions

1. Overall, is the data source appropriate for measuring one or more current IHBG formula variable(s)? Choose one of the following options and explain: Excellent, Good, Fair, Poor. What are the areas of biggest concern?

Fair source for AIAN. This would be a better source for AIAN if IHS updated to the 2010 Census. However, since the 2000 census is still the underlying data, this source is less reliable. In general, whenever, aging or other strategies are used to estimate changes in a data set, the further away from the original data you are, the less reliable and accurate is the resulting information.

One reviewer notes its agreement with the overall rating of Fair and the conclusion that the standard use of the latest Decennial Census data as baseline AIAN persons data would likely improve the relative accuracy of this data source. However, even with the latest Decennial Census data, this source would only rate as Good due to potential underreporting concerns in tribal areas and its failure to address the migration of AIAN persons, the distinction between AIAN Alone and AIAN Alone or In Combination populations, and the need for AIAN person data at the formula area, rather than county, level.

Another reviewer sees that the lack of any data of migration places this data in the "Fair" category. The Indian Health Service acknowledged that lack of migration data was a flaw and probably accounted for the 1990 Census data being eight percent greater than expected from the Service Area Estimates.

2. Overall, is the data source appropriate for measuring other aspects of housing need (as developed in the characterization phase) that are not current formula variables?

No

Evaluate the Data Source – Tribal Enrollment

Relevance

1. Does the data source measure data that is based on factors that reflect the need of the Indian tribes and the Indian areas of the tribes for assistance for affordable housing activities, including (*answer Y/N for each*):

- a. the extent of poverty within Indian areas of the tribe - **No**
- b. economic distress within Indian areas of the tribe - **No**
- c. the number of Indian families within Indian areas of the tribe -

The data is collected at the individual member level and may or may not be able to be collated to identify the number of Indian families.

No. At best enrollment data provides information regarding the total membership of a tribe, although in some tribes enrollment does not occur until age 18. There are no uniform standards from tribe to tribe that ensure additional data, such as address/location or family information is collected. Therefore, while enrollment data can potentially measure the number of Indian persons, it is unlikely that it can be used to measure Indian families or even the number of Indian persons within Indian areas.

- d. other objectively measurable conditions as the Secretary and the Indian tribes may specify -

No

2. Does the data source reflect the following other factors for consideration, (*answer Y/N for each*):

- a. the relative administrative capacities and other challenges faced by the recipient, including, but not limited to geographic distribution the Indian area and technical capacity - **No**
- b. the extent to which terminations of assistance under section 302c title 5 of NAHASDA will affect funding available to State recognized tribes - **No**

3. Does the data source measure the formula variables in 24 CFR Part 1000?
<select from checklist of current variables here>

- AIAN persons -

Yes - Tribal Enrollment data are the official record of enrolled Tribal members. This data source is currently used as a cap on the AIAN persons variable. If all Tribes provide the address information, the data

could also potentially be used to identify the number of enrolled members within each formula area.

No. Although enrollment can measure the number of individual tribal members, it cannot be used to measure the number of Indian families or the number of Indian individuals/families within particular geographies unless all tribes uniformly collect this data for their enrollment records and have a process of annual updating and review.

- AIAN households with annual income less than 30% of median income - **No**
- AIAN households with annual income between 30% and 50% of median income- **No**
- AIAN households with annual income between 50% and 80% of median income- **No**
- AIAN households which are overcrowded or without kitchen or plumbing- **No**
- AIAN households with housing cost burden greater than 50% of annual income- **No**
- Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock) - **No**

4. Does the data source measure other aspects of housing need? –

No – Data collected on other aspects of housing need are not consistent among all Tribes. Housing stock characteristics and demographic information are not typically collected by enrollment offices.

Overall, is the data source RELEVANT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source relevancy be improved? What resources are needed to make these improvements?

Although it is an excellent source for determining the number of enrolled Tribal members for each Tribe, this data is a poor source for other housing need factors. The data source could be improved if Tribes regularly collected and shared additional information relating to housing need. Tribes would need to commit the resources to collecting and sharing the information. The data is relevant because NAHASDA funds can only be expended on enrolled Tribal members so this source provides the universe of individuals who may be eligible for assistance.

FAIR. Enrollment data is used in the current formula to cap each tribe's AIAN population data within the Indian area of the tribe. This use is most relevant for formula purposes. It recognizes that the program serves tribal members but also works around the primary weakness of enrollment data for formula purposes – the fact that for most tribes enrollment data does not provide current addresses/locations for tribal members, making it incompatible with allocations of funding based upon IHBG formula areas. It would be extremely difficult to modify the data source to ensure that population (i.e. tribal membership) data always includes current on the location/address of tribal members. This would require every tribe to agree to collect and maintain their data in a consistent manner and at the tribe's own expense.

One reviewer rates this data source as “Excellent” for relevance with respect to its current use, determining the number of enrolled members for each tribe and providing a cap on the number of AIAN persons counted within a tribe’s expanded formula area, but Poor for other purposes since enrollment numbers alone do not have a clear relationship with housing need.

Currency

1. Does the frequency with which the data is collected make them reliably current on an annual basis, or can they be made reliably current? Explain, including how and how often data can be made current without introducing significant error into the estimates?

Tribes determine how and when they update Tribal enrollment data. Procedures for additions for births and removals for deaths are established by each Tribe. Regardless of the differing procedures, the official enrollment records identify each Tribe’s currently enrolled Tribal members. The data is not based on estimates so error rates are not relevant.

Because tribal enrollment is a matter of tribal sovereignty, each tribe determines how and when enrollment data is updated. Some tribes may do this annually on a consistent basis. Other tribes may update their enrollment less frequently. However, a tribe’s enrollment ultimately is whatever the tribes says it is when the tribe is asked to provide that data.

2. Is the aggregated data available for use within a reasonable time frame after it is collected? How long does it take for the data to be available? Explain any delays.

Tribal Enrollment data is currently available and used in the IHBG formula. The data is not collected at any specific time but always provides the current list of enrolled Tribal members.

Because enrollment data is determined by each tribe, the only question concerning availability is how long after being asked for the data the tribe actually provides it.

3. Is the data stable over time? (i.e. no sudden swings in values, caused by sampling/methodology changes/etc)

This is not a survey so sampling errors are not relevant. Each Tribe is responsible for maintaining its Tribal Enrollment records and may open or close enrollment as the Tribe chooses.

Overall, is the data source CURRENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source currency be improved? What resources needed to make these improvements?

Excellent - Tribal enrollment data identifies the individuals who are currently enrolled members of a Tribe.

Accuracy and Precision

1. Does the data collection program methodology support deriving estimates covering formula areas as described in 25 CFR 1000.302? If not, for which other geographies can the data source derive estimates?

Tribal enrollment records are not necessarily recorded by a geographic unit, although records can contain geographic information such as street address, city, state, zip code. Since members of different tribes may reside within a single formula area, determining the numbers of enrolled members of all tribes within a formula area would require specific and consistent geographic data or address information. If Tribes would collect and share the data, address information could be used to identify the number of enrolled members within each formula area. Deaths are not always recorded timely which could result in somewhat overstating a Tribe's actual number of members at a specific point in time.

No. Tribal enrollment data measures the number of enrolled tribal members. Some tribes do not collect location/address information. Others do collect that information but do not update it frequently enough to be reliable. There is no consistency in whether and how location/address data is gathered from tribe to tribe. Further, tribes cannot be required to gather and update location/address data because the enrollment data they choose to collect is a matter of tribal sovereignty. Therefore, tribal enrollment data cannot support deriving estimates for formula areas. This is the primary reason that enrollment data is currently used in the formula to cap population data.

2. Are there sufficient protocols in place to address potential respondent misunderstandings concerning data collection instruments? Explain.

Individuals seek enrollment in a Tribe and must utilize the Tribe's individually established enrollment protocols to become a member. Misunderstandings concerning the process are handled by Tribal enrollment offices.

3. Are the data collection instruments and data collection protocols culturally sensitive? Explain.

Yes, Tribes establish their own protocols which ensures cultural sensitivity.

4. Are there sufficient protocols in place to verify the accuracy of collected data?
Tribal enrollment data is the list of all currently enrolled Tribal members. It is accurate by definition.

One reviewer notes that, although tribes have the sovereign right to identify their own enrolled membership, it should be noted that at least one researcher noted that many tribes lack capacity to routinely gather information on eligible tribal members and update their enrollment data. The researcher has suggested using U.S. Census Bureau data to gather additional enrollment information to help tribes improve the accuracy and currency of their enrollment data.

Another reviewer notes that individual tribes have their own protocols and there may be some variation in their sufficiency. However, this researcher does not understand how US Census Bureau data could provide any additional information to improve the accuracy and currency of enrollment data to tribes lacking the capacity to routinely gather information, as suggested above.

5. Are there major concerns about precision? For instance, are the margins of error reasonable and consistent across all Indian areas? Explain.

This is not a survey or estimate. Margin of error and questions of precision are not applicable.

6. Are there major concerns about accuracy? For instance, do missing administrative data or imputation and/or weighting methods introduce bias?

There are no major concerns about accuracy. Each Tribe records its membership according to its own protocols. The enrollment list is the Tribe's membership.

One reviewer notes that it is true that there are no major concerns about accuracy because, from the perspective of tribal sovereignty, a tribe's enrollment is what the tribe says it is. However, some tribes experience difficulties, primarily in terms of capacity, with maintaining current tribal enrollment data that reflects all individuals eligible for enrollment. At least one tribal researcher has suggested that the U.S. Census Bureau should gather data on tribal membership to assist tribes to maintain accurate counts and locational data.

Another reviewer notes that individual tribes have their own protocols and there may be some variation in the accuracy of the data. However, we do not understand how US Census Bureau data could provide any additional information to improve the accuracy and currency of enrollment data, as suggested above.

Overall, is the data source ACCURATE and PRECISE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source accuracy and precision be improved (for example, is it possible to correct or compensate for any and all survey design issues, such as phrasing of questions, incentives for participating, imputation methods, number of attempts to collect data at sampled housing unit, etc., which are likely to introduce biases for all or a certain subgroups of tribes, including small, large, rural, urban, etc., or certain types of data, including financial, population, etc.)? What resources are needed to make these improvements?

Excellent – The Tribal lists are an accurate identification of enrolled Tribal members. While not all individuals who are eligible for enrollment may seek to enroll, the lists identify the enrolled members of each Tribe. Tribal membership is a political not a racial designation, with each Tribe determining its own enrollment criteria, including blood quantum. The most accurate and precise measure of the number of enrolled Tribal members is Tribal enrollment data.

Another reviewer also rates this data source as “Excellent” for accuracy and precision with respect to its current purpose in counting all enrolled tribal

members. However as noted below, it is not possible to use enrollment data to provide counts by formula areas or any other geographic areas.

FAIR. If the evaluation of accuracy and precision of tribal enrollment data is limited to a list of enrolled tribal members, then the ranking here should be **EXCELLENT**. However, the NAHASDA statute requires that the formula be based not simply upon the number of enrolled tribal members, but rather upon the number of Indian families in Indian areas of the tribe. Therefore, we must examine the accuracy and precision of location/address data in tribal enrollment records in order to determine the overall accuracy and precision of this data source. Because location/address data is not gathered by some tribes and not consistently updated by others, location/address data from enrollment records is of **POOR** accuracy and precision overall. This weakness of tribal enrollment data has been worked around in the current IHBG formula by using the data to cap AIAN population data from the Decennial Census.

Completeness

1. Does the data source collect data for all Indian tribes as defined in Section 4 (13) of NAHASDA?

Yes, each federally or state recognized Tribe identifies its own members.

As noted, each tribe identifies its own members. However, one reviewer would note that enrollment data does not uniformly include the current location/address data for enrolled tribal members that is necessary for purposes of the IHBG formula.

2. Are outreach efforts to encourage participation in the data source appropriate and effective within tribes/tribal areas? Are those efforts equally effective and equally implemented across all Indian areas? Explain.

Outreach efforts to encourage enrollment varies by Tribe. Additionally, interest in voluntary enrollment varies from tribe to tribe. In cases where there are payments to Tribal members or services from a program such as Indian Health Service, individuals have an incentive to seek enrollment.

3. Are all populations well represented in the data source, as evidenced by high response and inclusion rates or any other criteria? Explain any identified areas, populations, and/or topics where response or inclusion rates may be a cause for concern.

All enrolled Tribal members are included in the data source.

Overall, is the data source **COMPLETE**? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source completeness be improved? What resources are needed to make these improvements?

Excellent – Tribal enrollment data is a complete list of enrolled Tribal members.

FAIR. Although tribal enrollment data does provide a list of enrolled tribal members, it lacks current and complete location/address data for enrolled tribal members, which is necessary for purposes of the IHBG formula.

One reviewer would rate this data source as “Excellent” for completeness. We agree that tribal enrollment data is a complete list of enrolled Tribal members. Current and complete location/address data for enrolled tribal members is not necessary for an enrollment list to be complete as it is currently used in the formula.

Availability

1. Can the data be collected and analyzed with no significant additional resources?

Tribal enrollment data is used in the formula currently. If additional data is needed to address other factors such as housing need, additional resources would be required.

Yes, if the data is used in the same manner as it is presently used within the formula – to cap AIAN population data. Tribal enrollment data cannot be used for the AIAN population variable in the current IHBG formula unless all tribes agree to begin uniformly collecting and maintaining location/address data for all enrolled tribal members. This would require each tribe in the nation to elect to collect this additional data of its own volition and would require additional resources, especially to update location/address data as tribal members migrate from one location to another over time. Finally, tribal enrollment data could not be collected and analyzed to measure any other factor, variable, or housing need unless each tribe in the nation voluntarily elected to collect the agreed-upon additional data of its own volition, which would require an unknown amount of additional resources.

2. Is there a source of funding available for the data collection and analysis? Explain the resources needed (and the source of these resources) to develop, administer, and analyze the data.

Yes. Tribes collect and maintain their own Tribal Enrollment records and would not require additional funding to continue that practice. If the data source were to be used for AIAN numbers, geographic data for each Tribal member would have to be collected and shared. It is unknown at this time, if all Tribes currently collect address data. Address data could be analyzed to establish the number of Indians in each formula area. Tribes would incur the cost of collecting the data, HUD would need to provide resources to analyze the data.

It is known that not all tribes maintain and update accurate location/address data for all tribal members. Therefore, tribes would incur additional cost to gather and maintain that data. There is not presently a source of funds for this purpose. Tribes would likely be responsible for the cost. Additionally, tribes could not be required to maintain these data in their enrollment records; they would have to agree to gather and maintain this data voluntarily.

3. Can the data collection process be completed without imposing an additional administrative burden on tribes/TDHEs? If no, describe what support is available or needed (if not available) to reduce those burdens? Explain.

Yes. There is no additional burden to obtain and use the total Tribal enrollment number. If geographic information is needed, Tribes who do not currently collect address information would incur additional administrative costs.

Yes, but only if the data is used in the same manner as it is used today – to cap AIAN population data within an Indian area. Enrollment data cannot be used to measure tribal membership within a specific geography, or any other variable or aspect of housing need, unless all tribes agree to begin collecting and maintaining accurate location/address data and other data points in the course of maintaining their enrollment records. That process would impose an additional administrative burden on most tribes.

4. Is the data quantifiable and easily integrated into a funding allocation formula?

Tribal enrollment data is quantifiable and could be easily integrated into a formula in the same manner that it is currently used in the IHBG formula.

Yes, but only if the data is used in the same manner as it is used today – to cap AIAN population data within an Indian area. Enrollment data cannot be used to measure tribal membership within a specific geography, or any other variable or aspect of housing need, unless all tribes agree to begin collecting and maintaining accurate location/address data and other data points in the course of maintaining their enrollment records. Unless tribes voluntarily take on that additional data collection, tribal enrollment data could not be integrated into the IHBG formula as a Needs factor or to measure other aspects of housing need.

Overall, is the data source AVAILABLE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source availability be improved? What resources are needed to make these improvements?

Excellent - Total Tribal enrollment numbers are currently used in the formula and are readily available for that purpose.

EXCELLENT, but only if the data is used in the same manner as it is used today – to cap AIAN population data within an Indian area. POOR if proposed to be used to measure AIAN population within a specific geography or to measure other variables or aspects of housing need. Enrollment data cannot be used to measure tribal membership within a specific geography, or any other variable or aspect of housing need, unless all tribes agree to begin collecting and maintaining accurate location/address data and other data points in the course of maintaining their enrollment records. This process could not be imposed upon tribes because the manner in which they maintain their enrollment records is a function of tribal

sovereignty. Further, if all tribes agreed to gather this additional data in connection with managing their enrollment records, they would likely experience some additional administrative and cost burden.

Transparency

1. Has the data source been subjected to previous study/evaluation to assess strengths and weaknesses? If yes, are those studies available?

Unknown - The technical team is not aware of any studies regarding Tribal enrollment data.

2. Were you able to find answers to most data screening, characterization and evaluation questions? Explain which questions you were not able to answer and why.

This data is not based on sampling or estimates, therefore questions related to error rates, and sampling issues are not relevant.

Overall, is the data source TRANSPARENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor How? Provide a narrative explanation for the overall rating. can the data source transparency be improved? What resources are needed to make these improvements?

Excellent – While there is a lack of a single set of criteria and a single procedure that all Tribes use to enroll members, each Tribe has a process for enrolling its own Tribal members. The resulting enrollment data identifies all the individuals who are enrolled members of each Tribe.

Good. Tribal enrollment records are whatever a tribe says they are. Therefore, the manner in which a tribe develops its enrollment records is irrelevant to the evaluation of the data source. One issue that merits consideration is that at least one Native American researcher has emphasized the importance of federal data collection efforts like the Census in order to assist tribes to understand the total estimated number of tribal members and/or individuals eligible for membership. This creates some confusion about how well some tribal enrollment records are updated and maintained.

Another reviewer notes its agreement with the rating of this data source as “Good” for transparency as each Tribe has a process for enrolling its own members and auditing their enrollment list. There are, of course, varying degrees of transparency for those processes across tribes. However, we do not understand how the federal data collection efforts referenced above are relevant to the transparency of tribal enrollment records.

Summary and Conclusions

1. Overall, is the data source appropriate for measuring one or more current IHBG formula variable(s)? Choose one of the following options and explain: Excellent, Good, Fair, Poor. What are the areas of biggest concern?

Poor source for most of the current factors. It would be an excellent source for AIAN if additional information (e.g. geographic data) was collected and shared with the formula center.

Enrollment data is appropriate for its current use in the formula, which is to cap AIAN population within an Indian area. However, the lack of uniform tracking of location/address data for tribal members across all tribes makes tribal enrollment a poor data source for the AIAN population variable, which is geographically specific. Tribal enrollment data does not appear to be appropriate for measuring any other variable.

Another reviewer gives this data source an overall rating of “Excellent” for its current use in the formula as a factor, or cap, applied at the tribal level. However, enrollment data is not appropriate (POOR) for use in variables tied to formula areas or other geographic regions.

2. Overall, is the data source appropriate for measuring other aspects of housing need (as developed in the characterization phase) that are not current formula variables?

If total Tribal enrollment were used as a factor in the formula, this is an excellent source for that factor.

Due to the fact that most tribes do not use enrollment records to track other data, such as homelessness, Tribal enrollment does not appear to be appropriate for measuring any other aspect of housing need. Tribal enrollment data is appropriate as presently used to cap total AIAN population. It could also be used if tribal enrollment was made a formula factor.

Another reviewer notes simply that enrollment data is not appropriate for any use beyond its current application as a factor applied at the tribal level.

Evaluate the Data Source

#12, Data Reported by IHBG Grant Recipients on Formula Response Form

Relevance

1. Does the data source measure data that is based on factors that reflect the need of the Indian tribes and the Indian areas of the tribes for assistance for affordable housing activities, including *(answer Y/N for each)*:

***Please note that this “data source” is designed to report data from other sources and collect new data only from a subset of recipients if the reported data for those recipients is no longer accurate and current. The fact that this form collects new data for the purpose of updating reported data technically makes it a “data source,” though few other sources considered in this process serve only to update an underlying database/data source. As a result, this evaluation focuses primarily on the limited new data that is currently collected using this form.**

- a. the extent of poverty within Indian areas of the tribe
No
- b. economic distress within Indian areas of the tribe
No
- c. the number of Indian families within Indian areas of the tribe
No
- d. other objectively measurable conditions as the Secretary and the Indian tribes may specify
Yes

The following aspects of housing need may be measured by the Formula Response Form (though, in its current form, it is unlikely that any data set would include data from all or even a majority of tribes nationwide):

Changes/corrections to Formula Current Assisted Stock (e.g., removing units that have been conveyed)

Changes to Formula Area and Overlapping Formula Areas

Tribal Enrollment and Formula Area Population Cap

Number of conveyed units

Date of full availability of FCAS units

Date of conversion of FCAS units

Purpose, funding, and reach of housing programs outside of current formula area

Tribal enrollment

Number of AIAN persons served

Number of tribal members served

Number of members of other federally recognized tribes served

2. Does the data source reflect the following other factors for consideration, (*answer Y/N for each*):

a. the relative administrative capacities and other challenges faced by the recipient, including, but not limited to geographic distribution within the Indian area and technical capacity

Yes, the form collects administrative data regarding housing operations and was designed with consideration for the relative capacities of TDHEs to respond to the form.

b. the extent to which terminations of assistance under subchapter V of section 302 of NAHASDA will affect funding available to State recognized tribes

Absent a change in Title V of the statute, the data source will not have any independent impact on funding available to state-recognized tribes.

3. Does the data source measure the formula variables in 24 CFR Part 1000?

- AIAN persons
- AIAN households with annual income less than 30% of median income
- AIAN households with annual income between 30% and 50% of median income
- AIAN households with annual income between 50% and 80% of median income
- AIAN households which are overcrowded or without kitchen or plumbing
- AIAN households with housing cost burden greater than 50% of annual income
- X Housing Shortage (number of low-income AIAN households less total number of Formula Current Assisted Stock)

This data source does not independently develop data sets necessary to support the current formula variables. However, the form serves as the sole mechanism by which recipients can and must update the list of their FCAS units, which is actually contained in a separate database. This figure, the up-to-date number of FCAS units, also supplies a portion of the information necessary to support the “housing shortage” variable.

4. Does the data source measure other aspects of housing need?

	Units of Measurement				Population Data Sets		
	Individual	Housing Unit/Household	Family	Other:	AIAN	Enrolled Tribal Member	Other:
Unit Count		FCAS Only (for recipients)					

		submitting changes in that Fiscal Year)					
Safe and Sanitary							
Age of Unit							
Occupancy							
Room Count/Unit Size							
Unit Type							
Facilities (Kitchen/Plumbing)							
Unit Tenure/Ownership		FCAS Only(for recipients submitting changes in that Fiscal Year)					
Population							
Income							
Expenses							
Employment							
Disability							
Other Aspect of Need: _____							

Overall, is the data source RELEVANT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source relevancy be improved? What resources are needed to make these improvements?

Excellent (with respect to the limited data that is in fact collected via this form). As noted above, the Formula Response Form serves as THE tool for updating the database which tracks the number of FCAS units incorporated into the Housing Shortage variable.

Two reviewers rate the relevancy of the data source as poor because in its current form it collects data for only one element of one factor (FCAS).

All reviewers agree that the limited data that is collected (updated FCAS numbers) is relevant and used in the current formula.

Currency

1. Does the frequency with which the data is collected make them reliably current on an annual basis, or can they be made reliably current? Explain, including how and how often data can be made current without introducing significant error into the estimates?

Yes. The data that is collected by this form is collected annually and, therefore, is consistently current without additional ageing or other adjustment, assuming that the administrative data on which it is based are kept up to date.

2. Is the aggregated data available for use within a reasonable time frame after it is collected? How long does it take for the data to be available? Explain any delays.

Yes. The data is available in less than 7 months. The Formula Response Form is due in October of the current year and the FY IHBG Estimate Allocation data is released in May of each year.

3. Is the data stable over time? (i.e. no sudden swings in values, caused by sampling/methodology changes/etc.)

As noted above, most of the data on the form is merely reported from other sources. We discuss the stability of the data reported from other sources elsewhere in their own characterizations and evaluations. With respect to the number of FCAS units reported, the only piece of data collected only using this form, the data has remained relatively stable, though stability is largely dependent upon the rate, number and cycle of actual conveyances as well as regulatory and judicial interpretations of what been truly conveyed.

Overall, is the data source CURRENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source currency be improved? What resources needed to make these improvements?

Good/Excellent. What little new data (mainly concerning FCAS units) is captured on this form is collected on an annual basis, though the overall currency of the data provided (and thus the underlying database) is dependent on whether all recipients have made the necessary changes to their data in compliance with the regulations. The data reported from other sources may or may not be reliably current on an annual basis, depending on the manner in which they are collected and/or “aged” (for example, see the characterization for the Decennial Census).

Fair/Poor - Three reviewers rate this data source as fair to poor - As it currently exists only the FCAS data can be considered current and only for recipients who respond.

All reviewers agree that only the FCAS data, the data actually collected by this form, can be considered current. However, there is disagreement over whether FCAS data is only current for recipients who respond. Recipients are required to update their FCAS numbers if they have changed, so (assuming these directions are followed) the data for recipients who do not respond will still be current, it will just be unchanged.

Accuracy and Precision

1. Does the data collection program methodology support deriving estimates covering formula areas as described in 25 CFR 1000.302? If not, for which other geographies can the data source derive estimates?

The program does not estimate data values. Tribes/TDHEs provide data based on their administrative records for their formula area or smaller geographic units. Pursuant to CFR 100.302, the Formula Response Form is the form recipients use to report changes to their FCAS, formula area and other formula related information before each year's formula allocation. Additionally, CFR 1000.315 states that recipients must submit a Formula Response Form to correct their FCAS data for the IHBG formula. Regular audits ensure that any identified changes in formula data have been reflected on a recipient's form.

2. Are there sufficient protocols in place to address potential respondent misunderstandings concerning data collection instruments? Explain.

Yes. HUD will provide assistance to recipients in completing the form if necessary. Official guidance has also been provided regarding the determination of what, for HUD's purposes, constitutes conveyance of a unit. See NAHASDA Program Guidance 1998-19, Regulatory Requirements Regarding FCAS as Listed on a Tribe's Formula. In addition, section 301(b)(i) of NAHASDA and CFR 1000.312, 1000.314 and 1000.318 establish when units are counted and cease to be counted as FCAS.

3. Are the data collection instruments and data collection protocols culturally sensitive? Explain.

The Formula Response Form represents administrative data collection, rather than a survey, so the cultural sensitivity of the forms is of less significance than the clarity and efficiency of the form.

4. Are there sufficient protocols in place to verify the accuracy of collected data?

Yes. HUD reviews each requested change to formula data submitted by recipients and performs limited reviews to test the accuracy of some of the information reported on the forms.

5. Are there major concerns about precision? For instance, are the margins of error reasonable and consistent across all Indian areas? Explain

Since the Formula Response Form represents administrative data collection, determining margins of error is not possible. While HUD has provided guidance concerning the classification of FCAS units, individual recipients submit corrections to their data and this process may allow for different interpretations of the relevant standards for determining total FCAS by both the tribe and the HUD staff for the relevant region.

6. Are there major concerns about accuracy? For instance, do missing administrative data or imputation and/or weighting methods introduce bias?

Tribes of more limited capacities may be less likely to correct their data or know that their data needs to be corrected, especially concerning changes addressed in the appendices (e.g., overlapping formula areas and tribes serving populations greater than their total tribal enrollment)

Overall, is the data source ACCURATE and PRECISE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source accuracy and precision be improved (for example, is it possible to correct or compensate for any and all survey design issues, such as phrasing of questions, incentives for participating, imputation methods, number of attempts to collect data at sampled housing unit, etc., which are likely to introduce biases for all or a certain subgroups of tribes, including small, large, rural, urban, etc., or certain types of data, including financial, population, etc.)? What resources are needed to make these improvements?

Good. Note that this classification refers only to the data collected concerning the FCAS for each recipient. The accuracy and precision of data concerning FCAS relies primarily upon the distribution of clear and accurate guidance from HUD as to when units cease to be counted as FCAS pursuant to the statute and regulations and recipient compliance with that guidance. Evaluating the accuracy and precision of the other data that may be updated using this form (including Tribal enrollment, Number of AIAN persons served, Number of tribal members served, and Number of members of other federally recognized tribes served) is too complex to attempt here given that individual tribes follow their own protocols to collect and manage this data and because tribes with more complex and/or overlapping areas or limited technical capacity may be less likely to update their numbers. Accuracy and precision are likely to be a bigger concern for updates to the other data reported on the form.

Completeness

1. Does the data source collect data for all Indian tribes as defined in Section 4 (13) of NAHASDA?

All Indian tribes are given the form reporting their individual data from other sources, but it is unlikely that data would be collected for all Indian tribes in any given year because filling out the form is only required if there have been changes in the status of FCAS units or the tribe wishes to correct some other data source.

Tribes may also fail to submit the required changes to their information, which would further limit the completeness of this data set.

2. Are outreach efforts to encourage participation in the data source appropriate and effective within tribes/tribal areas? Are those efforts equally effective and equally implemented across all Indian areas? Explain.

HUD applies its requirements concerning submission of Formula Response Forms uniformly, though not every tribe must submit a form even within those requirements.

3. Are all populations well represented in the data source, as evidenced by high response and inclusion rates or any other criteria? Explain any identified areas, populations, and/or topics where response or inclusion rates may be a cause for concern.

As noted previously, tribes lacking capacity to properly review and correct the data reported in the form may fail to properly review or update their data. In addition, recipients with more complex housing ownership portfolios may be less likely to perfectly track the conveyances of units within their FCAS.

Overall, is the data source COMPLETE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source completeness be improved? What resources are needed to make these improvements?

Poor. As an independent “data source,” the Formula Response Form rates poorly because it merely updates a database based on a subset of new data submitted each year and as such never develops a complete data set on an annual or any other cycle.

Availability

1. Can the data be collected and analyzed with no significant additional resources?
Yes and No. HUD can collect and analyze the data in the same manner that it has for over a decade. There may be additional resources necessary to make sure that all tribes have the capacity to collect the requisite data to change the data currently reported on their Formula Response Form and evaluate when those changes are necessary.

2. Is there a source of funding available for the data collection and analysis? Explain the resources needed (and the source of these resources) to develop, administer, and analyze the data.

As noted above, HUD would not need additional resources to distribute, collect and analyze the data provided on the Formula Response Form. Any effort to ensure that all recipients were able to accurately review and update their data would require additional resources. No funding source has been identified for the latter aspect.

3. Can the data collection process be completed without imposing an additional administrative burden on tribes/TDHEs? If no, describe what support is available or needed (if not available) to reduce those burdens? Explain.

Yes. In its current form, the Formula Response Form has been used for over a decade. How well tribes have utilized the form and whether additional resources would be needed to accurately respond to it cannot be fully addressed in this evaluation.

4. Is the data quantifiable and easily integrated into a funding allocation formula?

Yes. The limited data provided in response to the Formula Response Form can be easily integrated into the formula once it is evaluated and incorporated into the underlying national database of existing FCAS units.

Overall, is the data source AVAILABLE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source availability be improved? What resources are needed to make these improvements?

Good. Additional resources would be necessary to ensure all recipients were able to accurately review and update their data, but the current program is good to excellent for data on FCAS units, for example.

Transparency

1. Has the data source been subjected to previous study/evaluation to assess strengths and weaknesses? If yes, are those studies available?

While the form itself is an OMB-approved form and the data submitted by each recipient is independently reviewed and evaluated by HUD, no specific studies concerning the strengths and weaknesses of this data source have been identified. This may be due in part to the fact that the form itself merely updates existing data rather than producing any independent data sets.

2. Were you able to find answers to most data screening, characterization and evaluation questions? Explain which questions you were not able to answer and why.

Due to the fact that the Formula Response Form (as noted by its title) is actually a reporting of data which is meant to elicit data from respondents only if the reported data is believed to be inaccurate, it is not clear whether nonresponse always signifies that no change is necessary or if it may simply be due to oversight or negligent omission.

Overall, is the data source TRANSPARENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor How? Provide a narrative explanation for the overall rating. Can the data source transparency be improved? What resources are needed to make these improvements?

Fair. As this is an administrative data “source” that collects data only when individual recipients are obliged to submit changes to reported data, the transparency of this source hinges upon how many changes are in fact requested and the rate or regularity at which they are approved or denied.

Summary and Conclusions

1. Overall, is the data source appropriate for measuring one or more current IHBG formula variable(s)? Choose one of the following options and explain: Excellent, Good, Fair, Poor. What are the areas of biggest concern?

Good/Fair. If changes to FCAS or other formula area data are submitted via the Formula Response Form, these changes can have the effect of changing data reported from other data sources which are then used to define formula areas and calculate formula variables. As noted above, the Formula Response Form is itself merely a tool for HUD to report each recipient's current formula data and for recipients to submit any changes to that data. The form's role as a "data source" for the IHBG formula is dependent on its connection to the databases that contain the complete formula data sets which in turn provide the formula data reported on each recipient's form.

2. Overall, is the data source appropriate for measuring other aspects of housing need (as developed in the characterization phase) that are not current formula variables?

No. In its current form, the Formula Response Form reports data for several components of the existing IHBG formula but any other aspects of housing need could only be measured if additional questions were placed on the form and recipients were required to respond to them. However, if different variables and data sources were incorporated into the formula in the future, the Formula Response Form may be modified to allow tribes/TDHEs to update those data sources as appropriate.

Additionally, if the form were revised (potentially making it required for all tribes) it could collect information for any of the variables in the formula. However, modifying the form would also change answers to many of the above questions, including likely decreasing the availability of the data and impacting its accuracy and precision.

Evaluate the Data Source: TOTAL DEVELOPMENT COSTS (TDC)

Relevance

1. Does the data source measure data that is based on factors that reflect the need of the Indian tribes and the Indian areas of the tribes for assistance for affordable housing activities, including *(answer Y/N for each)*:
 - a. the extent of poverty within Indian areas of the tribe **No**
 - b. economic distress within Indian areas of the tribe **No**
 - c. the number of Indian families within Indian areas of the tribe **No**
 - d. other objectively measurable conditions as the Secretary and the Indian tribes may specify **No**
2. Does the data source reflect the following other factors for consideration, *(answer Y/N for each)*:
 - a. the relative administrative capacities and other challenges faced by the recipient, including, but not limited to geographic distribution within the Indian area and technical capacity.

YES. The cost of construction is a significant challenge for Tribes. This data source provides information on the cost of construction within geographic areas in the United States. However, the data does not address all Tribal areas. This data source is created by HUD using construction cost indices developed by two for-profit firms. HUD creates the total development factor for use as described in 24 CFR 1000.325.

HUD assigns the closest local cost estimate from each of the two data sources, then averages the two estimates to produce a final TDC. This provides a ratio of local construction costs to national construction costs.
 - b. the extent to which terminations of assistance under subchapter V of section 302 of NAHASDA will affect funding available to State recognized tribes **No**

3. Does the data source measure the formula variables in 24 CFR Part 1000?
<select from checklist of current variables here>

- AIAN persons **No**
- AIAN households with annual income less than 30% of median income **No**
- AIAN households with income between 30% and 50% of median income **No**
- AIAN households with annual income between 50% and 80% of median income **No**
- AIAN households which are overcrowded or without kitchen or plumbing **No**

- AIAN households with housing cost burden greater than 50% of annual income
No
- Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock)

Yes - TDC provides part of the data necessary to calculate housing shortage. The formula requires a value for TDC in the calculation of housing shortage component of the NEED portion of the IHBG formula. See 24 CFR 100, Appendix B: $(0.15 * \text{HOUSHOR} / \text{NHOUSHOR}) * \text{NEED FUNDS} * (\text{TDC} / \text{NATDC})$.

No - One reviewer would answer “No” to the Housing Shortage question above and notes that this data source measures the TDC factor used for both the Needs and FCAS portions of the current formula, but does not specifically measure any of the current variables as it is applied after all of the variables are initially calculated (as noted in the portion of the formula included above---note the bracket closing the calculation of individual variables).

Does the data source measure other aspects of housing need? **No**
< select from checklist of other aspects of housing need created during the characterization phase>

Examples of Housing Stock Characteristics Potentially Related to Housing Need:

- Total number of units
- Safe and sanitary
- Age of structure
- Occupancy
- Room count and/or size (square footage)
- Structure type
- Facilities (kitchen, plumbing, etc.)
- Household tenure/ownership
- Other: **Construction Costs** per unit. Higher costs per unit are related to need because fewer families can be served with the same amount of funding in different region due to variation in construction costs from place to place.

Examples of Demographic Information Potentially Related to Housing Need:

- Relevant population
- Income
- Expenses
- Employment
- Disability
- Other: _____

Overall, is the data source RELEVANT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source relevancy be improved? What resources are needed to make these improvements?

Fair – One reviewer rates the relevance of this source as fair. Although it is currently used in the formula to supply data for the total development factor described in 24 CFR 1000.325, it provides no information for any of the other current factors in the formula.

Excellent - Another reviewer rates the RELEVANCE as excellent with respect to the formula's need for a measure of local construction costs with respect to national construction costs or construction costs as an indicator of ability to meet need, but POOR for all other formula variables.

Good - Another reviewer rates the relevance of this source as GOOD. Construction costs are indirectly related to housing need. As noted above, TDC does not provide other information related to other variables or other aspects of housing need.

Currency

1. Does the frequency with which the data is collected make them reliably current on an annual basis, or can they be made reliably current? Explain, including how and how often data can be made current without introducing significant error into the estimates?

Yes, HUD updates this analysis every year with new construction cost data from the two underlying data sources.

2. Is the aggregated data available for use within a reasonable time frame after it is collected? How long does it take for the data to be available? Explain any delays.
Yes, the underlying data are developed by two nationally recognized firms that provide cost indices for use by housing professionals. They are readily available. The timeline from collection to publication is unknown.

Another reviewer notes that the current year's published cost data is based upon data from the previous year.

3. Is the data stable over time? (i.e. no sudden swings in values, caused by sampling/methodology changes/etc)

The data changes with the economy. The quality of the data is stable.

Overall, is the data source CURRENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source currency be improved? What resources needed to make these improvements?

Excellent – The data is current. It is collected and analyzed continuously by professional firms that provide the data to the housing industry.

Accuracy and Precision

1. Does the data collection program methodology support deriving estimates covering formula areas as described in 25 CFR 1000.302? If not, for which other geographies can the data source derive estimates?

Unknown – The information collection processes are proprietary and the firms do not disclose their methodology. HUD uses the underlying data to develop, by formula area, TDC factors for use in the formula, and by Tribe, expenditure limits for use in determining “modest” housing.

2. Are there sufficient protocols in place to address potential respondent misunderstandings concerning data collection instruments? Explain.

Unknown – See #1.

3. Are the data collection instruments and data collection protocols culturally sensitive? Explain.

Unknown – See #1.

4. Are there sufficient protocols in place to verify the accuracy of collected data?

Unknown – See #1.

5. Are there major concerns about precision? For instance, are the margins of error reasonable and consistent across all Indian areas? Explain.

Unknown – See #1.

6. Are there major concerns about accuracy? For instance, do missing administrative data or imputation and/or weighting methods introduce bias?

Unknown – See #1.

Overall, is the data source ACCURATE and PRECISE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source accuracy and precision be improved (for example, is it possible to correct or compensate for any and all survey design issues, such as phrasing of questions, incentives for participating, imputation methods, number of attempts to collect data at sampled housing unit, etc., which are likely to introduce biases for all or a certain subgroups of tribes, including small, large, rural, urban, etc., or certain types of data, including financial, population, etc.)? What resources are needed to make these improvements?

Unknown – The information collection processes are proprietary and the for-profit firms do not disclose their methodology. The lack of transparency makes it difficult to evaluate whether or not the information is accurate and precise with respect to its use in the IHBG formula.

Of note, this data is relied on by the housing industry for estimating construction costs throughout the US and Canada. In addition the insurance industry uses this data when estimating building losses. It is a respected source in the private economy.

Completeness

1. Does the data source collect data for all Indian tribes as defined in Section 4 (13) of NAHASDA?

Both for-profit firms develop data sets that provide estimates for cities across the US. However, they do not provide estimates for tribal areas. HUD estimates a TDC for each tribal area by first estimating two different base construction costs (one from each data source) using assumptions for what is a “moderately” designed home. Then, HUD tweaks each of these base estimates based on climate differences. Finally, HUD assigns the closest local cost estimate from each of the two data sources, then averages the two estimates to produce a final TDC. These estimates are tweaked over the years as tribes go through the challenge process.

2. Are outreach efforts to encourage participation in the data source appropriate and effective within tribes/tribal areas? Are those efforts equally effective and equally implemented across all Indian areas? Explain.

Not Known. There are no known efforts to reach Tribal areas.

3. Are all populations well represented in the data source, as evidenced by high response and inclusion rates or any other criteria? Explain any identified areas, populations, and/or topics where response or inclusion rates may be a cause for concern.

No, Tribal areas are underrepresented, except for those adjacent to a metropolitan area. HUD attempts to account for this underrepresentation by estimating TDCs for tribal areas using the methodology provided above.

Overall, is the data source COMPLETE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source completeness be improved? What resources are needed to make these improvements?

Poor – One reviewer states this data source does not provide information specifically related to the cost of construction in Tribal areas.

Excellent - One reviewer notes that this data source is complete with regards to the inclusion of all aspects of construction, from site preparation to site clean up. From that perspective it should be rated Excellent.

Availability

1. Can the data be collected and analyzed with no significant additional resources?

Yes

2. Is there a source of funding available for the data collection and analysis? Explain the resources needed (and the source of these resources) to develop, administer, and analyze the data.

Both of the underlying surveys are paid for by for-profit, private companies that administer the surveys themselves. HUD purchases the resulting data set and is therefore responsible for the underlying cost. HUD is also responsible for the staff work necessary to estimate tribal level TDCs.

3. Can the data collection process be completed without imposing an additional administrative burden on tribes/TDHEs? If no, describe what support is available or needed (if not available) to reduce those burdens? Explain.

Yes

4. Is the data quantifiable and easily integrated into a funding allocation formula?

Yes

Overall, is the data source AVAILABLE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source availability be improved? What resources are needed to make these improvements?

Excellent. The data is readily available and is currently used in the formula.

Transparency

1. Has the data source been subjected to previous study/evaluation to assess strengths and weaknesses? If yes, are those studies available?

None known

2. Were you able to find answers to most data screening, characterization and evaluation questions? Explain which questions you were not able to answer and why.

Questions on accuracy, precision, and completeness were difficult to answer because the data collection firms are for-profit enterprises who will not share their methods.

Overall, is the data source TRANSPARENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor How? Provide a narrative explanation for the overall rating. can the

data source transparency be improved? What resources are needed to make these improvements?

Poor – the two firms that collect the underlying data are for-profit firms who do not share their methodology.

However, one reviewer notes that concerns about transparency are counterbalanced by their wide acceptance and use by developers , insurance adjusters and homebuilders throughout the nation. These professionals find them to be sufficiently accurate and transparent enough to continue paying for them.

Summary and Conclusions

1. Overall, is the data source appropriate for measuring one or more current IHBG formula variable(s)? Choose one of the following options and explain: Excellent, Good, Fair, Poor. What are the areas of biggest concern?

Fair for the TDC factor – Two reviewers give this source an overall rating of “Fair” based primarily on the fact that it does not provide raw data collected in Indian areas but rather extrapolates data originally collected in certain cities. Thus, as noted below, it may be highly inaccurate for some tribes.

A second reviewer thinks this should be "good" because it does a reasonable job of showing development cost differences which is very important to capture. Total Development Cost uses privately provided data on construction costs to estimate how much it might cost to develop a unit in tribal areas. In general the TDC is only a rough guess at construction cost differences in tribal areas, and may be highly inaccurate for some individual tribes. This is a useful variable as a way to treat needy tribal members equally in high cost places to needy tribal members in low cost areas. Nonetheless more research is needed to make sure individual tribes' unique costs are taken into account.

Poor for all other factors.

2. Overall, is the data source appropriate for measuring other aspects of housing need (as developed in the characterization phase) that are not current formula variables?

Two reviewers answer “No,” as this data source is currently used as a factor to address the cost of construction. It is not appropriate for measuring any other aspects of housing need or as an independent variable.

One reviewer answers “Yes,” if the other aspect of housing need is the cost to construct a home. From a supply based perspective Construction Cost data is relevant to need. If a home can be built for \$100,000 in Tribal Area A but the same home costs \$150,000 in Tribal Area B, then Tribal area B has a greater need for resources in order to achieve a specific level of housing supply.

Evaluate the Data Source – Census Population Estimates

Relevance

1. Does the data source measure data that is based on factors that reflect the need of the Indian tribes and the Indian areas of the tribes for assistance for affordable housing activities, including (*answer Y/N for each*):

- a. the extent of poverty within Indian areas of the tribe –

No.

One reviewer notes that the Census Population Estimates are used in the Census Bureau's' Small Area Income and Poverty Estimates (SAIPE) program that annually produces estimates of poverty by age groups for school districts, counties, and states. These estimates of income and poverty are for the administration of federal programs and the allocation of federal funds to school districts and other local jurisdictions. In addition to population estimates these SAIPE data combine data from administrative records and direct estimates from the American Community Survey to provide consistent and reliable single-year estimates of poverty.

- b. economic distress within Indian areas of the tribe

No

- c. the number of Indian families within Indian areas of the tribe –

No, not directly, although the population estimates are also used in the Census Bureau's Small Area Income and Poverty Estimates (SAIPE) program to estimate low income households with children.

- d. other objectively measurable conditions as the Secretary and the Indian tribes may specify -

No

One reviewer answers the question “Yes,” and notes that this data source measures data that estimates the number of AIAN person. Although another reviewer believes that AIAN persons is covered below in question 3.

2. Does the data source reflect the following other factors for consideration, (*answer Y/N for each*):

- a. the relative administrative capacities and other challenges faced by the recipient, including, but not limited to geographic distribution the Indian area and technical capacity

No

b. the extent to which terminations of assistance under section 302c title 5 of NAHASDA will affect funding available to State recognized tribes

No

3. Does the data source measure the formula variables in 24 CFR Part 1000?
<select from checklist of current variables here>

- AIAN persons

Yes, in the second year of the process

One reviewer notes that this data source, like the IHS Population Estimates data, would not provide the underlying data for the AIAN persons variable but would facilitate the “ageing” of the base AIAN persons data which is currently provided by the Decennial Census.

- AIAN households with annual income less than 30% of median income – **No**
 - AIAN households with annual income between 30% and 50% of median income- **No**
 - AIAN households with annual income between 50% and 80% of median income- **No**
 - AIAN households which are overcrowded or without kitchen or plumbing- **No**
 - AIAN households with housing cost burden greater than 50% of annual income- **No**
 - Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock) - **No**
4. Does the data source measure other aspects of housing need? – **No**
Overall, is the data source RELEVANT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source relevancy be improved? What resources are needed to make these improvements?

Excellent used as data to “age” data from the Decennial Census, or other demographic data not available on an annual basis.. The IHBG formula Needs data (2000 Decennial Census data) is currently aged with Indian Health Service birth and death data. This IHS data does not contain a factor that addresses migration. The Census Bureau’s Population Estimates Program (PEP) produces the official US population estimates for states, counties, Puerto Rico, and all areas of general purpose government (i.e. cities and towns) between Decennial Census products. The Census produces these estimates for use in a variety of federal funding formulas, local government and business planning efforts, and to be used as statistical controls in the American Community Survey (ACS) and the Current Population Survey (previously characterized for the Study Group). Annually

population estimates are provided for counties. These estimates are expanded in the following year with estimates for each county of the number of male and female persons in these relevant race categories: AI/AN alone, AI/AN alone or in combination with one or more other races, Hispanic AI/AN alone, Hispanic AI/AN alone or in combination, Not Hispanic AI/AN alone, and Not Hispanic AI/AN alone or in combination..

Another reviewer rates this as "Fair" since it is not capturing the population change we are most interested - Native Americans in tribal areas. This is a major flaw that would make its use for aging the data risky.

Another reviewer rates this as "Good." In its current form, there is a need to age data and populate the AIAN persons variable in the current formula, but given the issues raised concerning the relevance of decennial census data (mentioned elsewhere) and the inconsistent ways AIAN is defined in the other data sources feeding into it (according to the characterization: National Center for Health Statistics (NCHS), the Federal State Cooperative for Population Estimates (FSCPE), the Internal Revenue Service, Medicare, branches of the military, and the Department of Federal Affairs), this data source's relevance is limited.

Currency

1. Does the frequency with which the data is collected make them reliably current on an annual basis, or can they be made reliably current? Explain, including how and how often data can be made current without introducing significant error into the estimates?

Yes. Population estimates are produced on an annual basis according to the following formula:

The population base used is the enumerated count from the most recent decennial census of the US Bureau of the Census updated to reflect changes due to the Count Question Resolution (CQR) program.

These data are made current with administrative records. Data for two of the core components of the demographic equation, births and deaths, come from administrative records on vital statistics from the National Center for Health Statistics (NCHS) and the Federal State Cooperative for Population Estimates (FSCPE). NCHS data are derived from birth and death certificates across the United States. Birth data include date of birth, sex of child, residence and age of mother, and race and Hispanic origin of both mother and father. Death data include residence, age, sex, race, and Hispanic origin of each decedent, and the date each death occurred. The FSCPE contributes data on the geographic distribution of recent vital events within their respective states.

Net domestic migration is based upon administrative records of the Internal Revenue Service, Medicare, branches of the military, the Department of Veterans Affairs, and the Federal-State Cooperative for Population Estimates.

The administrative records for the three components are those from the year prior to the one being estimated. For example the 2015 estimates will be release July 1, 2015 using administrative data from 2014. The 2015 estimates by race will be released July 1, 2016.

2. Is the aggregated data available for use within a reasonable time frame after it is collected? How long does it take for the data to be available? Explain any delays.

Yes. The annual population estimates for counties are available about July 1. This means that it takes only six months to adjust the Decennial base data from the prior year's birth, death, and migration events. However, it takes an additional year for the projections to be broken down by race.

3. Is the data stable over time? (i.e. no sudden swings in values, caused by sampling/methodology changes/etc)

Yes. See the Decennial Census evaluation for the discussion on the population base data. The other variables are not based upon a sample survey so there are no sampling errors.

One reviewer notes that the methodology for collecting the various sets of data included in this data source appears to have remained relatively stable over time

Overall, is the data source CURRENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source currency be improved? What resources needed to make these improvements?

Excellent, for the total county population estimates. Good for the county population estimates broken down by race.

Accuracy and Precision

1. Does the data collection program methodology support deriving estimates covering formula areas as described in 25 CFR 1000.302? If not, for which other geographies can the data source derive estimates?

Yes. This data source is designed to produce population estimates for the United States, states, counties, and municipal governments (incorporated places, Puerto Rico municipios, and minor civil divisions). The data set does not provide estimates for Census defined AIAN areas. The related product, the Small Area Income and Population Estimates provides data for all school districts. The relationship between the geographies of formula areas and school districts is not available.

One reviewer answers the Precision part of this question "No," as the data source produces estimates for counties, not formula areas.

2. Are there sufficient protocols in place to address potential respondent misunderstandings concerning data collection instruments? Explain.

Yes. “Respondents” are typically participants in a survey. Protocols for addressing respondent misunderstandings with respect to the population base data are discussed in the Decennial Census evaluation. There are no respondents involved in the administrative data, the birth, death, and migration data.

One reviewer answers this question “No.” The way AIAN is defined across these different data sources could easily cause misunderstandings and there are no consistent standards or protocols across states for reporting race on birth and death certificates.

3. Are the data collection instruments and data collection protocols culturally sensitive? Explain.

Yes for population base. These protocols are discussed in the Decennial Census evaluation. This question is Not Applicable for data on birth, death, and migration. These are administrative records.

One reviewer answers this question “No.” Because the Decennial Census must balance the interests of many different subpopulations, the extent to which the survey instrument itself can be adjusted to reflect the specific cultural sensitivities of AI/AN persons is extremely limited. The birth, death, and migration records are not all available for analysis, but certainly the way AIAN status is determined by funeral directors and other professional staff is not universally culturally sensitive.

4. Are there sufficient protocols in place to verify the accuracy of collected data?
Yes, accuracy of the population base data is discussed in the Decennial Census evaluation. There is no data on the accuracy of birth, death, and migration data.

One reviewer notes that its answer with respect to the relevant non-base data is “No.”

5. Are there major concerns about precision? For instance, are the margins of error reasonable and consistent across all Indian areas? Explain.

This is not a survey or estimate from a sample. Margin of error and questions of precision are not applicable.

One reviewer answers this question “Yes.” This is an estimate (“Population Estimates Program”) and it involves aggregating data collected at different geographic resolutions, so there will be error. There would be more error trying to extrapolate values to formula areas. Margins of error are not provided with the data, but they are estimates and do have some associated error.

6. Are there major concerns about accuracy? For instance, do missing administrative data or imputation and/or weighting methods introduce bias?

Yes. One reviewer is concerned about the misidentification of race in all data sets and about unrecorded births and deaths. Also birth and death certificates do not consistently identify all race information for multiracial individuals. Migration data is based on Internal Revenue Service (IRS) tax exemptions, change in Medicare enrollment, and change in military group quarters population based on administrative records. One reviewer believes it is unlikely that this data collects the true migration patterns of Native Americans. Creating migration estimates by full demographic detail requires estimating the race associated with IRS tax exemptions using a “Person Demographic Characteristics File (PDCF)”¹, plus adjustments to correct the undercoverage of IRS data. See the Decennial Census evaluation for further discussion of accuracy concerns related to that data set.

Overall, is the data source ACCURATE and PRECISE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source accuracy and precision be improved (for example, is it possible to correct or compensate for any and all survey design issues, such as phrasing of questions, incentives for participating, imputation methods, number of attempts to collect data at sampled housing unit, etc., which are likely to introduce biases for all or a certain subgroups of tribes, including small, large, rural, urban, etc., or certain types of data, including financial, population, etc.)? What resources are needed to make these improvements?

One reviewer believes the Accuracy is Excellent to Good at the county level. Overall, the Census Bureau analysis of the accuracy of the successive estimates from 2000 to 2010 showed that the average absolute difference between the final 2010 total resident population estimates and 2010 Census counts was only about 3.1 percent across all counties. Additionally unlike the IHS birth and death data, these estimates include a factor for migration. Three other reviewers rates this as fair. This variable is not accurate or precise for measuring Native American population change over time; it is relatively precise for capturing county total population changes; but even that is often found to be wrong in retrospect.

Completeness

1. Does the data source collect data for all Indian tribes as defined in Section 4 (13) of NAHASDA?

No. Although there is no new collection of data. The population estimates are for all counties in the nation. Currently there is no way to break out individual formula area. However projections for formula area may be possible since Census makes projections of population and poverty by school district in the Small Area Income and Population Estimates (SAIPE) program. The Geographic Branch of the Census Bureau has been asked to answer this question.

¹ (<https://www.census.gov/popest/methodology/2014-natstcopr-meth.pdf>)

One reviewer notes this data source is a composite of different data sources which capture demographic data at different geographic levels, and each source would need to be reviewed independently to fully answer this question and determine how certain data must be generalized or extrapolated to produce estimates and projections for specific geographies.

2. Are outreach efforts to encourage participation in the data source appropriate and effective within tribes/tribal areas? Are those efforts equally effective and equally implemented across all Indian areas? Explain.

Not applicable. There is no new collection of data in this program. See the Decennial Census evaluation for information on encouraging participation in the base population data.

3. Are all populations well represented in the data source, as evidenced by high response and inclusion rates or any other criteria? Explain any identified areas, populations, and/or topics where response or inclusion rates may be a cause for concern.

There is no new collection of data in this program. See the Decennial Census evaluation for information on the base population data.

One reviewer notes, as mentioned above, that a review of each of the underlying data sources would be necessary to determine whether all populations are well represented in that particular source and, if not, what impact that circumstance would have on completeness and accuracy of the data source.

Concerns have been expressed about the completeness and accuracy of the administrative records of birth and death. However one demographer working with the recording of birth and death data in his state had this to say,

“It is indeed possible that births and deaths happen without being registered but by its nature, it is difficult to determine these numbers. In general, completeness of reporting has increased over time and currently almost all (if not all) births and deaths in Texas are registered. That said, some records may be filed late (delayed) and others may be filed but have incomplete or inaccurate information. In other words, other factors than completeness of reporting may affect vital statistics.”²

One reviewer notes that transient populations and other homeless persons not sleeping in organized shelters, may not be included any of the constituent data sources.

Overall, is the data source COMPLETE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source completeness be improved? What resources are needed to make these improvements?

² Jeff Swanson, Texas Department of State Health Services (Personal Communication, February 17, 2015)

Excellent. The base population data is reviewed in the evaluation of the Decennial Census. While it is possible that there are errors and omissions in the birth and death data, it is also possible that there are very few unrecorded or incorrectly recorded births and deaths. There is no data to indicate that this is a significant problem.

Another reviewer rates this data source as “Fair”. The potential for inaccurate recording of race on birth and death certificates is problematic. Additionally, the migration data are administrative records derived from sources with which many Native Americans never interact (IRS, Military, Medicare)

Another reviewer would rate this data source as “Fair/Good.” Liken the reviewer directly above, we have concerns about the completeness of the migration data and its ability to measure race, and have slightly more limited concerns with the completeness of the Decennial Census data or birth and death data.

Availability

1. Can the data be collected and analyzed with no significant additional resources?

Yes. They are part of an existing program of the Census Bureau.

2. Is there a source of funding available for the data collection and analysis? Explain the resources needed (and the source of these resources) to develop, administer, and analyze the data.

Yes. Congress funds the annual estimates as well as the decennial census and administrative records upon which it is based.

3. Can the data collection process be completed without imposing an additional administrative burden on tribes/TDHEs? If no, describe what support is available or needed (if not available) to reduce those burdens? Explain.

Yes, there is no additional burden on tribes.

4. Is the data quantifiable and easily integrated into a funding allocation formula?

Yes, the data is quantitative and easily integrated into the current allocation formula.

Overall, is the data source AVAILABLE? Choose one of the following options and explain: Excellent, Good, Fair, Poor? Provide a narrative explanation for the overall rating. How can the data source availability be improved? What resources are needed to make these improvements?

Excellent. This is a current program of the Census Bureau that uses births, deaths, and migration to estimate population change.

Transparency

1. Has the data source been subjected to previous study/evaluation to assess strengths and weaknesses? If yes, are those studies available?

YES. The Census Bureau has produced over 100 working papers that examine the population estimates over the last two decades. In addition the data for doing additional analyses of the accuracy of estimates is available for other researchers. The Center for Disease Control Division of Vital Statistics has moved from a main frame data base viewable at only at the end of a year to a data base that provides almost real-time viewing of vital statistics. The Division of Vital Statistics conducts studies of the birth and death data that they collect.

2. Were you able to find answers to most data screening, characterization and evaluation questions? Explain which questions you were not able to answer and why.

YES.

One reviewer would answer this question “No.” We don’t know enough about the methodology for migration data and all of the statistical adjustments made at various stages. Since this data is aggregated from multiple sources at different geographic resolutions, it is not clear that it could be aggregated at the formula area level.

Overall, is the data source TRANSPARENT? Choose one of the following options and explain: Excellent, Good, Fair, Poor How? Provide a narrative explanation for the overall rating. can the data source transparency be improved? What resources are needed to make these improvements?

Excellent. Census and the units of CDC all seem concerned with producing studies that show the strengths and weaknesses of their data.

One reviewer would rate this data source as “Fair” for transparency. Combining multiple data sources in this way makes it difficult to assess the strengths and weaknesses of each component, much less the overall data source. The way race is combined from multiple sources, including sources that do and do not distinguish between AIAN alone from AIAN alone or in combination (or do not identify race at all) is not clear.

Summary and Conclusions

1. Overall, is the data source appropriate for measuring one or more current IHBG formula variable(s)? Choose one of the following options and explain: Excellent, Good, Fair, Poor. What are the areas of biggest concern?

Excellent/Good as source of data for aging Decennial Census, ACS, or other data collected at intervals of three or more years and where the values represent persons in the formula area. While Indian Health Service currently provides birth

and death data to HUD for use in aging the IHBG formula, that data does not include any factor for migration. Inclusion of migration in the Population Estimate Program should make it a more accurate aging factor.

Another reviewer rates this as good to fair since it does not capture Native American population change; and does not provide data at the tribal area geography.

Another reviewer rates this source as “Fair” because birth and death certificates do not consistently identify race and migration statistics are collected by sources that do not interact with many Native Americans (IRS, Medicare, and the Military).

Another reviewer gives this data source an overall rating of “Fair.” The areas of biggest concern are the multiple ways AIAN is defined (including self-identified racial status on the Decennial Census form and by individual funeral directors or other professionals for death certificates), the error involved in extrapolating county-level data to formula areas, and the adjustments made to bring all these data sources together. We need more information comparing the AIAN populations by the PEP within formula area counties with Decennial census counts rather than comparing the total population of counties. This could be used as a source for ageing formula data; we recommend the committee compares the Population Estimate Program and IHS Projections/Vital Statistics, as well as any other possible ageing methods, to determine the range of options. Additionally, it is worth noting that there is more to the ageing process than a data source; translating annual county level population estimates into a way to age formula variables like the number of houses below a certain income threshold is not nearly as straightforward as using the annual population estimates themselves directly in the formula.

2. Overall, is the data source appropriate for measuring other aspects of housing need (as developed in the characterization phase) that are not current formula variables?

Only if it can be assumed that the other variable moves together with (is highly correlated with) changes in population.

One reviewer notes that its overall concerns expressed previously would transfer to any other aspect of housing need that could be measured or aged by this data.

Appendix F: Data Study Group Meeting Minutes

Appendix F: Data Study Group Meeting Minutes

In-Person Meeting of the Needs Data Set Study Group Scottsdale, Arizona August 28, 2014 5:00 p.m. – 8:00 pm

Meeting Notes

The meeting was called to order, and all study group members were present (all regions and HUD were represented). While there was some initial discussion on data sources brought to the table by HUD, the group stopped this conversation. Instead, the conversation shifted to discussion of rules of order, a previously held conference call of the study group, and approval of an agenda (previous discussed on the phone call).

A recap of the conference call was provided. A phone call was held previously to discuss what would be on the agenda for this meeting (all but one region were represented). Issues raised were to compile list of data sets, questionnaire/evaluation criteria for review of data sets, development of data scoring matrix for data sets, and review/drafting of Federal Register Notice for additional data sets. Members were asked to bring lists of known data sources to this meeting.

The agenda was approved after it was amended to include protocol development and recap of the conference call.

With the development of protocols, the “Guiding Principles” document from the NEEDS work group was circulated. There was discussion as to whether this document would suffice or if it needed to be altered because of concerns with existing language. It was proposed to strike the date at the top as well as revise the title. It was then decided to go through a section by section review of the language. Under Part I, the issue was raised about recognition of study members before non-study members, but no vote was taken and the committee moved on. The general comments made were that everyone is welcome to attend and participate. Under Part II (“Meetings”), it was suggested to make amendment about giving notification of when meetings are going to occur so that people outside the study group have notice.

A question was raised of whether Federal Register notice was required under Federal Advisory Committee requirements, but HUD’s position was it was not. The original idea was to post notification and documents on the IHBG Negotiated Rulemaking website. It was proposed that two weeks notice be given on the IHBG rulemaking website, and anyone else who had registered their emails for updates. The listserv for NAIHC and regional housing authorities were also suggested as alternative means of notification. In order to participate, it would be likely necessary for participants to have phone and internet access in order to be recognized (the software to be utilized allows for a queue of people waiting to be recognized as well as ability to email in questions/comments). HUD will be providing the conference call line. Details of how the software works were requested to be posted on the website.

Under Part V (Data Sources), there was some discussion that, according to Proposed 1000.331(b), the data source not do collateral damage. It was pointed out that under Part V (c) that the criteria developed to assess data sources would address this. There were no issues raised with Part IV (Presentation of Product) or Part VI (Duration of Study).

In conclusion to the rule of order discussion, a new document (separate from the NEEDS group guiding principles) is to be drafted based on the discussion. A sub-group (Karen Foster, Glenda Green, Aneva Yazzie, and Jason Adams) will draft and send back to the study group the following week. A question was also raised as to how address calling an emergency meeting (meaning the 2 weeks notice would not be given).

A draft copy of the Request for Information for data sources was circulated. Aaron Santa Anna will be submitting the notice to be published in the Federal Register to ask the public to submit knowledge of any data sources/sets that would assist the study group. The group was asked to review and email Mr. Santa Anna any comments by COB Wednesday, September 3, 2014 EDT. As comments are submitted, revised version will be provided (redlined only on substantive comments, grammatical changes will be incorporated without special notification). After publishing, the notice will run in the Federal Register for 30 days for public comment. Any public comments can be emailed to regulations.gov.

The group then returned to discussion of the data sets that were to be brought to this meeting. Study group and audience members suggested the following data sets be included for consideration:

Administrative Data

Federal:

- ICDBG performance data
- Data from programs at the Department of Veterans Affairs
- USDA 515 Rural Development program data (operating cost data)
- WIC (Department of Agriculture)
- LEAP (Department of Energy)
- Unemployment records
- National School Lunch Program
- Head start Early Childhood Education Program (Department of Education)
- IRS data on Low Income Housing Tax Credit (LIHTC) housing
- Household IRS data
- Workforce Investment Act (Department of Labor)
- USPS vacancy data

Local:

- Tribal Enrollment Records
- HA Administrative Records
- Indian Schools Education
- Counties' property level data (foreclosure, taxes, sale, etc.)

Survey / Statistical Data

Federal:

- US Census American Community Survey
- US Census Decennial count
- BLS employment/unemployment data
- BLS Consumer Price Index (CPI)

Local:

- Tribally administered surveys

Blended/Other Data Sources to Examine

- BIA Indian Labor Force Report
- IHS Population User Data
- NEKC (and other private foundation data)
- Commodities, CHR, EPA, HID

Miscellaneous

- We need to assess allocation formulas for other federal agencies to see what data sets they are using
- Tribal needs studies (framework, not actual study outcomes)
- Is it possible to contract with the Census to collect data? (new survey if existing ones aren't sufficient)

- Can we perform data matching with Administrative records with Census data for overlapping area issues?
- How can we improve existing surveys that are already on-going? (Census is doing cognitive testing right now, can we influence the future of ACS and the Decennial count?)

It was requested that a spreadsheet be developed listing all of the data sets, and the different types of information that can be pulled from each data set.

In wrapping up, it was determined that the next meeting will be September 19, 2014 at 2:30 pm Eastern Time where the remaining items from this meeting's agenda will be addressed (evaluation criteria and scoring matrix/form). Future meetings will occur on the 3rd Friday of each month.

ONAP Conference Call – September 19, 2014 @ 2:30pm EST

Participants:

- Glenda Green
- Carol Gore
- Heather Cloud
- Jason Adams
- Greg Moore
- Kevin Klingbeil
- Ed Goodman
- Karen Foster
- Aaron Santa Ana
- Miller Willey
- Jad Atallah
- Dina O'Hara
- Gary Cooper
- Sharon Vogel
- Amis (?)
- Blake Kazama

1. Questions Regarding Agenda:

Glenda – Can post Rules of Order under Study Group section on website if Karen is ready.
Karen OK to post; Glenda will send to post, not sure if can be quick but will email to participants

Agenda Approved

2. Update on Fed Reg Notice

Aaron – Did get a copy of notice signed and forwarded to F.R. for publication

- No publication date
- Fed Reg should come back today to give date
- Once he has it, will send to everyone – probably next Wed/Thurs for publication
- Then will reach out to people who run F.R. website so people can submit comments
- Probably will receive comments by the end of the month in response to notice

3. Review & Approve Rules of Order

- Karen prepared a draft based on discussion at last meeting – Glenda sent out on Wednesday
- Heather – need to read through Rules of Order – doesn't have a copy due to traveling
- (Karen Foster read a copy of draft; See Attached)
 - o First paragraph – Added provision about meeting notices on short notice
 - Meeting notices on website, email reminder would be helpful for Heather because of travel
 - Gary – Chairman can send out email to everyone – calendar invite with basic info but maybe not detailed call-in instructions
 - Karen – Will add sentence about notification by email
 - o Second paragraph –

- Glenda – This reads OK. No other input
- Third Paragraph – Minutes
 - Someone may not always be available so “to extent feasible” language makes sense here
- Fourth paragraph – Submission of Documents –
 - Docs should be sent to HUD (to Glenda’s email), who will ensure posting
- Fifth paragraph – Proposal Concept –
 - To wrap in proposal that committee approved
 - Karen – There was suggestion to include something about conduct at meetings. Can draft that in as well if need be.
 - Jason – No comments. Consistent with guiding principles. As for language on conduct, will leave to group or Chair
- Karen will send additions to Rules of Order to Glenda to post
- Motion to Approve Rules of Order
- Seconded by Glenda
- Rules of Order Approved

4. Development of Questionnaire/Eval Criteria for Review of Data Sets

- Gary – Need to develop Questionnaire or Eval Criteria for how to review data sets as presented
- Need scoring matrix as well
- Jason – 2 Documents. One is a framework (How we work through process; steps to build on); the other is a document that discusses assessment and recommendation of data sets
 - Need to move toward a common process
- Carol – Should walk through documents and get input from group
- (Jason Adams read through Framework Document; See Attached.)
- Comments:
 - Day 1 –
 - Carol - “Characterize” – What does that mean? How do we select technical people?
 - Jason’s region has hired someone for his technical expertise. “Characterize” is the heart of the issue; how we are going to characterize data. This is up for debate.
 - Carol – Requests no action be taken on Framework document until the second document is reviewed
 - Technical expert - Recommends a team approach so we have some fair approach to hiring
 - Glenda – Her understanding was that each committee member would identify their technical support person
 - Jason – If don’t have capability, need to gauge ability to do it themselves. Not meant to be exclusive.
 - Glenda – Ben Winters/Todd Richson will be their technical support
 - Gary – Other members should let him or Glenda know contact information for technical support people
 - Carol – Blake is their technical support
 - Gary – Jason and Carol should send him or Glenda their technical support contact information

- Glenda – Will put together list but not approving the process; just a good idea to do this
- Karen – Good idea; all working toward an open process
- Gary – Everything will come back to us to characterize and will have people with expertise to provide suggestions to the group
- Comment on Framework Doc – Call “Days” “Steps” instead
- Day 2 –
- Glenda – Good with discussing current variables; uncomfortable with discussion of new variables. Believes that is outside of our scope.
- Carol – Uncomfortable too. Need to be careful about our assignment. Can only use current variables and data collected from various sources today. Uncomfortable with expanding scope.
- Jason – What if data sources doesn’t correlate with current variables? Not saying no, but need to work at variables from that perspective.
- Carol – Need to provide knowledge we acquire to committee. Maybe addendum could be added about other things Study Group examined, but our primary task is to look through the lens we have today
- Jason – If we can list potential new variables and discuss in report somehow, that’s what we hope to gather. Variable taken out of a specific data source. Unfair to evaluate variable specific to one data source.
- Carol – If you talk about others, list them and articulate what that data source measures so we leave it open. That way we don’t overstep the boundaries of the assignment.
- Karen – Concerned that the reason we have variables we have is because that’s what needs to be measured. Committee can decide whether to add or subtract variables.
- Carol – Read concept approved by Committee to Study Group from June 13, 2014
 - Can introduce new data sources that measure new things that might be relevant, but assignment is clear. Need a balance because we don’t want to deviate from the assignment
- Glenda – Concern is timing. Variables can be in-depth discussions and get us off track and off schedule. Lot of work to do before next August. Wouldn’t want to have a cursory discussion on something so important. Agree w/Carol – Clearly outside scope of concept.
- Jason – Concept document says delay of implementation until completion of “study”. Study or recommendation? We are completing a “study” – wants to show all data sources, variables and give them the information.
- Carol – Agrees with Jason – want to study all relevant data sources. Disagrees with the use of word “variables or other variables”
- Karen – Use of variables is not academic. Data source is what is relevant to scheme. Don’t want to be too expansive, but shouldn’t pass over this. Need to have something that measures need in Indian country. Should be able to present to committee so committee has full view.
- Gabe – Matter of process – Whether Study Group is going to take a look at current variables and take additional steps or not. Study Group has no authority to modify variables
- Carol – For full transparency, should acknowledge not looking to add/change/modify existing variables. Don’t want to limit data sources.
- Gabe – Question for Glenda – Does HUD have concerns with study with 2 comparison assessment of data sources based on current variables and second

comparison with additional variables that could be used in future? Would HUD be comfortable with that?

- Glenda – We'll get bogged down in timing. Can't adequately have discussion on variables when trying to study relevant sources of data. The charge was to do so based on what is in the regulation. Need to remain within the scope.
- Gabe – Overall scope is current variables. If we come across data source that is relevant but not part of original data sources, can we also have addendum?
- Glenda – No problem with that so long as it's not driving the study
- Jason – Finalizing a list is our end result. If we only rely on current variables, they were selected after data sources. Data set was driving variables. Want to be flexible enough to list variables and data sets and say what strengths and weaknesses are. If we stick only with current variables, we'll be done very fast.
- Carol – Agrees with Jason. Let's not be exclusive in those data sources – Want to relay any and all data sources we discover. Up to committee to use expanded review.
- Gabe – Does Study Group try to ID all variables and seek out data sources or analyze data source and report back to committee what it could derive from them?
- Jason – The language written seems to have sounded alarms. Let's modify if we are in agreement. Want to look at current variables and list variables that come out of data sources. Can't just go by one data source.
- Karen – Rewrite section to reflect discussion. Identifying potential variables through this process.
- Carol – Proposal – Under Day 2 – would suggest we replace word variables with "data sources"
- Gary – Comment – 2 step process – Identified sources we know about as well as those unknown. Don't want to put anything in that would affect that. "Close data source interpretation period" – don't want to lose sight of 2 step process.
- Jason – We were working toward process where it would close
- Gary – Need clarification of when it will close. Not clear on when it closes.
- Carol – For every place you use "variable," replace with "data sources." Could include another bullet about variables.
- Jason – Can revise so long as still discuss variables. Needs to be some listing or discussion of variables to discuss data sources.
- Karen - Can help work on language
- Gabe – It's beyond scope of Study Group to decide variables but we will learn about new data sets that could potentially become new variables, but should be included in a part 2 of the study
- Karen – Want to give committee as much information as possible
- Jason – Will try to revise
- Miller – Needs to get off conference call. Next steps?
 - Gary – There will be work done on document, then it will be posted online. Need to have another call within next 2 weeks.
 - Jason – email with any comments or suggestions
- Day 3 –
- No comments
- Day 4 –
- No comments
- Day 5 –
- No comments
- Day 6 –

- Karen – There would need to be revisions proposed to Day 6 as there would be to Day 2.
 - Carol and Glenda – Agree
 - Day 7 –
 - No comments
 - Day 8 –
 - No comments
 - Sentence at Bottom –
 - Carol – Wants Study Group to achieve consensus based opinion – reconcile assignment with minority/majority opinion language. We have adequate communication with committee without a quarterly report
 - Karen – Agrees.
 - Jason – Who reports back to committee? Gary?
 - Gary – Was his plan to do so
 - Karen – Take language out re quarterly report
 - Gary – We provide minutes on website anyway and some update on what we've done
- Gary proposes to set up a time for another call
 - Friday, October 3, 2014 at 2:30 EST
 - Will review next document during next call
 - Can send emails to Jason discussing any suggestions to documents before next call
 - Karen – Item 5 on Agenda – Is there a relevant document?
 - Jason – Second document is the process of going through data sources, not necessarily a scoring matrix. Do we work toward a scoring matrix?
 - Carol – Need to have a framework to report back to committee. Nothing was specifically proposed.
 - Jason – Anticipates report would contain some type of matrix

Adjournment @ 4:22pm EST

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
October 3, 2014
2:30 p.m. EDT

Meeting Minutes

The conference call started with a roll call of all participants of the call, and all study group members were present (all regions and HUD were represented). The group started the meeting by looking at the proposed agenda for this call, which incorporated all the information that was posted online on the Negotiated Rulemaking website this week. Based on the information that needs to be reviewed today, the following four items to the agenda were proposed:

1. Review and Approve Agenda.
2. Update on Federal Register Notice.
3. Review and Approve Framework for Data Study Group Meetings and Process.
4. Review and Approve Proposed Data Source Assessment and Recommendation Process

The amended agenda for this call was approved. Review and approval of the remaining documents will be addressed in the next conference call.

The study group received an update on the Federal Register Notice. The Federal Register Notice Request for Information was published and is currently open for public comments until October 27, 2014. Comments can be submitted online at www.regulations.gov. To date, no comments have been posted on the website.

The group then discussed the next item on the agenda, the Proposed Framework for Data Study Group Meetings and Process document. This document was reviewed during the last conference call and the revised version was posted on the Negotiated Rulemaking website. In reviewing this revised document, there was a comment about how as a study group, there needs to be a conversation about what the process of this study group will be and about the general approach of this study group. The following three step process was proposed to the group:

1. Find the best data sources for current variables.
2. Consider if these data sources can be improved.
3. Identify additional data sources and report back to the full committee members.

There was a discussion about the various opinions on the general approach of the study group process. The group also had a discussion about how the study group looks at data sources. A comment was made that if the study group just looks at the data sources through the lenses of the current regulations, then this is a limited look; data sources will need to be looked at for what variables they measure, possibly looking at data sources that measures Indian Housing Needs.

There was a comment about how the study group has limited time to review and analyze and report back to the full committee. It was suggested that any proposed documents or processes be reviewed and comments circulated before the conference calls.

The group then had a discussion about the charge of the study group and the difference in interpretation of what this study group's primary purpose is. Some study group members thought that the charge of this study group was to analyze which data sources can best drive the current formula, while other study group members thought that the study group should evaluate as many data sources as they can and report back to the full committee.

There was also a brief discussion about Step Six of the Proposed Framework for Data Study Group Meetings and Process document. There was a comment that this study group is not selecting or prioritizing data sources but evaluating as many data sources as the group can and reporting back to the full committee.

In conclusion, the study group decided to have everyone review the Proposed Framework for Data Study Group Meetings and Process document and propose any changes and comments by COB Wednesday October 8, 2014. The study group was reminded to use the extended email distribution list (from the second meeting) to circulate any proposed changes and comments.

The group decided that item 4 on the agenda cannot be reviewed during this call. Without having the frameworks in place, the study group cannot move forward with the proposed data source assessment and recommendation process. There was a reminder for the Meeting Minutes from the last meeting to be posted on the Negotiated Rulemaking website soon.

In wrapping up, it was determined that the next conference call will be on Friday, October 17, 2014, from 3:00pm to 5:00pm Eastern Time. The next meeting will discuss any changes and comments to the Proposed Framework for Data Study Group Meetings and Process document first and review the remaining documents (Proposed Report Outline – Data Study Group, Proposed New Survey/Model Data Source Nomination Requirements, and the Proposed Data Characterization and Evaluation Matrices) and update on any comments received on the Federal Register Notice. Ms. Heather Cloud is not able to participate in the next conference call; she will be looking to see if an alternate from her region can participate in the call in her place. Mr. Gary Cooper will be sending out the proposed agenda for the next conference call this week.

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
October 17, 2014
3:00 p.m. EDT

Meeting Minutes

The conference call started with a roll call of all participants of the call, and all study group members were present except for the Region I member or Alternate. The group started the meeting by looking at the proposed agenda for this call, which was posted online on the Negotiated Rulemaking website. The proposed agenda for this call was approved.

There was a suggestion that the review of meeting minutes and comments on those minutes be built into the next future agendas. There was another suggestion that the meeting minutes be circulated to the study group before posting them online.

The study group received an update on the Federal Register Notice. As of October 17th, there was one comment received from the Inter-Tribal Council of the Five Civilized Tribes. The HUD PD&R office has offered to send out information about this Federal Register Notice out on their listserv (the main audience of the listserv is researchers). There was a question about whether the study group should receive these comments all at once or as they are posted online. The study group agreed that all comments received from the Federal Register Notice will be received all at one time at the end. The Federal Register Notice Request for Information was published and is currently open for public comments until October 27, 2014. Comments can be submitted online at www.regulations.gov.

The group then discussed the next item on the agenda, the Proposed Framework for Data Study Group Meetings and Process document. Any proposed changes and comments were requested to be submitted by COB October 8, 2014, in the last conference call and the revised version with edits and comments was posted on the Negotiated Rulemaking website. There was a question about whether additional comments can be brought up today because it was not timely. The group decided that since people who were not on the last conference call may not have known about the deadline to submit comments, the group should take into consideration additional comments from today's call. The edits and comments received were from HUD and Gabe Layman of Alaska. The group reviewed each of the steps in the revised document: *Proposed Framework for Data Study Group Meetings and Process inc HUD and AK Comments 10-15-2014*. The following discussions and changes were made during this call:

Step One

Requested change: Establish an **preliminary** outline for the format of the Final Report

Step Two

Requested change: Approve tools to be used to ~~screen~~ and evaluate nominated data sources (see Data Source Characterization and Evaluation Process Matrices)

There was a question about the difference between screening and characterization. It was explained that "screen" was used to put it in more layman's terms so that non-technical folks can understand when reading this document. However, it was decided that the word "screen" can be removed from Step Two.

It was clarified that there is a first step of screening of all data sources for recommendations. Then the second phase is the characterization of data, where there is fact finding and digging

deeper into the research. The evaluation phase takes all information from the second phase and goes down the evaluation criteria and makes determinations. There was another comment that the study group should keep this framework document simple and let the specific documents be more in-depth documents.

Step Three: no comments

Step Four

Requested change: Assign data sources meeting minimum qualifications to technical support person(s) for **preliminary** full evaluation (preliminary evaluation due four weeks after assignment)

There was a question about how assignments are made? Does each technical support person review all data sources? The group decided that the study group can decide on this when this is discussed during the review of the in-depth documents. There was question about what gets screened out and who approves this (have the study group do this)? In response, it was mentioned that it is important that it comes back to the study group from the technical group. It was clarified that the assessment documents state that the decision for screening is by the full study group.

There was a discussion about whether the study group is only looking at current variables, instead of looking at the aspects of housing need, and is this narrowing down the data sources at the beginning. In response, there was a comment that this is not a narrowing down of data sources, but the primary task of this study group is for the data sources to be identified and examined through the lens of: can the data sources support the current variables? can this be enhanced to better support those variables? what other needs do these additional data sources capture to make sure that the full committee sees the whole, robust picture. There was a comment that this discussion can move forward and as long as the study group looks at data sources that measure not just the current variables, there is an ability to measure other indicators, and look at all data sources, then it is okay. It was also clarified that in the redline version of the *Proposed Data Study Group Data Source Assessment Process* document, it states that as part of research for each data source, the study group should list out clearly if the data source can measure the current variables and what other variables can the data source measure? A final comment regarding this discussion was made that the study group is not tasked to decide on other variables but rather to list and report them back to the full committee.

Step Five

Requested change: (~~no more than one month~~ **three to five weeks** after screening phase)

There was a discussion about whether Step Five can be accomplished within one month. Since it is necessary to limit to no more than one month to move forward, the study group decided to propose the “three to five weeks” timeframe for accomplishing Step Five.

Step Six: no comments

Step Seven

Requested change: Identify other potential ~~variables~~ **needs** (not presently included in the IHBG formula) that could be measured using **optimal** data from the sources that have been evaluated. The study group decided that there is one report to the full committee but make sure that the report is robust and address the needs not in the current formula and the changes are clear identifications.

Steps Eight and Nine: no comments but decided to rename Steps Eight and Nine to Step Eight. There was a question about whether the recommendations were going to the sub-committee (work group) first prior to going to the full committee? In response, there was a comment that the concept document that was passed by the full committee states that the study group reports back to the full committee.

The group then discussed the next item on the agenda, review and approve the Proposed Data Study Group Data Source Assessment Process document. The edits and comments received were from HUD and Gabe Layman of Alaska. The group reviewed each of the stages in the revised document: *Proposed Data Study Group Data Source Assessment Process inc HUD and AK Comments 10-15-2014*. The following discussions and changes were made during this call:

Overview of Evaluation: Will be reviewed

Stage 1: Initial Screening ~~Basic Criteria for IHBG Formula~~

Requested change:

2. Is this data collection project active?

<if the source is no longer being collected, **or cannot be enhanced to bring current** can it be aged reliably? If not, reject or renominate as a model>

3. What aspect(s) of Indian Housing need does this source measure?

<if the data source does not include any **data** relevant **data to Indian need**, reject>

4. Is the project national in scope, collecting data and estimating values for all ~~tribal~~ **Indian** areas?

5.

There was a clarification that “aged reliably” was used in the redline version to set things in time, for example in inflation. However, this language was crossed out and new language proposed in replacing this term.

In wrapping up, it was determined that the next conference call will be on Monday, November 3, 2014, at 12:00pm Eastern Time. The next meeting will discuss items 4 through 7 in the current agenda and an update on any comments received on the Federal Register Notice. There was a suggestion that any additional comments and suggestions to the proposed documents be submitted with enough time before the next conference call. Mr. Gary Cooper will be sending out the proposed agenda for the next conference call this week.

Needs Data Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
November 3, 2014
12:00 p.m. EST

Meeting Notes

The conference call started with a roll call of all participants of the call, and all study group members were present except for the Region I member or Alternate. The group started the meeting by looking at the proposed agenda for this call, which was posted online on the Negotiated Rulemaking website. A new item on today's agenda is the review and approval of minutes/notes from previous meetings. It was agreed that the meeting notes will be distributed in draft form first to the study group for review. Then if the notes are approved by the study group, it will be posted online on the Negotiated Rulemaking website. It was agreed upon that the meeting notes are not word for word verbatim minutes but general notes on main ideas/agreements discussed during the call. There was one edit to the meeting notes from the last call on October 17, 2014. No comments in the "overview of evaluations" section in the *Proposed Data Study Group Data Source Assessment Process inc HUD and AK Comments 10-15-2014* document is not correct; the correct statement should say that this section will be reviewed. The proposed agenda for this call was approved.

There was a comment that the documents (with track changes and comments) that were forwarded in the email distribution were not the versions that were posted online on the Negotiated Rulemaking website. The track changed versions were later posted on the website. There was a suggestion that the documents on the website should reflect the current status of the study group – tracking the status of the study group. Clarification was provided regarding the revised documents that were forwarded in the email distribution. These documents incorporated edits/comments from Alaska and HUD, edits from the last conference call, and also included UNAHA's comments/edits that were not included in the documents reviewed during the last conference call.

There was a suggestion that going forward, any documents that the study group is continuing to work on, to keep everyone's comments/edits in one document and to make sure everyone's comments are included. Unless there is an agreement that a document is final, if the documents are not finalized, do not create new ones but just work off of the version from the last meeting. The Meeting notes from October 17, 2014, with the suggested edit were approved by the study group.

Federal Register Notice

The study group received an update on the Federal Register Notice. The public comments period has closed as of October 27th, and there were 8 distinct comments received. Ms. Glenda Green has sent out an email with a complete list of all comments received. The comments received had few data sources suggestions and others were general comments. There was a question about how information like this is distributed, especially to non study group members? Ms. Glenda Green clarified that she sends out the email with the information to the committee members and the committee members is responsible to ensure that people within their region gets this information. It was suggested that everyone review the comments from the Federal Register Notice individually and the discussion of these comments be put on the agenda for the next conference call. It was agreed upon that the complete list of comments

received from the Federal Register Notice can be posted online on the negotiated rulemaking website.

Framework for Data Study Group Meetings and Process

The group then discussed the next item on the agenda, review and approve the Proposed Framework for Data Study Group Meetings and Process document. Since this document was reviewed line by line in the last conference call, it was agreed upon to go through the steps and go into more discussion if someone has a comment on a specific step. The document reviewed is titled: *Framework-Data Study Group - UNAHA*. The following discussions and changes were made during this call:

Step One

Requested change: ~~Establish preliminary outline for the format of the Final Report~~ **Approve tools to be used to evaluate nominated data sources (see Data Source Characterization and Evaluation Process Matrices)**

Step Two

Requested change: ~~Approve tools to be used to evaluate nominated data sources (see Data Source Characterization and Evaluation Process Matrices)~~ **Establish preliminary outline for the format of the Final Report**

Step Three

Requested change: ***Close data source nomination period one ~~week~~ **month** after expiration of public comment period***

It was discussed that it has already been a week after the expiration of the public comments period. It was agreed upon that one week be changed to one month in Step Three to have sufficient time to review the public comments received.

Step Four: No changes

There are no changes made to Step Four at this time. It was discussed that the study group needs to get through reviewing and approving the Framework document first to set a basic timeline (as a placeholder). The study group then may get back to this document and adjust the timeframe accordingly at a later time. It was clarified that the characterization stage is a crucial stage because it incorporates lot of the fact finding, and this facilitates a big part of the evaluation stage.

Step Five: No changes

Step Six: No changes

Step Seven: No changes

Steps Eight

Requested Change: ~~Select~~ **Identify** optimal data source(s) for other needs that can be measured.

Technical support person(s) to prepare draft report containing recommendations for ~~Committee~~ **Data Study Group** no later than May 28, 2015.

Steps Nine: No changes

The Framework for Data Study Group Meetings and Process document with the proposed changes from this conference call was approved, with an understanding that there may be changes to dates (timeframe) once the study group starts the work.

Overview of the Data Source Assessment Process

The group then discussed the next item on the agenda, review and approve the Overview of the Data Source Assessment Process document. The document reviewed is titled: *Overview of the Data Source Assessment Process-UNAHA-October 23 2014*. There was a suggestion that language about random assignments be removed and the following options were suggested:

1. To have someone neutral (i.e. Ben Winters from PD&R) go through the data sources and put them in a matrix and basically characterize those data sources.
2. To have technical support person to look through all data sources and have individual opinions and come back to the technical group and share their opinions.

In response to the suggested options above, there was a comment that we would need tribal input, not just HUD input in the first option. There was a suggestion that it was better to have every technical representative have a chance to thoroughly review the characterization stage of every data source that that technical representative wants to review. The difference in opinions in this discussion was in who takes the first look and who takes a first stab at this.

The following changes were suggested during this call:

- Replace “divided evenly and randomly among” the technical support person(s) to “distributed to all” technical support person(s) within the document.
- The document should build in some flexibility to have technical support representatives for write up and distribution.
- The document should be more explicitly clear in describing what happens when there is no consensus.
- Add language about how data source would only be eliminated if the study group members unanimously agree that the data source does not meet the minimum requirements in the IHBG formula.
- Add language about sources to measure current variables and identifying which other housing needs it measures during the characterization process.

There was a discussion that if there are more changes to this document, that all changes will be reviewed by the study group. Based on suggestions received from this call, Kevin Klingbeil will propose new language and incorporate people’s comments for the next conference call.

In wrapping up, it was determined that the next conference call will be on Monday, November 17, 2014, at 12:00pm Eastern Time. The next meeting will discuss items 5 through 8 in the current agenda and review the comments received on the Federal Register Notice. Any additional comments to the Overview of the Data Source Assessment Process document and the Data Source Assessment and Recommendation Process document should be submitted

before the next conference call. Mr. Gary Cooper will be sending out the proposed agenda for the next conference call.

Needs Data Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
November 17, 2014
12:00 p.m. EST

Meeting Notes

The conference call started with a roll call of all participants of the call, and all study group members were present except for the Northwest and Southwest regional members or Alternates. The group started the meeting by looking at the proposed agenda for this call, which was posted online on the IHBG Negotiated Rulemaking website. There was a suggestion to reschedule the conference call today, since the documents to review for this conference call was just posted online today. There was another suggestion for a face-to-face meeting soon to finalize the framework and process documents. The Study Group Guiding Principles state that the Study Group will commit to at least two face-to-face meetings. The group proposed the following time and location for the first face-to-face meeting: December 1-2, 2014 in Seattle, WA. Since some committee members may need to fly on the day of the meeting due to the thanksgiving weekend flight schedules, it was suggested that the meeting start later in the morning on December 1st and work late into the evening. Also, there was a suggestion to end the meeting at around 3pm (early afternoon) on December 2nd for those with early flights out of Seattle. The proposed meeting space is at the HUD Seattle office conference room. Ms. Glenda Green will reach out to the NWONAP office to see if this is feasible. Once confirmed, she will send out an email to the study group committee members today about the meeting space. She will also coordinate with the NWONAP office to email out a list of nearby hotels and the HUD office address.

There was a suggestion for a Plan B, in case the proposed December 1st and 2nd dates do not work (especially since the Southwest and Northwest regional committee members could not participate in today's call). The group proposed the following date and location for Plan B: December 29-30, 2014, in Phoenix, AZ. HUD is not able to commit to these dates right now, since HUD is on a continuing resolution that ends on December 11th. There was a comment that since technical folks need enough time to do their work, the study group should really try to hold the meeting on December 1-2, 2014.

The public comments received from the Federal Register Notice were organized into a spreadsheet and posted online at the IHBG Rulemaking website today. There was a comment that before the first face-to-face meeting, the technicians should possibly work on combining the first list of data sources (from the first study group meeting) and the list of data sources from public comments so that the combined list can be reviewed during the meeting. There was a suggestion that the committee members from UNAHA, HUD, and Alaska should set up an offline call before the first face-to-face meeting, to go over their comments/edits from the proposed documents and come up with approaches to where the three groups do not have an agreement.

In wrapping up, it was suggested that all study group members look at travel arrangements today to the proposed face-to-face meeting, and possibly look into sending alternates if the members cannot attend. The proposed meeting in Seattle on December 1-2, 2014, will be confirmed COB Alaska time today, and information regarding this meeting will be posted on the IHBG Rulemaking website. For those that are not able to attend the face-to-face

meeting, there will be a conference call line available to join the meeting. Ms. Glenda Green will verify over email if space is confirmed in the HUD Seattle office by today.

**In-Person Meeting of the Needs Data Set Study Group
Seattle, Washington**

**December 1, 2014
12:00 p.m. – 6:00 pm**

**December 2, 2014
8:00 a.m. – 3:00 p.m.**

Meeting Notes

Attendees:

Ed Brooks, Law Office of Edward Brooks, PLLC
Ashley Canoe, Cherokee Nation
Heather Cloud, Ho Chunk Nation
Gary Cooper, Cherokee Nation Housing Authority
Shawnevan Dale, Navajo Housing Authority
Deirdre Jones Flood, Washoe Housing Authority
Karin Foster, Yakama Nation Housing Authority
Carol Gore, Cook Inlet Housing
Glenda Green, HUD
Patterson Joe, Navajo Housing Authority
Kevin Klingbeil, Big Water Consulting
Gabe Layman, Cook Inlet Housing
Amy Oakley, HUD
Maria Tagliavento, Cook Inlet Housing
Jon Tillinhost, Tlingit Haida Regional HA
Sharon Vogel, Cheyenne River Housing Authority
Jim Wagenlander, UNAHA and assorted TDHEs
Ben Winter, HUD

For purposes of these notes, **TSP** stands for Technical Support Person, **SG** stands for Study Group.

The meeting was called to order, and all study group members were present (all regions and HUD were represented). The meeting began is a discussion of the goals for this two-day meeting. It was decided that the goal would be to review and approve the following four documents: Framework for Data Study Group Meetings and Process, Overview of the Data Source Assessment Process, Data Source Assessment and Recommendation Process, and Proposed New Data Source Nomination Requirements. There were several draft documents for handout, including the four listed above, Agenda, August 28th meeting minutes, and Excel file of the compiled (to date) comments from the Federal Register request for data sources.

1. Review and Approval Agenda.

Motion to approve agenda submitted by Carol Gore, seconded by Glenda Green. No objections.

2. Review and Approval Framework for Data Study Group Meetings and Process.

Kevin Klingbeil will amend Step 3 to read: “Close the data source nomination period two weeks after adoption of overview and process documents of the study group.” Unanimous vote to approve the Framework for Data Study Group Meetings and Process document.

3. Review and Approval of Overview of Data Source Assessment Process document.

Technical Support Persons (TSPs) Ben Winter, Kevin Klingbeil, and Gabe Layman met on a 3.5 hour conference call prior to meeting in Seattle to discuss and revise the Overview document. Heather Cloud requested to note the record that Eastern Woodlands was not included in these emails conversations. It was clarified that HUD, UNAHA, and Alaska were the only ones who provided comments to the original document about the process, and that it was agreed at the last meeting to get together to consolidate comments into one document.

There was discussion around the overarching purpose of the study group (SG) and what to report back to the full Committee regarding current variables and whether to include data sources that measures other aspects of housing need. Carol Gore emphasized this was to be an inclusive process, that there were to be two types of “buckets” to report back to the full Committee: an identification of the best data sources that fit the current formula variables, and an objective list of data sources to assist the full Committee in identifying the best data fit for other aspects of housing need.

There was agreement to evaluate every data source fairly and objectively and that it is not the intention of the SG to decide on new variables. Data sources are to be evaluated on what they measure.

There was discussion and disagreement on what the final report to the full Committee would look like. There was a 15 minute break, in which time, Ben, Kevin, and Gabe got together to, illustrate the below chart on a white board to discuss with the group:

Matrix of Evaluation of Data Sources:

Theme	Current Variable	Need	Description	Most Appropriate Data Source	Not an Optimal Data Source	Basis of Decision/ Narrative Notes
Income	*	Median HH Income		A, B	C, D, E	
		Median Family Income		A, C	B, D, E	
Housing Quality	*	Over-Crowding		A, C		
		Housing Age		A		
	*	Insufficient Plumbing		B, C		

A discussion of the above Matrix followed the 15-minute break. It was discussed that the TSPs will identify areas the Need column during the characterization phase. The matrix raised future questions about how the TSPs will evaluate data sources to select optimal data source for Need. Will the TSPs each prepare an individual Matrix of findings, or does the SG want a single, harmonized Matrix?

There was discussion about how the SG wants to present a report to the full Committee (e.g. one report by consensus, or separate, majority and minority reports). Comment that the SG needs to “own” the report and take responsibility to produce a document for the full Committee’s consideration. Final paragraph of Overview amended to state minority report if consensus is not reached.

There was question about what is being delegated to the TSPs. Heather Cloud asked about timelines and qualifications of identifying TSPs. Each region is provided the opportunity to identify a TSP. HUD has identified Ben Winter and UHAHA (Northern Plains) has identified Kevin Klingbeill. The Overview document was amended to state “nominated” technical support person and the dates to nominate will be tied to the call for data sources.

Beginning at the top paragraph, document simplified to cut out the word “model”, eliminated need requirements for nominating a new data source, initial screening, and eliminated defunct data sources.

Clarification on what happens if consensus not reached a screening, then the source will progress to later stages.

Clarified an unbiased process for TSP to screen data sources.

Carol Gore requested the TSPs be a robust group, to look at every data source, do homework, and provide comments to SG.

Study group will have two weeks to review and provide written feedback for evaluation stage.

Heather Cloud requested to include different opinions to characterization phase and to provide documentation.

Carol Gore suggested that the SG will decide by consensus which data sources get eliminated and do not proceed to the evaluation phase.

Heather Cloud asked about when the “clock starts” on these documents. Is it at the time of approval, or when the minutes from the meeting get approved? It was decided by the group that they become effective when posted to the ihbgrulemaking.com website.

Karin Foster highlighted the six broad categories that fit within the charge of the study group.

Document amended to include May 28, 2015 as the final date for the draft report.

Ben Winter commented that given the time constraints, it would be unrealistic for TSP to dive deeply into potential data sources for all sources.

Heather Cloud suggested creating a timeline with dates to pair with the Framework document. Ben will reconcile this tonight.

Carol Gore suggested to really look at the dates and to provide as much time to the TSPs for technical review.

SG approved the document pending final grammatical/formatting check at 4:25pm. Document will be effective when posted to the ihbgrulemaking.com website. There was agreement that each region has two weeks to identify TSP.

4. Review and Approve Data Source Assessment and Recommendation Process document.

INITIAL SCREENING:

Item 2: Delete “re-nominate as a model”

Item 4: Delete “re-nominate”

Item 5: Is the data source capable of being applied to all existing FORMULA areas? <If the data source is not capable of being applied all formula areas, reject or re-nominate as a model>.

Discussion: The discussion was on the use of the terms “**FORMULA AREA**” and “**INDIAN AREA**.”

Jim Wagenlander proposed replacing the term Formula Area with the term Indian Area. Jim’s concern is that the term Formula Area is not statutory, but rather a product of the regulatory process, whereas the term “Indian Area” is taken from the statute. Jim argued for using “Indian Areas” consistently throughout the process document.

Jon Tillinghast argued for keeping the term Formula Area because it is consistent with how needs data has been gathered since NAHASDA was passed. Jon’s concern is that the use of the term Indian Area may have the unintended consequence of throwing out formula areas that tribes have spent time and resources to establish – which he argued was inconsistent with tribal sovereignty. Jon also argued that failing to account for Formula Areas would require the provisions of the regulations related to formula areas to be rewritten, which would be a major and controversial undertaking.

Jad, legal counsel for HUD, confirmed that HUD’s interpretation is that Needs Data may be based on Formula Areas. Jad explained that Indian Area is a broad term clarifying where recipients can provide affordable housing. Whether the Study Group’s process documents use the term Formula Area or the term Indian Area is NOT a statutory issue. The statute does not require the use of the term Indian Area in this situation. Ultimately, it is up to the Neg Reg Committee on what areas they choose to use.

The group was asked to vote on the use of Formula Area vs Indian Area. Carol asked for a recess to discuss the issue with Jon Tillinghast.

Carol Gore agreed to eliminate Item 5 under Initial Screening as long as Item 1 in Accuracy and Precision under the Evaluation section of the document is retained. The latter item states:

“Does the data collection program methodology support deriving estimates covering the desired geographies (formula areas)?” Carol requested confirmation that the use of the term Formula Area in this portion of the Evaluation section would be retained. Carol emphasized that whatever data sources are selected, it is essential that they are capable of being applied to each tribe’s recognized Formula area.

The Study Group agreed to Carol’s recommendation to strike Item 5 from “Initial Screening” and to retain Item 1 in “Currency”.

Item 6: Will the data source require a one-time set aside of IHBG funds of \$10 million or more or have recurring costs to the IHBG program of \$5 million or more annually? <if the data source would have costs to the IHBG program equal to or exceeding those identified above, reject or re-nominate as a model>.

Gabe Layman explained that the figures proposed were placeholders only and were included for discussion purposes. He suggested that there is some level of cost that will be unacceptable to the tribes and/or HUD. If a data source would cost more than that acceptable amount, then it would probably not make sense to spend the Study Group’s time characterizing or evaluating it.

Jim Wagenlander suggested deleting this item. His concern was that the proposed language ruled out the possibility that additional funds may be secured through Congress for the survey, and that cost should therefore not be a determining factor since it won’t affect IHBG funds.

Sharon Vogel commented that ACS has shortcomings. She opined that tribes, like hers, need their own tribal model. She suggested that the cost of the data source could come from tribal cost sharing from other federal programs.

Ed Brooks, legal counsel and tribal member of Lumbee Tribe, shared his concern that State recognized tribes are not participants in many of the federal programs that are exclusive to federally recognized tribes, and therefore, they will likely not be represented in any data collections that require cost sharing because state tribes do not have the same access to those federal programs.

Glenda Green from HUD disputed the comments offered by Jim and Sharon regarding the likelihood of additional funds being appropriated by Congress or resulting from federal cost sharing. She shared that HUD has not ever funded cost sharing, nor has HUD ever directly paid for research (surveys).

Karin recommended deleting Item 6.

Carol Gore reminded the group of the 5 guiding principles of the study – one of which addresses cost. It is and should be important to the group that the practicality of recurring costs is an issue to the IHBG funds.

Kevin commented that costs will be addressed in ‘fact-finding’.

Karin commented this is an issue that should be examined during the Characterization phase.

Ben commented that during the Evaluation Phase, cost of the data sources will be evaluated, including recurring costs.

Carol Gore commented that she would agree to remove Item 6 because the characterization section is broad enough to determine costs, and that the “experts” will provide estimated costs of new data sources.

Item 6 was removed from this section with the understanding that the issue of cost is addressed in other sections.

The group adjourned at approximately 6:30pm on Day 1.

CHARACTERIZE THE DATA SOURCE:

Delete comment in first paragraph.

Delete “unlike the evaluation questions that follow”

Discussion on flexibility for TSPs to provide a range of answers to evaluation questions (e.g. Yes, No, Somewhat). The SG requested narrative responses to accompany Yes-No-Somewhat answers.

There was a verbal agreement to simplify the process of excluding data sources if TSP all agree and communicate with SG during fact finding/characterization phase.

Purpose and Methodology Sub-Section:

Carol Gore asked the how do we define “eligible population”. This was reserved as a topic for discussion.

Item 7: Karin Foster suggested changing all “tribal areas” to “Indian areas”.

Accuracy and Precision Sub-Section:

Ben Winter provided examples to define Accuracy and Precision. Accuracy is how close one is to a target. Precision is the confidence in your sampling survey.

Carol Gore asked generally, how the SG will measure the competency of TSP to use questions to understand tribes and tribal issues to be able to evaluate tribal bias.

Glenda Green asked what kind of information TSP need to present to the SG to illustrate bias.

Ben Winter defined bias as gaps, holes, or missing populations in data. Does a survey have proper outreach? Is there evidence of people not participating?

Request to provide narrative/examples and clear documentation by TSPs. Added “and supporting evidence” to characterize the data source.

Ben Winter made the comment that the questions appear to be phrased more survey oriented and written to evaluate surveys. For those administrative data sources, some of these questions will be harder to fit into the Accuracy and Precision questions.

Implementation and Funding Sub-Section:

There was discussion about the ability of TSPs to cost out new data collection. Ben Winter commented that there are some benchmarks available for internet, phone, and in-person survey costs.

Carol commented that the questions seem to focus on new data sources.

Item 1: Add (e.g. Census, federal agencies), Delete “HUD and IHBG Program”

Jim Waggenlander asked about the costs to challenge may change formula.

Item 2: Add: “If this is proposed new data source, please provide information used to estimate the cost of data collection”. Delete “or to the IHBG allocation”. Add cost to HUD or IHBG recipients.

Item 3: Change language to, “What additional resources are needed to apply the data in the IHBG formula, and from which sources?”

Switch Item 3 to Item 4.

Transparency and Potential for Challenge Sub-Section:

Item 2: Delete “(and is it possible)”

Item 3: Delete

Discussion on how costs to challenge may change. Questions about the hold harmless provision and about how to deal with successful past challenges with be dealt with were tabled as a decision to be made by the full Committee.

Jim Waggenlander asked for clarification on the subtitle “Transparency”, for example in Item 1, How transparent is the proposed data source?” Suggestion to add “If not, why not? Please provide additional comments”

EVALUATE THE DATA SOURCE:

Discussion on SG seeing the differences in TSP evaluation opinions before being aggregated and reconciled. TSPs to provide individual support narratives and comments.

Relevance Sub-Section:

Item 1: Comment from Alaska that question is too narrow. Jim Waggenlander suggested revision to include only 302(b) and (b)2 only. There was a collective revision to include actual language from the statute and reference 302(c), resulting in breaking up Item 1 into two

questions: the mandatory factors and the Other factors to consider. TSPs evaluate each of the six items Yes or No.

Item 2: Delete “Do the data collection”

Item 3: Checklist in the notes, created by TSPs during characterization phase.

Overall, TSPs include a narrative piece and combining Items 3 & 4.

Discussion on how to evaluate matrix. Suggested scale to use: Excellent, Good, Fair, Poor and to include narrative explanations with rating by TSPs.

Currency Sub-Section:

Item 1: Change question to ask if frequency of data collection be made current reliability will any errors be introduced.

Discussion of point in time data versus a rolling average. Ben Winter thought that either could be argued as current.

Discussion on aging data. How reliable is it? TSPs would provide narrative on how to age data.

Accuracy and Precision Sub-Section:

Item 1: Jim Waggenlander introduced language to change formula areas to Indian areas, but was reminded that the SG reached consensus yesterday using the words formula areas. Delete “geographies” and “target population”, as population and Indian families is covered in relevancy section.

Item 7: Add “Are there major concerns about accuracy. For instance, do missing administrative data or imputation and/or weighting methods introduce bias?”

Completeness Sub-Section:

Item 1: Discussion on ways that data source collects Indian area. How does data include/exclude State recognized tribes? Suggestions to add “recipients of NAHASDA”. Also, change “tribal area” to “all Indian tribes as defined by Section 4(13) of NAHASDA.

Discussion about if completeness questions duplicate the questions in accuracy. Decision to keep the Completeness sub-section separate.

Availability Sub-Section:

Item 2: Explain the resources needed to initially and routinely develop the data source.

Item 3: Add, “if support is needed and cost of those burdens”

Transparency Sub-Section:

No changes.

Summary and Conclusions Sub-Section:

Are there other tribal programs using this data? (Added to Purpose and Methodology Section and Accuracy Section)

Discussion about how the summary questions will help fill out the matrix column “Most Appropriate Data Source”.

Item 1 & 2: Delete.

SG approved the document pending final grammatical/spelling/formatting, and ensuring that timelines are in sync at 2:45pm. SG will have two business days to comment before the document will be effective and posted to the ihbgrulemaking.com website.

5. Review Timeline Dates.

Ben Winter provided a timeline with actual target dates to complete tasks.

6. Review Nomination Form.

Kevin Klingbeil and Ben Winter drafted a data source nomination form. Ben had questions if sending out the form would trigger the Paperwork Reduction Act. More details to follow. SG will have two business days to respond to data source nomination form.

Ben will clean up “nomination” of TSP to be changed to “selection or identification/designation” of TSP by each region. Clarification that regions pay for their own TSP.

Formal meeting adjourned at 3:00 p.m.

NEXT CONFERENCE CALL AT 1PM EST ON DECEMBER 17, 2015.

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
December 17, 2014
1:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants of the call, and all study group members were present except for the Eastern Woodlands regional member or alternate. The group started the meeting by looking at the meeting notes from the in-person meeting on December 1-2, 2014 in Seattle, Washington. There was a comment that Kevin Klingbeil and Karin Foster's names were incorrectly spelled in the meeting notes. With these edits, the meeting notes were approved. The study group documents that were finalized in the last meeting were posted online on the IHBG Rulemaking website today. The posting of the final documents was one week later than scheduled in the Study Group Timeline because HUD was waiting to hear back from a few study group members. Since the posting of the final documents was a week late, there was a suggestion to shift all items on the Study Group Timeline back one week. This change was approved by the study group. The updated Timeline with the revised dates will be posted online. The study group decided that the agenda for today's conference call would be a continuation of the agenda items that were not discussed in the last meeting.

Review and Approve Data Characterization and Evaluation Matrices

The group first looked at the *Proposed Data Characterization and Evaluation Matrices* document. It was mentioned that this matrix was put together based on information in the *Data Source Assessment and Recommendation Process* document. The following changes were suggested:

- In the Data Evaluation Tab, under the Relevance Section: Delete any reference to weights in the formula.
- In the Data Evaluation Tab, under the Availability Section: Add the first part of Question 2 from the *Data Source Assessment and Recommendation Process* document (Is there a source of funding available for the data collection and analysis?). This part was missing from the matrix.

These changes were approved by the study group members. There was a comment that any other substantive format changes to the matrices should be sent to Kevin Klingbeil and the study group within the next 48 hours. Kevin will send out the revised matrices to the study group. Next, the group discussed the format of these matrices. There was a suggestion to convert the spreadsheet into a Word document and insert form filled sections for each evaluator's answers and notes category. Gabe Layman from Alaska will reformat this into a Word document version and send it out to the study group to review. The new format will be discussed in the next conference call.

Review and Approve Final Report Outline – Data Study Group

The next item on the Agenda was to Review and Approve the *Proposed Final Report Outline – Data Study Group* document. Without much discussion, this document was approved by the study group members.

Review and Approve Data Source Nomination Sheet

The group then went into discussions about the *Data Source Nomination Sheet* document. Ben Winters from HUD reiterated that this nomination sheet must be submitted by a member of the Data Study Group to comply with the Paperwork Reduction Act. As stated in Ben's prior email to the group, study group members cannot send the data nomination document to stakeholders in their region. Instead, study group members should have conference calls and meetings to discuss nomination ideas from their stakeholders. Then, each of the 7 study group members should use the document as a general guide for recording their discussions. It was noted that the study group members should be careful not to use this document as a script during their discussions with stakeholders. Each study group member should submit the nominations to ben.j.winter@hud.gov **no later than 1/7, 5:30 PM (AKST)**, as described in the timeline. Also, it was mentioned that everything submitted through the Public Comments Period will be treated as nominations, and any additional nominations will need to be submitted by a study group member using this document. The list of nominations received so far from the Public Comments Period will be posted online, and this list will be regularly updated to reflect the most recent nominations received.

The following change was suggested:

- In the last paragraph: Delete the following phrase *"including details about what will be done to make sure it is appropriate to calculate estimates for all Indian areas and relevant populations"*.

With this change, the Nomination Sheet was approved by the study group members. The revised document will be posted online this week.

Review the Comments received on the Federal Register Notice

The last item on the agenda was to review the Summary of Public Comments received on the Federal Register Notice. It was mentioned that there were more comments received than Data Source recommendations from the Public Comments Period. It was also mentioned that some of the suggestions of Data Sources to evaluate were vague and not specific enough. There was a question about how the study group is handling the number of suggested Data Sources compiled from the first meeting in Scottsdale (the suggested list of Data Sources can be found in the Meeting Notes from August 28, 2014). The group decided that the study group members can look at the suggested list as they are reaching out to their regions to discuss nomination ideas.

In wrapping up, there was a comment that the in-person meeting was very productive and a lot was accomplished through this meeting. It was determined that the next conference call will be on **Monday, January 12, 2015, at 1:00pm Eastern Time**.

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
January 12, 2015
1:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants of the call, and all study group members were present except for the Eastern Woodlands regional member or alternate. The group started the meeting by looking at the items on the proposed agenda. The following two items were added to today's agenda:

- Review and Approve the new formats for the Data Source Characterization Process Matrix and the Data Source Evaluation Process Matrix.
- Update the Study Group Timeline – identify when to have meetings.

Review and Approve the new formats for the Data Source Characterization Process Matrix and the Data Source Evaluation Process Matrix.

The Data Source Characterization Process Matrix and the Data Source Evaluation Process Matrix were reformatted in Word in two different styles for each process: horizontal orientation and vertical orientation. The reformatted process documents were posted online at the IHBG Rulemaking website today for study group members to review. Since not everyone has had a chance to review the reformatted documents, it was decided to hold off on deciding and approving the documents until the next conference call.

Review and Approve Meeting Notes from Previous Meeting

The group then reviewed the meeting notes from the last conference call on December 17, 2014. Without any changes, the meeting notes were approved, and the approved notes will be posted online this week.

Review Nomination(s)

The group reviewed the next item on the agenda – review nomination(s). It was noted that the deadline to receive nominations has passed. The nominations received as of today are from the following categories:

- Regional Input List
- Federal Register Public Comments Period List
- In-person study group meeting in Scottsdale, Arizona List

Ben Winters will put together a list of nominations from the above three lists for the technical experts to review during the screening phase. It was noted that some regions may have not fully declared a technical expert. They should let Glenda Green and Ben Winters know who from their region should be included in the information that goes out to the technical experts. Also, it was noted that if there were any additional technical experts to include in the screening phase, to inform Ben Winters by the end of today. Ben will send out the final copy of list of nominations to send to technical experts (cc all study group members) and a link to Doodle to

figure out study group members' availability for future conference calls. It was also noted that experts may need to reach out to those who have submitted nominations from the Federal Register Comments Period for clarification.

Review Study Group Timeline

The group then reviewed the study group timeline. It was suggested that the study group should identify when to have meetings during the Screening, Characterization, and Evaluation Phases of this timeline. For the screening phase, it was decided that the next meeting will be a conference call on Monday, January 26th at 1:00pm Eastern Time. This conference call will review the screening recommendations and see which nominations will move forward to the characterization phase. The meeting dates for the Characterization Phase and the Evaluation Phase will be decided offline. Ben Winters will send a link for Doodle to see all study members' availability to identify future meeting dates. It was noted that Mondays are generally good for conference calls for most study group members.

In wrapping up, the agenda items for the next conference call was decided. The following items will be discussed: review and approval of minutes from last meeting, the review and approval of the 2 process forms, and the review of screening phase recommendations. There was a comment about whether the study group will be part of the Legislative Meeting in Washington DC, the first week of February. Gary Cooper will check and see if they want the study group to report on anything during this conference. The next conference call will be on **Monday, January 26, 2015, at 1:00pm Eastern Time.**

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
January 26, 2015
1:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants of the call, and all study group members were present except for the Southwest regional member or alternate. The study group started the meeting by looking at the items on the proposed agenda. The proposed agenda for the conference call was approved. It was noted that it is not necessary to review agenda item 5 “Overview of Data Source Assessment Process document” since this document was already finalized. The group then reviewed the meeting notes from the last conference call on January 12, 2015. Without any changes or comments, the meeting notes were approved. Jim Anderson was also introduced to the group as a new technical expert.

Review and Approve Process Forms for Evaluators

The Data Source Characterization Process Matrix and the Data Source Evaluation Process Matrix were reformatted in Word in two different styles for each process: horizontal orientation and vertical orientation. The reformatted process documents were posted online at the IHBG Rulemaking website for study group members to review. The study group members did not have a strong preference as to which form will be better, so the group agreed to leave it up to the technical experts to decide which form was better to use.

Review Screening Phase Recommendations

The group reviewed the next item on the agenda – review Screening Phase Recommendations. Ben Winters sent out to the group the *Data Source Screening Worksheet* spreadsheet for review before the conference call. This spreadsheet was also posted online on the IHBGrulemaking website on January 26th. The second tab of the worksheet titled, “Detailed TE Responses” lists all of the different data source nominations, and shows the technical experts’ responses and notes for each nomination. The initial screening questions used by the technical experts to review the nominations are from the *Data Source Assessment Process Final 12-17-2014* document on the IHBGrulemaking website. The first tab of the worksheet, titled, “Overview of Nominations” lists the data source nominations in groups numbered 1 through 4 based on the technical experts’ recommendation and provides an overall reason for grouping and discussion points. The data source nominations were grouped into the following four categories:

- Group 1: Unanimous support among technical experts to reject these nominations.
- Group 2: Technical experts mostly recommend rejecting these nominations but further discussions from the study group may be needed.
- Group 3: Technical experts mostly recommend accepting these nominations but further discussions from the study group may be needed.
- Group 4: Unanimous support among technical experts to accept these nominations.

The study group went through each data source nomination and made a decision to either reject or accept the nomination. The study group had detailed discussions on nominations from group

2 and group 3. The decisions and discussions of the study group on each of the nomination groups are outlined below.

Group 1: The study group decided to **reject** all data source nominations in this group.

Specific Discussion/Comments:

Nomination number 23: IRS data on Low Income Housing Tax Credit (LIHTC) housing

The group decided to reject this nomination. It was noted that this data is not available for all tribes and there is not enough tenant information for this data source to move forward to the next phase. This data source does not necessarily indicate anything about Indian Housing need. There was a comment that even though this data source is not relevant for the IHBG formula, the data source is important and HUD should look into this data source, especially at areas not getting tax credit through state agencies.

Nomination number 32: BIA Indian Labor Force Report

The group decided to reject this nomination because it is no longer active. The IHBG Negotiated Rulemaking Committee worked on the Formula Area overlap and reached consensus on the proposed changes to the regulation. It was noted that this data source rejection is not overriding the rule of the Negotiated Rulemaking Committee and the study group is respectful of the decision that the full Committee has made. The study group is looking at this data source based on the initial screening questions outlined for this study group and seeing if this data source meets the minimum requirements to move forward to the next phase.

Group 2: The study group decided to **reject** all data source nominations in this group.

Specific Discussion/Comments:

Nomination number 5: Formula challenges with tribally collected data

The group decided to reject this nomination because most see this as a formula process rather than a data source, but a successful data challenge does indeed become a data source when entered into the formula. It was noted that the group is rejecting this data source to move forward to the next phase, however this should not be interpreted that the study group is suggesting that there should not be a data challenge process. Tribes can still challenge data according to the regulations. This data source is just technically a different component of the formula.

Nomination number 17: TDHE administrative records

The group decided to reject this nomination. It was noted that there may be confidentiality issues with clients with this data source, and also tribal enrollment and data reported in Formula Response Forms are already listed in group 4.

Nomination number 20: Free and reduced lunch program population

The group decided to reject this nomination. It was noted that due to the community eligibility provision, the data produced from this source may not be reflective of housing need.

Nomination number 24: WIC (Department of Agriculture)

The group decided to reject this nomination. It was noted that data is not available for all tribes. There was a question about whether the data collected by WIC was close enough to measure Indian housing needs. It was decided that this data source was a little distant from what the study group is working on.

Nomination number 28: USPS vacancy data

The group decided to reject this nomination. It was noted that there is an absence of qualitative information at a national level with this data source. Also, it was noted that this type of data is not effective in rural areas and in homes attached to a P.O. Box.

Nomination number 45: US Dept. of Ed, National Center for Education Statistics, Common Core of Data (CCD)

The group decided to reject this nomination. It was noted that this data source is an administrative data that states keep for their purposes and may not paint a complete picture that is useful for this study group. It was also noted that this data does not cover BIA schools.

Group 3: The study group decided to **accept** all data source nominations in this group.

Specific Discussion/Comments:

Nomination number 2: National Tribal Survey - Administered by Tribes

The group decided to accept this nomination. There was a discussion about whether to evaluate this separately from nomination number 1 “National Tribal Survey Administered by a Federal Agency” or together to avoid duplication efforts. The group decided that since there is substantive difference in data collection, this nomination will be evaluated separately as there is enough information to assess properly between nomination number 2 and nomination number 1.

Nomination number 19: U.S. Department of Agriculture 515 housing program

The group decided to accept this nomination. There was a discussion about whether the 515 data measures the need for all Indian areas (especially Alaska). The 515 data is currently being examined in the FCAS side. With a comment that the technical experts should at least look at this report, this nomination was accepted to move forward to the characterization stage.

Nomination number 21: Longitudinal Household Employer Dynamics data

The group decided to accept this nomination. There was a discussion about whether this was a repackaging of another data source. It was noted that data from the state of Massachusetts is missing in this data source. The study group decided that since this data source is manipulated enough to look at on its own, nomination was accepted to move forward to the characterization stage.

Nomination number 46: Centers for Disease Control and Prevention (CDC), National Center for Health Statistics, Vital Statistics

The group decided to accept this nomination. There was a discussion about the sheer volume of data to evaluate as there is a lot of data that is not relevant and there are some data points that are useful. It was noted that the technical experts will examine the data and provide specific write ups of why certain data is recommended. It was also noted that the study group will get some say in why and how which sources will be evaluated.

Group 4: The study group decided to **accept** all data source nominations in this group without further discussions.

Meetings in the Study group Timeline

In the last conference call, the study group decided that the group should identify when to have meetings during the Screening, Characterization, and Evaluation Phases of this timeline. Based on the study group members' schedules, the following meeting dates were proposed:

- **March 2nd**: Conference Call to discuss the first draft of the Characterization Phase.
- **March 16th**: Conference Call to discuss which data sources to move forward to the Evaluation Phase.
- **April 20th**: Conference Call to discuss the first draft of the Evaluation Phase.
- **May 18th**: In-person meeting to discuss the final Evaluations.

It was noted that all conference calls will take place on Mondays at 1PM Eastern time. The study group approved the first three conference call dates (March 2nd, March 16th, and April 20th). Glenda Green will be sending out a calendar invite for these three conference calls. There was a suggestion to have the In-person meeting during the NAIHC meeting. The exact date of the In-person meeting will be on-hold until further discussions. It was recommended that the study group members look at the Study Group Timeline that is posted online on the IHBGrulemaking website on a weekly basis for updates. As this document is updated, the study group members will be notified via email.

In wrapping up, the study group expressed their appreciation and thanks to the technical experts for their hard work. The next conference call will be on **Monday, March 2, 2015, at 1:00pm Eastern Time.**

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
March 2, 2015
1:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants of the call, and all study group members were present except for the Northern Plains, Eastern Woodlands, and the Southwest regional member or alternate. The following agenda items were proposed for today's call:

- Overview of Progress
- Review the Decisions made by Technical Experts
- Discuss Issues Needing Study Group's Guidance
- Next Steps

Overview of Progress

Since our last conference call, Ms. Pat Boydston has joined as a new technical expert. The technical expert team is made up of four members: Jim Anderson, Ben Winters, Kevin Klingbeil, and Pat Boydston. The technical experts have divided the data source nominations and have taken the time to fill out the first drafts of the characterization questions for the data sources. Currently, the technical experts are in the process of finalizing the first drafts and reviewing each others' work. It was noted that this is an evolving live process and requires a lot of work, as some of them require getting information from multiple sources. Considering this, the technical experts may request additional time and may need to adjust the timeline. There was a comment that there also needs to be enough time for study group members to read and review these documents before the conference calls.

There was a question about whether a specific data source was holding up the process. The technical experts noted that there is not one data source that is holding up the process in particular. It is challenging for each technical experts to devote a lot of time to this process, considering that the technical experts also have full-time jobs in addition to serving as technical experts. The study group then discussed the delivery of the characterizations, whether the study group wanted them all at one time or in sequential delivery. There was a suggestion that the delivery of the characterizations will be provided to study group members incrementally. The study group members agreed that as long as the characterizations are truly completed (with all comments from all technical experts), the characterizations can be provided incrementally. There was a comment that the final characterization drafts will be complete as possible, but in the evaluation stage, it is possible that additional information may come up.

Review the Decisions made by Technical Experts

The technical experts have had several calls so far to discuss issues that have come up while reviewing the data sources. The technical experts have decided that the final product to the study group will be a Word document and every data source will have the same format. There will be one narrative for each of the questions with all comments from all technical experts and any information that is divergent amongst the technical experts will be highlighted. The technical experts then discussed the issues of identifying other housing needs. The technical

experts suggest that they should provide information on what the data source measures and what are the best ways to apply the data sources in the formula. There was a comment that the study group prefers the technical experts' guidance to be more general (informative) and not make recommendations about how data sources can be used or changes the formula. In conclusion, it was noted that the technical experts need to be very explicit and flesh out what that data set encompasses, what the features of it are, and the factors that take into account.

Discuss Issues Needing Study Group's Guidance

The technical experts then discussed issues that need the study group's guidance. The technical experts do not have a clear rubric to determine whether or not data sources should move on to the evaluation stage. Under what conditions and what criteria should the technical experts recommend that data sources move on to the next stage? The group noted that the study group is counting on the technical experts to be explicit and provide clear insight and communication. The group also noted that there is not enough time in the whole process and that the advice from technical experts should be inclusive and fair but the study group expects clear recommendations from technical experts. There was a comment that the study group needs reasons about the decisions that technical experts make and we need to make sure that we are transparent for the Negotiated Rulemaking Committee and the general public. The group concluded that in the narrative section of the characterizations, technical experts should voice their opinions and state very clear reasons why or why not the data source should move forward to the next stage. After reviewing and discussing the characterizations, the study group will make the final decisions about whether the data source will move forward to the evaluation stage.

Next Steps

The group then discussed the study group timeline. The technical experts will send two to three final characterizations for the study group to review by Wednesday March 11th. The study group will review the characterizations and discuss the format and the type of information the study group is getting from the technical experts on the next conference call on March 16th. Over the next 30 days, the technical experts will send four to five characterizations per week for the study group to review, and all characterizations final drafts will be sent to the study group by the end of this month. Beginning in April, the study group can make final decisions about which data sources to move on to the evaluation stage. The following meeting dates were proposed:

- **March 16th**: Check-in meeting to review the format and type of information that the study group is getting from the technical experts.
- **April 13th**: Conference Call to discuss which data sources to move forward to the Evaluation Phase.
- **April 20th**: This is a placeholder for a possible conference call incase additional time is needed from the April 13th conference call.

The above conference calls will be on Mondays at 1pm Eastern Time. Ben Winters will update the Timeline and the updated timeline will be posted online on the IHBGrulemaking website. In wrapping up, the study group expressed their appreciation and thanks to the technical experts for their hard work. The next conference call will be on **Monday, March 16, 2015, at 1:00pm Eastern Time**.

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
March 16, 2015
1:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants of the call, and four of the seven study group members were present. The Eastern Woodlands, Northwest, and the Southwest regional members or alternates were not present.

The meeting started with the technical experts providing an update on the overall progress. The first three finalized data characterizations were sent out to the study group members to review last Wednesday. Currently, the technical experts are working on finalizing six more characterizations and are hoping to send these out to the study group members next Wednesday. The remaining characterizations will be finalized by the end of March. The initial characterizations have been distributed to the technical experts and have been completed. The study group members will get all finalized characterizations by March 31st.

The study group then had a discussion about the process. The group agreed that if data sources are not selected to move forward to the evaluation stage, these reports will still be included as an addendum to the Final Report so that everyone can see all of these reports. The group also confirmed that today's call was to just discuss the format of the characterizations reviewed so far and final decisions will not be made on these characterizations until all finalized characterizations are reviewed by the study group. Since not all study group members were present on today's call, the group decided to not have too much discussion today about the three characterizations that were sent out. All study group members present on today's call agreed that the current format of the final characterizations is very clear and the amount of information provided is good.

Ms. Glenda Green mentioned that the Department of Interior has reached out to the HUD ONAP office about the \$12 million proposed initiative in the Department of Interior's FY 2016 budget. This proposed initiative is in the very beginning stages and is to assist the Department in working with Tribes and the Census Bureau in addressing data gaps in Indian Country. Ms. Glenda Green asked the study group members about extending an invitation to the Interior Department to listen in on our study group calls as they are in the very early stages in figuring out the data quality in Indian Country. There was a suggestion that it may be better to have a timetable or a scope of work from the Interior Department first so that we are all at the same page. There was a comment that there are other data gaps other than the IHBG Formula and that the stage that our study group is at is not reflective for all data in Indian Country.

The group concluded the call by confirming the next conference call on April 13th at 1pm Eastern Time. There was a comment that we will remind all study group members or alternates to participate on the next call since the group will make important decisions about which data sources to move forward to the Evaluation Phase. Ms. Glenda Green will reach out to the Interior Department to see if we can set up a separate call with the study group members for an introduction meeting. This separate call will most likely be on a Monday for no more than one hour. The technical experts will send the next six finalized characterizations to the study group members and also post them online on the IHBGrulemaking website. In wrapping up, the study

group expressed their appreciation and thanks to the technical experts for their hard work. The next conference call will be on **Monday, April 13, 2015, at 1:00pm Eastern Time.**

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
April 13, 2015
1:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants of the call, and all study group members were present except for the Eastern Woodlands regional member or alternate. The study group started the meeting by looking at the items on the proposed agenda. The proposed agenda for the conference call was approved. Without any changes or comments, the group then approved the meeting notes from the conference calls on January 26, 2015, March 2, 2015, and March 16, 2015.

Review Final Data Source Characterizations

The technical experts have finalized 13 of the 19 data source characterizations and these characterizations have been posted online on the IHBGrulemaking website. The remaining six characterizations have the most comments from technical experts and are currently in the process of finalizing. The study group decided to review and discuss the 13 data source characterizations on today's call and discuss the remaining six characterizations on the next conference call. The group went through and discussed each of the 13 data source characterizations and made a decision on which data sources to move forward to the Evaluation Phase.

Data Sources to Move Forward to the Evaluation Phase

- Nomination Number 7: Indian Health Service (IHS) Service Population Projections based upon birth and death rate data as provided by the National Center for Health Statistics
- Nomination Number 12: Data reported by IHBG grant recipients in Formula Response Forms
- Nomination Number 13: Total Development Cost

Most of the technical experts did not recommend moving data source nominations 7 and 12 forward to the Evaluation Stage. However, after discussions, the study group decided to move these data sources forward to the next phase. For data source nomination 7, it was noted that the data source is currently used in the IHBG formula to age data and this data source should be fully evaluated. For data source nomination 12, it was noted that since this is currently used in the IHBG Formula, so we do not want to exclude this.

Data Sources to Not Move Forward to the Evaluation Phase

- Nomination Number 6: HUD's IHBG Annual Performance Report (Data on number of NAHASDA developed units and number of CAS units)
- Nomination Number 16: National Data Warehouse (aka "IHS User Population Data")
- Nomination Number 18: Head Start early childhood education program
- Nomination Number 19: U.S. Department of Agriculture 515 Housing Program Data
- Nomination Number 21: Longitudinal Household Employer Dynamics data

- Nomination Number 26: IRS data
- Nomination Number 31a: Current Population Survey (CPS)
- Nomination Number 31b: Current Employment Statistics
- Nomination Number 31c: Quarterly Census of Employment and Wages (QCEW)
- Nomination Number 46: National Center for Health Statistics, National Vital Statistics System

It was noted that nomination number 31, “BLS Employment/Unemployment Data” is actually three different data sources and have been renamed as data source nominations 31a, 31b, and 31c.

The study group then had a discussion about the Final Report due to the Negotiated Rulemaking Committee. There was a question about who is drafting the report, if any parts of the report can be started now, and what the format of the report will look like? It was decided that the technical experts will draft the Final Report for the study group to review and approve. The format of the Final Report will be discussed on the next conference call. It was also reiterated that the Final Report will be robust and include information on all finalized data source characterizations. Ben Winters will update the Study Group Timeline, and the revised timeline will be posted online on the IHBGrulemaking website.

In wrapping up, the study group expressed their appreciation and thanks to the technical experts for their hard work. The next conference call will discuss the remaining six characterizations, discuss the format of the Final Report, and also discuss the Study Group Timeline. The next conference call will be on **Monday, April 20, 2015, at 1:00pm Eastern Time.**

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
April 20, 2015
1:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants of the call, and all study group members were present except for the Eastern Woodlands regional member or alternate. The study group started the meeting by looking at the items on the proposed agenda. There was a suggestion to review and approve the Data Characterizations in the order that were posted online on the IHBGrulemaking website (four of the six remaining data characterizations were posted earlier than the remaining two). With this minor suggestion, the proposed agenda for the conference call was approved.

The group then reviewed the notes from the previous meeting on April 13, 2015. There were two edits to the meeting notes from the previous meeting. In the second to last paragraph on page 2 of the April 13, 2015, draft meeting notes, the word “Negotiation” should say “Negotiated” and the word “and approve” was added in regards to the draft Final Report. The revised sentences should read “The study group then had a discussion about the Final Report due to the **Negotiated** Rulemaking Committee. It was decided that the technical experts will draft the Final Report for the study group to review **and approve**.” With these changes, the group then approved (with one abstention) the meeting notes from the conference call on April 13, 2015.

Review Six Final Data Source Characterizations

The study group reviewed and discussed the remaining six data source characterizations on today’s call. The group went through and discussed each of the six data source characterizations and made a decision on which data sources to move forward to the Evaluation Phase.

Data Sources to Move Forward to the Evaluation Phase

- Nomination Number 1: National Tribal Survey - Administered by Federal Agency
- Nomination Number 2: National Tribal Survey - Administered by Tribes
- Nomination Number 3a: Most Recent Decennial Census
- Nomination Number 3b: American Community Survey (ACS)
- Nomination Number 11: Tribal Enrollment data
- Nomination Number 42: US Census, Population Estimates Program

The study group agreed with the technical experts’ unanimous recommendations to move nomination numbers 3a, 3b, and 11 forward to the Evaluation Phase with minimal discussion. The group had detailed discussions on the remaining three data sources.

Nomination Number 42: US Census, Population Estimates Program

The technical experts did not have unanimous recommendation about nomination number 42. There was a question about what the study group gains by moving this data source forward.

The technical experts stated that the study group can gain a variable with AIAN that will move progressively every year, instead of something that moves every 5 or 10 years. This can be an incremental change in the population variable. There was another question about the value of moving this data source forward (would we learn anything further in the evaluation stage that might give the Negotiated Rulemaking committee another option for aging data?). It was noted that we look for data sources that minimize the disruption of tribal programs. It was also noted that the shock of changing every five or ten years had been a discussion in the Negotiated Rulemaking Committee and maybe for fairness perspective, this data source should move forward to the next stage. There was a comment that we are allowing the IHS projects to move forward, which is a data source to age the Decennial Census, and if we are moving that forward, it makes sense to move this data source forward also. The study group decided to move this data source forward to the next stage to address the questions about whether Census could improve the AIAN count and what will be the additional costs involved (with the value we are getting from it).

Nomination Number 1: National Tribal Survey - Administered by Federal Agency

The technical experts did not have unanimous recommendation about nomination number 1. There was a comment that there is an assumption that tribes will agree on the survey questions, while there is wide disagreement amongst tribes about how questions should be posed; this is not an easy process. The group then had a discussion about the uniformity of the survey instrument and process. It was noted that there will be an assumption that the survey questions will be standardized for fairness and equitability. The study group decided to move this data source forward to the next stage and have the following questions to address in the next stage:

- Three areas of costs:
 - What are the startup costs?
 - What are the ongoing implementation costs?
 - Would there be significant costs to the tribes? Would the costs be entirely on HUD?
- Mandatory vs. Voluntary
 - If it is voluntary, then there may not be enough engagement from tribal members to result in robust data outcome (possibly get examples to see the ability to assess this).
 - Time period - implementation timeframe and frequency that the data will be collected (pros and cons).
- What are the challenge opportunities?
 - If there is a different data collection process, then this will be different.
- Need to increase sampling rate in less rural Indian areas
 - How much would this sampling rate increase?
 - Would additional work be done to determine that the process is equitable amongst all Indian areas?
- Different tribal programs have different eligibility criteria
 - How do you reconcile this?
- Issues for smaller tribes
 - Have enough questions to address issues in smaller tribes (in development and implementation of survey).

Nomination Number 2: National Tribal Survey - Administered by Tribes

While the technical experts did have unanimous recommendation to move nomination number 2 forward to the Evaluation Phase, there was discussion surrounding the decision to move this forward. Ultimately, the study group decided to move this data source forward to the next stage and have the following questions to address in the next stage:

- Costs
 - What are the startup costs?
 - What are the ongoing implementation costs?
 - Would there be significant costs to the tribes? (Would the costs be entirely on HUD?)
 - While this will be a tribally-driven survey, consulting groups may be used to conduct the survey on behalf of the tribe. This will be a significant cost to the tribes, especially for smaller tribes.
- Some tribes may not have clear geographical boundaries and do not have clear boundaries to collect data?
- What happens when tribes do not want to conduct the survey?
 - What are other opportunities or other options to consider?
- What happens if this data source is selected and in ten years from now, Congress does not fund this?

The study group decided to move all six data sources discussed in today's meeting to the Evaluation Stage. In total, 9 out of 19 data sources listed below will move forward to the Evaluation Stage:

- Nomination Number 1: National Tribal Survey - Administered by Federal Agency
- Nomination Number 2: National Tribal Survey - Administered by Tribes
- Nomination Number 3a: Most Recent Decennial Census
- Nomination Number 3b: American Community Survey (ACS)
- Nomination Number 7: Indian Health Service (IHS) Service Population Projections based upon birth and death rate data as provided by the National Center for Health Statistics
- Nomination Number 11: Tribal Enrollment data
- Nomination Number 12: Data reported by IHBG grant recipients in Formula Response Forms
- Nomination Number 13: Total Development Cost
- Nomination Number 42: US Census, Population Estimates Program

Review and Update of Study Group Timeline

The group then reviewed the updated Study Group Timeline that was posted online on the IHBGrulemaking website. The group decided on the following edits to the Timeline:

- Add a Study Group Telephonic Meeting on Monday, April 27th from 1:00pm to 2:30pm Eastern Time.

- Change the May 25th, Monday Study Group Telephonic Meeting to a Tuesday May 26th Meeting at 1:00pm Eastern Time.
- Change the June 22nd due date for the draft Final Report to be sent to the study group to June 19th COB.
- Add an In-person Meeting on June 23rd to June 24th.

On the next conference call on April 27, 2015, the study group will discuss the format of the Final Report and possibly narrow down the location of the In-person meeting on June 23-24, 2015. It was suggested that the study group review the document "Proposed Report Outline - Data Study Group 10-1-2014" on the IHBGrulemaking website before the next call. The next call will provide better directions and guidance to the technical experts on the study group's expectations for the Final Report. The May 25th meeting was changed to May 26th because May 25th is a national holiday. It was also noted that this meeting possibly be a meeting with internet presentation capabilities.

An in-person meeting was proposed to discuss what we have in the draft report, how to present this to the Negotiated Rulemaking Committee, and what the study group's recommendations will be to the Committee. In discussing the time and location of the in-person meeting, there was a suggestion to meet during the upcoming NAIHC conference. However, since not all study group members are attending this conference and since the time may be too early in the process for a face-to-face meeting, a different date and location was suggested. The group proposed an in-person meeting on June 23-24, 2015 (Tuesday and Wednesday), and possible locations will be in one of the ONAP Area Offices. Several members expressed their preference for the meeting at the Portland or the Seattle Area office. Glenda Green and Gary Cooper will work together to narrow down the proposed locations and availability. The group also suggested to change the draft report due date to COB on Friday, June 19th. The technical experts expressed that this is doable and will try to complete the draft of the Final Report by this new deadline. The timeline will be updated with the suggested changes and the revised timeline will be posted online on the IHBGrulemaking website.

Discussion of Report Outline

The study group then had a discussion about the outline of the Final Report due to the Negotiated Rulemaking Committee. The technical experts expressed that they need clear guidance on which data sources the study group thinks are appropriate for the Formula and how to frame the draft report. It was noted that there should be a good discussion about the report outline before so that the technical experts have clear direction and there are no formatting questions when discussing the draft report at the in-person meeting. The outline of the Final Report will be discussed during the next conference call on Monday, April 27th at 1pm Eastern time.

In wrapping up, the study group expressed their appreciation and thanks to the technical experts for their continued hard work. Ben Winters also announced that today's call was his last study group call since he will be leaving his position with HUD. Todd Richardson will discuss plans of moving forward in Ben's absence possibly on the next study group call. It was noted that the study group's expectations is that HUD will be heavily engaged in the report writing process of this study group's Final Report. The study group expressed their appreciation and thanks to Ben Winters for his hard work and objective contributions to the study group. The next conference call will discuss the format of the Final Report and to confirm the date and location of

the in-person meeting on June 23-24, 2015. The next conference call will be on **Monday, April 27, 2015, at 1:00pm Eastern Time.**

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
April 27, 2015
1:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants of the call, and four of the seven study group members were present. The Eastern Woodlands, Northwest, and the Southwest regional members or alternates were not present. The study group started the meeting by looking at the items on the proposed agenda. Without any changes, the proposed agenda for today's conference call was approved. The group then reviewed the notes from the previous meeting on April 20, 2015. Without any changes, the meeting notes from the conference call on April 20, 2015, were approved.

Review and Approve Final Report Outline

The study group then reviewed and discussed the Final Report Outline. There was a comment that according to the December 17, 2014, meeting notes, the proposed Final Report Outline was already approved by the study group members. It was suggested that the group takes another look at this document for additional discussions. There was a suggestion that if the technical experts have any additional research papers or reference documents, to send these to the study group members to review. The study group members should have access to these now to reduce the burden of the volume of information that needs to be reviewed later in the process. Gary Cooper will send out a reminder to the technical experts to send any additional research and reference papers to the study group members. There was also a suggestion to ask someone to prepare a document listing the links referenced in any of the data source characterizations so that the study group members will have one document to easily reference.

The technical experts had a discussion last week about the initial assignment and rotations of the data source evaluations. The process that the technical experts envisioned is that whoever initially was assigned to that data source in the characterization phase will also be assigned to that data source in the evaluation phase. Once the initial evaluations are completed, these will be rotated to other technical experts for review and comments. There was a question about whether someone at HUD will be involved in the drafting process. Todd Richardson from PD&R will be one of the technical experts reviewing and making comments to the data source evaluations. There was another question about who will replace Ben Winters in writing the plan of drafting the Final Report. Todd Richardson and Glenda Green will have discussions to work this out. There were two significant changes proposed to the Final Report Outline: adding bios of the technical support persons and adding a disclosure section. With these two changes, the Final Report Outline was approved by the study group members.

In-person Meeting on June 23-24, 2015

The group then had a brief discussion about the proposed In-person meeting on June 23-24, 2015. It was noted that space is available at the Seattle ONAP office to hold the in-person meeting on the proposed dates. The study group approved the in-person meeting on June 23-24, 2015, at the Seattle ONAP office. It was suggested that the study group members book their travel sooner than later for the meeting. Gary Cooper also sent out an email last week with a list of hotel options near the Seattle ONAP office for study group members to reference.

The next conference call will be to discuss the first round of the Evaluation drafts. The next conference call will be on **Tuesday, May 26, 2015, at 1:00pm Eastern Time.**

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
June 1, 2015
1:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants of the call, and five of the seven study group members or alternates were present. The Eastern Woodlands and the Southwest regional members or alternates were not present. Since the agenda for this meeting was not sent out before the meeting, the group proposed the following agenda items for today's call:

1. Review and approve the meeting notes from previous meeting (April 27, 2015).
2. Discussion of study group in-person meeting on August 10th in Scottsdale.
3. Discussion of status report to the Negotiated Rulemaking Committee.
4. Discussion of Evaluation Summary Spreadsheet

The proposed agenda for today's conference call was approved. The group then reviewed the notes from the previous meeting on April 27, 2015. Without any changes, the meeting notes from the conference call on April 27, 2015, were approved.

Discussion of study group in-person meeting on August 10th in Scottsdale

The study group discussed whether there was a need for a final in-person meeting on Monday, August 10, 2015, before the start of the Negotiated Rulemaking Session 7 Meeting. There was a question about the purpose of the final study group meeting. It was pointed out that part of the requirements of the study group is to present the Final Report and the group's findings to the Negotiated Rulemaking Committee. There was a suggestion that it will be helpful for a small group to prepare a PowerPoint presentation and the study group members can discuss and edit the PowerPoint at the final face-to-face meeting on Monday, August 10th. This will also give the Negotiated Rulemaking Committee members (who are not part of the study group) an opportunity to step in and hear the discussions about the Final Report. It was noted that a 30 to 45 minute overview of the Final Report can be presented in a PowerPoint to the full Committee to get the rest of the Committee members up to speed to get in the mode for negotiations. If needed, the technical experts can also get together before this final study group meeting. The group decided on the following meeting times in Scottsdale:

- 1:00pm - 4:00pm on Monday, August 10, 2015: Technical Experts Meeting (if necessary)
- 4:00pm - 8:00pm on Monday, August 10, 2015: Final Study Group Meeting to discuss and finalize the PowerPoint Presentation of the Final Report to the Negotiated Rulemaking Committee.

Glenda Green will check to see if the meeting room in Scottsdale is available for the study group and technical experts to use during these times.

Discussion of status report to the Negotiated Rulemaking Committee

The group had a discussion about a status report to the Negotiated Rulemaking Committee. There was a comment that 30 days may not be enough time for the Negotiated Rulemaking Committee to digest the full Report. There was a question whether HUD can release a draft report or at least the final characterizations to the Full Committee? There was a comment that it may make more sense to wait until the evaluations are completed and package the final characterizations with the final evaluations for the Full Committee to review. There was another comment that all the work that the study group has completed so far has been uploaded on the IHBG Rulemaking website; it may be better to just inform the Negotiated Rulemaking Committee of this and direct them to the website. The study group decided that after the final evaluations are completed and before the Seattle In-person meeting in June, an email will be sent out to the Negotiated Rulemaking Committee members. This email will provide information that the study group is on-schedule, to expect the Final Report on July 28th, and to direct the Committee members to the IHBG Rulemaking website with preliminary information to review.

Discussion of Evaluation Summary Spreadsheet

The study group then had a discussion about the data source evaluations. Todd Richardson gave a brief status update of the technical experts' progress in the evaluation phase. The reviewers have completed draft reports of all nine evaluations. Currently, the draft evaluations are being edited and in the process of circulating within the technical experts to convey different viewpoints in an effective manner. It was noted that in general, the nine data sources were split into two groups: Core Data (four data sources that may replace the Census 2000 data on the Formula) and Support Data (five other data sources that support data variables and could possibly play other roles in a new formula).

The study group then had a discussion about the Evaluation Summary spreadsheet that was emailed to the group. There was a question about the role of the Evaluation Summary spreadsheet. It was explained that the spreadsheet will be in the body of the Final Report as a summary of the final evaluations. There was a comment that the Evaluation Summary spreadsheet should not be on the IHBG Rulemaking website until it is finalized and approved by the study group. The Evaluation Summary spreadsheet was taken down from the IHBG Rulemaking website but will be made available in shared Google docs for study group members and technical experts to review. There was a request by a study group member to have access to earlier drafts of the evaluations so that the study group can see the differences in the evaluator's opinions before these are aggregated in the final evaluations. The current draft evaluations with edits will be made available as read only documents in shared Google docs for study group members and technical experts to review. It was noted that the technical experts may take about a week to ten days to finalize all nine evaluations. The four core data sources

will be finalized for the study group to review in the next couple days. The other five supporting data sources will be finalized by the end of the week for the study group to review.

Upcoming Study Group Meetings

The group had a brief discussion about setting up several study group meetings to discuss the final evaluations. The study group decided on the following meeting dates:

- Conference Call on Thursday, June 4th from 11:00am to 1:00pm Eastern
- Conference Call on Tuesday, June 16th from 1:00pm to 3:00pm Eastern
- Conference Call on Tuesday, June 16th from 5:00pm to 7:00pm Eastern (If necessary)

It was noted that Gary Cooper may not be available for the call on June 16th. Jason Adams will be available to serve as the chair of the meeting in his place. The next conference call will be to discuss the first round of the final evaluation. The next conference call will be on **Thursday, June 4, 2015, at 1:00pm Eastern Time.**

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
June 4, 2015
11:00 a.m. ET

Meeting Notes

The conference call started with a roll call of all participants on the call. Five of the seven study group members or alternates were present. The Eastern Woodlands and the Southwest regional members or alternates were not present.

Discussion of Five Support Data Source Evaluations

The five support data source evaluations along with the Support Data Evaluation Summaries were emailed to the study group earlier this morning. The Support Data Evaluation Summaries document provides a summary of the five support data source evaluations and provides answers to yes/no questions for each of the five support variables. The goal of today's call is to have discussions about these five data source evaluations. For each of the five evaluations, Todd Richardson gave an overview of the data source evaluation, other technical experts provided additional comments about the data source, and then the study group raised questions and had detailed discussions about the data source. Questions and comments from the technical experts and the study group on each of the five data source evaluations are noted below.

Tribal Enrollment

There was a comment about a correction to the Support Data Evaluation Summaries June 3 2015 document: Tribal Enrollment is currently used to cap the needs data so tribes can't receive funding for more than **2 times** their enrolled population (not 3 times their enrolled population). A study group member commented that based on the evaluation, it sounds like that all technical experts have basically the same opinion that Tribal Enrollment is appropriate for how it is used in the formula now but there are challenges trying to use this in any other ways. A technical expert commented that currently, there is no way to identify geographic information for enrolled members. If all tribes provide this information in the Formula Response Form, then maybe this data source can be used for other purposes. A study group member commented that in the Tribal Enrollment Evaluation, under the section "Relevance", the following sentence is incomplete and needs to be fixed: "There are no uniform standards from tribe to tribe as to whether additional data, such as address/location or family information."

IHS Population Estimates and Census Population Estimates

The technical experts commented that both the IHS Population Estimates and the Census Population Estimates suffer for incorrect coding of deaths (undercount of AIAN deaths) and both data sources really do not capture correctly the number of AIAN deaths. A technical expert commented that with migration, the resources used do not capture the data concerning Native Americans or AIAN data as we would like. Another technical expert commented that part of the problem is that the AIAN definition that the Census use, includes people from Central and South America. When you take this number, this makes it a much larger problem in the area of relevance. The technical experts see major caveats with both of these data sources.

One technical expert commented that one option will be to not age the data at all in the formula given the caveats of these variables; it was noted that this conversation will be appropriate to have after reviewing all of the core data sources. A study group member raised the following questions: Which of the two data sources do the technical experts recommend to age data? Are there potential ways you could try to manipulate one of the two data sources like borrow migration data from other sources? One technical expert responded that there is not a way to borrow migration data from other sources. Most of the technical experts expressed their preference to the Census Population Estimates data over the IHS Population Estimates data but also noted that both data sources have a lot of challenges.

The group then had a discussion about the accuracy of the data sources. One technical expert commented that we need to recognize that the aging of data has had significant affect on potentially distorting the data. You have to decide, if you're not going to age the data, are you willing to accept the shock of simply adding new data which may not be perfectly accurate. It was decided that this decision should happen after the core data sources are discussed.

A study group member raised the following questions: In looking at data sources that provide population data, can ACS provide that base population data? If so, would it need to be aged using one of these aging factors? One technical expert responded that it is useful to know that the ACS, where they draw the sampling frame is using population estimates from the Census. Another technical expert commented that ACS data is obtained annually and do not need to be aged. There was another question about the Census AIAN definition capturing Central and South American population, if this information was reflected in the evaluations anywhere? In response, a technical expert stated that this should be captured in the Decennial Census and ACS evaluations.

The study group agreed that the group may need to revisit several of these evaluations after discussions about the core data sources.

Total Development Cost

The general view of the technical experts of the Total Development Cost data source was that the data source is good for current formula use but may be poor for any other use. This is the only source (TDC is an integration of several sources) identified to measure construction cost but it has limitations. There was a comment from a study group member about capturing expensive freight and delivery costs. There is a tribe with housing in the Grand Canyon that had

to hire helicopters to deliver materials. If data sources do not capture these expensive freight costs and materials delivery costs, it will be interesting to see if there are other sources to capture this. It was noted that this will be an interesting conversation to have with the full committee at some point. A technical expert commented that the issues that are raised are: What are other ways to capture data? Who may already be capturing data? Should we be capturing data from TDHEs? Are there other mechanism to tailor this data specifically to tribes and their programs? Another technical expert asked if this is a variable in the formula that is better served by some kind of tribal survey? One of the study group members commented that one potential complication of using data provided by entities that are doing the actual construction is that some tribal entities may be penalized for being efficient. If there are tribal entities that find creative ways for cost saving measures but may be penalized from a formula funding perspective because it lowered their construction costs in the formula; this may disincentivize these entities in being efficient. One of the technical experts commented that there may be construction cost data that can be obtained from someone like Amerind, since they work only in Indian Country. In closing the discussion for this data source, it was noted that doing something else (survey or estimate) is worth exploring but may be hard to do, and as reviewers, the technical experts do not know what the outcome will be.

Formula Response Form

The general view of the technical experts of the Formula Response Form is that in its current form, it is good to fair, but for use in other sources, this data source is fair. One of the technical experts commented that there is a challenge with the Formula Response Form because this is to update the background database and there may not always be a response from all tribes, especially if the tribe does not have any data changes. This data source is not like any other data source and is primarily used for reporting purposes. Another technical expert commented that the Formula Response Form is an officially approved Office of Management and Budget (OMB) document. Therefore, any changes to the Formula Response Form will need to go through the OMB process which may take some time, and changes will not be automatic. The study group did not have specific questions or comments about this data source evaluation.

The group then had a brief discussion about the process of moving forward. It was decided that the study group have the opportunity to read these evaluations and then have additional discussions about these five and then go into discussion on the remaining four evaluations on the next conference call. It was also decided that the study group will reach consensus whether and how data will be used in the formula once the group finish their discussions on all nine of the data source evaluations. The technical experts anticipate completing the remaining four evaluations by Thursday, June 11th. The technical experts will send the first two completed evaluations first and then send the remaining two evaluations next.

In closing, the study group thanked the technical experts for their hard work. The next conference call will be to have additional discussions on the five support evaluations and then

have discussions on the remaining four core evaluations. The next conference call will be on **Tuesday, June 16, 2015, at 1:00pm Eastern Time.**

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
June 16, 2015
1:00 p.m. ET and 5:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants on the call. Five of the seven study group members or alternates were present for both conference calls. The Eastern Woodlands and the Southern Plains regional members or alternates were not present for both conference calls. Gary Cooper was not available on today's call and Jason Adams served as the chair for today's meeting in his place. The group first reviewed the notes from the previous meeting on June 4, 2015. Without any changes, the meeting notes from the conference call on June 4, 2015, were approved.

Discussion of Four Core Data Source Evaluations

The four core data source evaluations along with the Core Data Summaries were emailed to the study group on June 15th. The Core Data Summaries document provides a summary of the four core data source evaluations and provides a side by side of the top level answer to each of the questions. The group decided that the overview of the Core Data Summaries document will be reviewed first and then each of the four core data source evaluations will be discussed in details. It was mentioned that in general, the technical experts had agreements on the disadvantages and advantages of each of the core data sources; the differences in their opinions were in how they weighed the importance of each of these disadvantages and advantages.

Todd Richardson facilitated the overview and discussion of each of the core data sources, the other technical experts provided additional comments, and then the study group raised questions and provided comments. Questions and comments from the technical experts and the study group on each of the four core data source evaluations are noted below.

Decennial Census

Overview

It was mentioned that the issue that most technical experts had with the Decennial Census was the issue of self-identification for Native Americans and the challenges with this data in the count of Native American persons. There was a comment from a study group member that the robust narrative about self-identification and the regional differences was very helpful and expressed appreciation that this information was included in the narrative.

Relevance

It was mentioned that the challenge with this data source is that the Census definition of family may not be consistent with how many tribes define family. There was a comment from a study group member that the section fairly represents the challenge of the discussion on this topic for

Negotiated Rulemaking members and Indian Country in general as there are so many different ways in which we identify. She also commented that the narrative under the Decennial Census Evaluation is fairly representative of that discussion. However, the same discussion is not articulated robustly on the other three core data sources. In response, a technical expert stated that they can take this narrative and insert into the other three data source evaluations for consistency.

Currency

It was mentioned that the Decennial Census happens every 10 years and therefore needs to be aged. There was a comment from a study group participant that the Decennial Census and the Tribal data collection data sources are not reliable on an annual basis and could be aged in certain ways even though there may be issues with aging data. He also requested the technical experts to take a look at these data sources and make them consistent. A technical expert commented that the challenge is that they are different timeframes (5 years versus 10 years) and may have certain differences and therefore slightly different in the evaluations. The technical experts will take a look at these evaluations. There was a comment from a study group member that consistency is important (how a question is answered for one data source must be answered in the same way for the other data source). The technical experts attempted to do this but can look through again. The technical experts will try to make explicit comparisons and see for each of the data source, what are the strengths and weaknesses?

Accuracy and Precision

There was a question from a study group participant that it looks like one reviewer thought that the protocols in place under questions 2 and 3 in this section were not sufficient or is there a broader consensus about this? In response, a technical expert stated that it captures the different views and is not a strict voting of all evaluators. There was another comment from a study group participant about question 3, if there can be more elaboration on the cultural sensitivity section? In response, a technical expert stated that this is the tension we have, that different parts of the country have different interpretations of the questions. A study group participant raised the question: other than what is listed in the narrative of this section, what additional steps (improvements that can be made) are necessary to say “yes” to the culturally sensitive data collection protocol? There was a question from a study group participant about question 6 of this section. He asked how many of the issues pointed out here could potentially apply to the tribal surveys. He also asked that as many of these issues discussed here are not raised in the tribal surveys, is this because they are not issues or is this because the survey instrument is not well developed enough to see where there are issues? In response, a technical expert stated that for the tribally administered surveys, you will have to build your own sampling survey. Another technical expert commented that there is a challenge of improving the files. A study group participant commented that if the issues addressed at the bottom of page 11 of this evaluation apply to other data sources, to make sure it is addressed in the other data sources as well. The technical experts will review and make sure it is consistent.

Completeness

No questions or comments.

Availability

No questions or comments.

Transparency

No questions or comments.

American Community Survey (ACS)

Overview

It was noted that the ACS is not currently used in the formula. It was also noted that overall, this data source got a “good” rating from every evaluator and its strength is that it is available and largely fairly transparent; the data is relevant to lot of the variables in the current formula. However, in accuracy/precision, currency, completeness, and transparency, the ratings vary greatly amongst the technical experts.

Relevance

There was a comment from a study group participant that it is worth following up with the Census Bureau publishing in the Federal Register that it intends to drop the question that asks about a working toilet; this is related to the “without kitchen and plumbing” variable in the current formula. In response, a technical expert commented that the Census Bureau is moving in the direction of dropping the question about a working toilet and mentioned that the comment period is still open if anyone has any comments regarding this issue. A technical expert also mentioned that they have asked the Census Bureau to run a special tabulation of the ACS data removing the toilet question to see to what extent there are significant changes in the formula.

Currency

No questions or comments.

Accuracy and Precision

There was a question from a study group participant about the bottom paragraph on page 5 of the Evaluation, regarding small sample sizes in certain Indian Areas under the ACS. In particular, he mentioned that the small sample size in the ACS is in part mitigated by the use of the 5-year averages for those areas with the lower sample size. He also mentioned that when you do that, the Census does not hit the same household in those areas and in the same 5-year timeframe, and therefore you get a larger sample size representing the 5-year average. This makes the sample size or the accuracy of the data somewhat comparable to the Census long form. Is this an accurate representation?

In response, a technical expert said that this is generally correct. The sampling rate for the ACS for the 5-year average for most of the country is lower than the long form sampling rate. He said that this has created some problems in rural and Tribal areas and the Census in trying to fix this by increasing the sampling rate in those areas. He also said that the 2011 to 2015 or the 2012 to 2016 would have those new sampling rates incorporated and should improve the accuracy somewhat.

There was a follow-up question from a study group participant about sampling rate for the ACS, for example a 10% sampling rate, does that sampling reflect for just that given year? In response, a technical expert said that generally when the Census gives a sampling rate; it is for that given year; a 5-year average will be 50%. The technical expert noted that in some places, the margins of error are not a big problem and in some places are big problems. The Census has increased the sampling rate in some of these rural areas to reduce their margin of error. It was noted that as with all surveys, there are challenges with non-response but the Census Bureau has had the highest response rates.

There was a request from a study group participant to include the language about the Master Address File (MAF) on page 9 of this Evaluation in other data source evaluations that rely on MAF. The technical experts will take a look at this.

Completeness

The technical expert noted that there is an effort to do outreach, and unlike the Decennial Census, there is a smaller budget for marketing. The ACS's big advantages, compared to the Decennial Census, are that they have professional interviewers.

There was a question from a study group participant about the multi stage data collection process and different modes of outreach discussed on top of page 12 in this Evaluation. Do the technical experts think that this is something that can apply to the tribal data collection? In particular the Federally administered collected process? In response, a technical expert said that we will see some of the same issues and concerns, and we can make sure to spell this out clearly in the other evaluations.

There was a follow-up question from a study group participant about the limited advertising budget for ACS. When we talk about tribal surveys, do the cost estimates assume marketing budget that is better than the ACS or is this totally a separate issue? In response, a technical expert said that the tribal surveys, because you are doing the survey for everybody at the same time, makes the marketing strategies more efficient and effective. We would expect that we would want to have a more extensive marketing budget. The technical expert also mentioned that the ACS has an exceptionally high response rate considering the lower marketing budget.

There was a comment from a study group member about mandatory versus voluntary data collection as discussed on page 11 of the Evaluation. She mentioned that based on conversations from the National Advisory Committee Meeting, a mandatory data collection is a preferred outcome. Also, there will be a Federal Register Notice for tribal consultation with the Census this fall. This is a great opportunity to discuss what kind of marketing investments the

Census should conduct for ACS. She also clarified that she is not suggesting ACS as a selected data source but the ACS can be a data source for other Indian programs.

There was a request from a study group participant for the technical experts to take a look at the final overall recommendation for completeness in ACS. In particular, on page 15 of the Evaluation, there is a “Good to Fair” rating but this rating is different from what is stated for the National Tribal Survey administered by Federal Agency Evaluation, even though it is the same issue applying to both data sources. The technical experts will take a look at this.

Availability

No questions or comments.

Transparency

It was noted that this whole process forces the Census Bureau to be more transparent, especially with all the data the technical experts have requested from the Census.

National Tribal Survey (NTS) - Administered by Federal Agency

Overview

The National Tribal Survey - administered by Federal Agency is not used in the formula. The biggest caveat of this data source is that this does not currently exist and it would take a very high cost to undertake. It was noted that this data source received a variety of different ratings from the evaluators. The difference in the ratings had to do with how much one weighs this and the availability of this data source. The major caveat of this data source is that these are proposed data sets and it is difficult to evaluate what this source “could be” since these do not exist currently. There was a comment from a technical expert about possible sampling issues with this data source (just like in other similar surveys). There was a comment from a study group member that when you have a known process, it is much easier to identify ways of improvement and ways it is doing well. However, it is difficult to look at an instrument without any framework or methodology and make assumptions that there will be no challenges in the data collection process. A study group member requested the technical experts to reexamine the three processes (screening, characterization, and evaluation) and make sure that the information is consistent. The technical experts will go through these documents and do a comparison.

Relevance

There was a request from a study group participant to have an explanation for all the “Unknown” responses. He suggested a possible response like “Unknown until there are specific instruments.” The technical experts will go through and revise this.

There was another request from a study group participant to have a statement about tribal surveys being limited to Indian housing data collection only in the relevance section. The technical experts will make this edit.

There was a question from a study group member about whether HUD has considered if there are additional cost on HUD for this agency driven survey? A technical expert said that in the American Housing Survey, HUD controls the content side and the Census Bureau does the testing of all questions. He imagines that we would need to staff appropriately for this and that HUD contracts out (either to the Census or private organizations) to do the survey.

A technical expert mentioned that there is a possibility that there are questions that may not come to consensus due to the Negotiated Rulemaking process. A study group participant asked that since this process is limited on the number of questions asked based on how it is created and those questions are negotiated amongst the Committee, all questions will not make it? Another technical expert responded that we have not discussed the process of coming up with a survey. Another technical expert commented that it is important that you are implementing variables that have already been pre-defined by the Committee. A technical expert mentioned that any survey created will need to go through the OMB process, which is mentioned in the Currency section of this Evaluation. A study group member requested that this information about the surveys going through the OMB process be addressed in the Final Report. A technical expert also mentioned that in the best case scenario, the OMB process takes six months.

Currency

It was noted that there may be information from the Decennial Census that may be moved over here based on prior study group discussions.

There was another request from a study group participant for the technical expert to take a look at the language in the Characterization of this data source about how long the initial design period will be and make sure that information is reflected clearly in this Evaluation. The technical experts will take a look and make sure it is clear in the narrative.

Accuracy and Precision

It was noted that there is an assumption in responding to the questions, that we work out procedures that will be optimal in doing data collection in tribal areas. It was also noted that precision is driven by sample sizes and sample sized are controlled by costs.

There was a request from a study group participant to put a clear caveat in this section about an assumption being made that there is sufficient funding available to design the optimal survey with sample sizes as large as necessary to capture high quality data. The technical experts will adjust the language about some level of balancing of costs versus accuracy. A technical expert commented that cost is really an issue in precision and another part of this is response/return rate. In particular, he mentioned that the smaller the sample, the response rate is extremely important.

There was a question from a study group member about whether the introductory paragraph provides adequate explanation for what is primarily a pro-discussion and analysis based on the idea that there will be adequate funding, adequate response rate, and adequate sample size. She mentioned that no survey is perfect and starting a new survey would most likely to be imperfect in the beginning. She raised the question of how do we present the most fair evaluation of something that does not exist? She requested the technical expert to be explicit as they can in the narrative so that we can consider what is the adequate funding, sample size and optimal response rate. A technical expert responded that the Availability section covers this information. He also mentioned that the actual cost of survey is very difficult to estimate and this is beyond the scope of the technical experts. The technical expert will review and make sure that information is stated and make sure that there is information that there will be additional costs involved getting the sampling size to optimize data.

A study group participant commented that part of the concern is that there is not the same opportunity to identify prospective weaknesses because it is not a real survey. He also mentioned that if we read sections of this Evaluation in isolation, it could appear that there are no issues with tribal survey's precision and accuracy. A technical expert responded that we are assuming the document goes out as whole and be treated as a whole document.

Completeness

The following questions were raised from a study group participant about mandatory versus voluntary:

- Can the technical experts look to see if we should include information about the result of the Census Bureau testing on the removal of language indicating that if a survey was required by law or mandatory?
- If we want to gather information on tribal membership, how would the interviewer verify the tribal membership status? Would the interviewer request documentation?

A technical expert responded that mandatory versus voluntary is relevant and worth consideration. The technical experts will discuss this further.

Availability

There was a request from a study group participant to reflect the costs from the Characterization in this section. Todd Richardson will take a look at this and get back to the study group.

There was another comment from a study group participant about whether startup costs or marketing costs by tribes adequately reflected in the narrative. The technical experts will take a look at this.

Transparency

A study group member commented that there is a disconnect between the specificity of the questions and the lack of specificity of the responses and the ratings are not relevant to this.

She mentioned that if we intend the Final Report to have credibility, these kinds of things when others read this, will cause this report to lack credibility. In particular for question 2 of this section, she suggested that this should have no rating with an explanation that the evaluators are not able to rate this because this currently does not exist and there is an assumption, if created, it will be. Another study group participant commented that this is a present day question, not a future day question. A study group member commented that in the very first paragraph of this Evaluation, there is an assumption statement. Another study group participant commented that the transparency section is a little different; we need to look at this with the perspective of, is there enough information available to the technical experts for them to really find all the information they need regarding this data source. A study group member expressed that he disagrees with this. A study group alternate commented that the study group member that he is representing expresses the same concern about the responses as well. Another study member suggested the response “assumed excellent” to address the issue raised? A study group participant responded that this only addresses half of the issue and that we need to get a more specific response from the technical experts about whether all the information was available.

A technical expert suggested that maybe the responses to this section will be “N/A” or not rateable and the nuance to convey is that it is unknown. Another technical expert commented that there is an OMB review requirement and this provides some transparency. The technical experts will go back and discuss this section.

National Tribal Survey - Administered by Tribes

Overview

The National Tribal Survey - administered by Tribes is not used in the formula except when tribes challenge the needs data in the formula with their own survey. It was mentioned that the major caveats of this data source is that it does not currently exist, it would take a high cost to undertake, and it would be difficult to ensure uniform data collection across all tribal areas. There was a comment from a technical expert is that the challenge of this data source is a concern about the ability to change the questionnaire.

There was a question from a study group participant about whether there was a decision that this survey be strictly for housing or for other non-housing issues like healthcare or education in evaluating this data source. In response, a technical expert answered that in evaluating the data source, it was assumed that this survey was just for housing. Unless the study group wanted that detail, it seemed like adding things will further complicate the evaluation.

There was another question from a study group participant about how the technical experts approached the issue of transparency? In response, a technical expert answered that the data source was reviewed in terms of if and when it is implemented, would it be transparent?

There was a comment by a study group member that for consideration for discussion in the Seattle meeting is for the study group members to think about how that Final Report might discuss the data challenge process and the use of the tribally driven survey. There was a comment by a study group member that the costs narrative for the tribally driven survey appropriately accounts for the differences in the following two scenarios: Agency driven surveys already have staff for the process and tribes generally do not have staff.

There was a question by a study group member about whether the technical experts had any discussion about what happens if a tribe rejects doing the survey? In response, a technical expert answered that there was not a discussion about this but this is a possibility; this may go beyond the evaluations of this data source and into development. There was a question by a study group participant about for tribes that may opt out of the tribal survey, how would this impact the quality of the data collected? In response, a technical expert answered that this is a good issue to address as these are issues that are faced by other similar surveys.

Relevance

A study group participant asked if the technical experts have taken into consideration the Navajo Housing Authority's tribally administered housing needs assessment. A technical expert responded that it has been noted.

Currency

It was noted that the comments from the Agency administered National Tribal Survey will be carried over in this section.

A study group member asked if there are examples of stability to note in this section. She also asked about the differences in outcomes between the rolling average and a point in time and if the technical experts have a preferred outcome? A technical expert responded that there is literature that suggests that rolling average is better than point in time and rolling averages "smooths" the data and gives you a better sense of the trend than a single point. Another technical expert commented that this actually depends and it is still a question for the purpose of how it is being used and the relativity. A study group member commented that there will be costs trade-offs regarding this.

Accuracy and Precision

A study group participant asked how much access did the technical experts have had to other tribally administered surveys and did they take this into consideration. A technical expert responded that they did their background information and looked at tribally administered surveys available online. Another technical expert commented that they found several surveys but could only see the results and could not see what was behind the results.

A study group participant asked about the pros and cons using tribally employed field staff compared to staffing patterns used in other data sources? The technical experts will have a discussion about staffing issues.

Completeness

It was noted that the technical experts will look more into if MAF is available for tribes.

A study group participant asked if there are discussions about the oversampling in some tribal areas with larger non-AIAN areas. A technical expert responded that this will add some costs.

In closing, the study group noted that the next call will start with the discussion of the Completeness section of the NTS - Administered by Tribes. The next call will finish off on the discussion of the core data sources and see if there are additional discussions on the support data sources. Todd Richardson will not be available to participate in the next call but another technical expert will be available to facilitate the discussion. The next conference call will on **Thursday, June 18, 2015, at 2:00pm Eastern Time.**

DRAFT

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
June 18, 2015
2:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants on the call. Six of the seven study group members or alternates were present. The Eastern Woodlands regional member or alternate was not present. The group continued their discussion of the core data sources, starting with the continuation of discussion on the completeness section of the National Tribal Survey - Administered by Tribes.

National Tribal Survey - Administered by Tribes

Completeness

There was a comment by a study group member that her comments/requests to the technical experts for the National Tribal Survey - Administered by Federal Agency also apply to the National Tribal Survey - Administered by Tribes. There was a comment by a study group participant if the technical experts can make sure the language about the Master Address File (MAF) is aligned throughout the evaluations for data sources that utilize this? The technical experts will make sure that it is aligned (the benefits/limitations will be similar and discuss whether or not there are divergent from there). There was another comment by a study group participant about language in the characterizations about sample size for areas with non-AIAN population. In particular, he asked if the sample size is large enough to make sure you're grabbing a representative sample of the AIAN population? The technical experts will take a look at this.

Availability

There was a comment by a study group member that there are differences in cost estimates in the characterizations and evaluations and Todd Richardson was going to look into this. There was a question by a study group participant about whether there is increased cost for HUD for audits or monitoring to see if tribes are administering the survey consistently across the country? Another comment raised was about a need for a discussion about the potential stability of funding over time, especially when a survey like this is measuring just Indian housing needs. The technical experts can discuss these comments and report back to the study group.

Another comment raised by a study group participant was about whether there would be a more stringent protocol or methodology for this data source than is currently in place for a Census Challenge? If so, would this impose a more significant burden on tribes? The technical experts will also discuss this comment and report back to the study group.

There was a question by a study group member about whether this process anticipates HUD or the Census Bureau completing the compilation process. In response, a technical expert stated that the Census Bureau will most likely not complete the compilation process. Another technical expert commented that the anticipated process be more robust by HUD (auditing and verifying) and may require additional resources. It was noted that the overall rating of availability was taken based on assumptions and projections mentioned in the beginning of this data source evaluation. A study group member commented that it will be helpful to put this information about the assumptions also in the overall rating response.

Transparency

A study group member asked if the experts had looked at evaluations in similar surveys conducted by other tribes. A technical expert responded that they have looked at surveys conducted by other tribes but we are limiting this to something that is of a national scope. The technical experts will make note of other tribal surveys that have been completed and note anything that was discovered or takeaways from those surveys.

Another group member asked if there was any information tracking how many surveys (Census Challenges) have been done by tribes. It was mentioned that this question is actually TA Request #24 and the response is posted online on the IHBGrulemaking website.

A study group participant requested that the technical experts highlight the distinctions between local or regional tribally done surveys and national surveys. The technical experts will take a look at this. It was noted that as discussed in the last conference call, the design component of this being that tribes will be involved in this and there will be a level of transparency based on that design. The technical Experts will discuss how to fairly state that to acknowledge that answers to the questions were not currently available but there was an assumption that the design will promote transparency.

There was a request by a study group member for the technical experts to take a look at and discuss the references to the target population (points out the regional differences) in the ACS evaluation and see if it is worth repeating that narrative in the Tribal Survey sections. The technical experts will take a look at this.

A study group participant asked if the technical experts will give additional consideration to the question of how tribal surveys are intended to measure population (individuals receiving services under NAHASDA), if the survey will first verify tribal enrollment. A technical expert responded that a quick answer is no and it has not been envisioned that they will check tribal ID.

A study group participant also asked for some members of tribes wanting to opt out of the tribal survey, where do you get the data for that tribe? Does that do anything to the overall quality of the national tribal survey? The technical experts will take a look at this.

A study group participant requested that the technical experts take a look at the evaluator's comments on the second paragraph of page 14 of this section, and see if this is a comment just for question 1 or for both questions 1 and 2.

Discussion about the Face-to-Face meeting in Seattle

The study group then moved onto discussions about the Face-to-Face meeting in Seattle next week. The technical experts will start addressing questions/comments raised by the study group during the discussions of the evaluations. Since Todd Richardson and Pat Boydston were not on the call today, the group was not able to confirm this with them. Kevin Klingbeil will create a list of questions/comments raised by the study group during the conference calls so that the technical experts can review the same list while editing the evaluations. The technical experts requested that the meeting notes from the last three conference calls be emailed to them directly. There was a question about how the Final Report was structured? A study group member responded that the Final Report will contain a collection of documents that were already developed by the study group and the last section will be the study group's recommendations. Another study group member mentioned that the study group may not reach consensus but the study group has a duty to articulate the two opinions in the Final Report. Glenda Green mentioned that HUD is in the process of collecting and summarizing for the draft of the Final Report based on the report outline with the exclusion of the executive summary, the results of the data source evaluations, and the study group's recommendations. This draft report will be sent out to the study group in a day or so with an understanding that it is a rough draft but helpful for discussion in next week's meeting.

A study group member suggested that as a written assignment for the study group members to have a written draft of the Executive Summary and a recommendation for the Seattle meeting. Deirdre Flood will not be able to attend the Seattle meeting but will be calling in to the meeting on the conference call line; Aneva Yazzie will be attending in her place. The study group decided on the following agenda items for the Seattle meeting:

- Report from the technical experts on any changes to the evaluations based on the study group's feedback and a discussion of this.
- Review of draft Final Report.
- Open discussion on data sources.
- Discussion on the study group's recommendation, including how the data source recommended will be implemented.

Gary Cooper will put together the Agenda for the Seattle meeting and email this out to the study group.

In closing, it was noted that it is expected that the study group review and be ready to discuss the draft Final Report at the Seattle meeting. The next meeting will be on **Tuesday, June 23, 2015, at 8:00am Pacific Time** at the Northwest Office of Native American Programs Office.

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**Notes: Study Group
of the NAHASDA Formula Negotiated Rulemaking Committee**

**NWONAP HUD Office
901 1st Av, Room 163, Seattle, WA 98104
Tuesday, June 23 – Wednesday, June 24, 2015
8:00 AM (PST)**

Roll Call:

Members attending: Jason Adams, Gary Cooper, Carol Gore, Glenda Green, Aneva Yazzie (alternate), Tom Springer (alternate)

Note: Karin Foster was sick and was not able to attend this meeting.

Other attendees: Jim Anderson, Gabe Layman, Patterson Joe, Kevin Klingboil, Craig Moore, Dave Heisterkamp, Pat Boydston, Cathleen WhiteRabbit, Todd Richardson, Mellor Willie

Review and Approve Agenda.

Discussion about the questions submitted to the technical experts (TE) and if there had been changes to the draft report. TE had not had time to reconvene and make comments for the evaluation documents. Study Group (SG) decided rearrange agenda and move the report out from the TE to later tomorrow. SG decided move forward with discussing the data sources and recommendations.

Review and Approve Minutes/Notes from previous meetings.

Approved minutes from June 16 and June 18, 2015 at 8:50am.

Discussion of data sources and Study Group's recommendation(s), including data source implementation.

General Comments: There was a discussion that SG members are not Tribal Leaders and how to move forward balancing what the Tribal Leaders want and leave room to have a say. SG member acknowledged that as a Committee member they are responsible to Tribal Leaders in their region.

Tribal Survey: SG member emphasized self-governance. Large land-based treaty tribes recommend a tribal survey. Tribal survey an extension of tribal self-governance. The validity of a tribal survey boils down to the credibility of who collects the information.

Tribal surveys are being done currently as part of the challenge process. There in concern from smaller tribes on the capacity to conduct tribal surveys. Need to maintain tribal choice and the ability to opt-out.

General comments about a survey needing to be broad enough to capture needs and circumstances of tribal communities.

Discussion on the cost and timing of attempting to implement a tribal survey. Suggestion to acknowledge in the final report the reality of trying to implement a tribal survey for small, medium, and large tribes capacity to implement. Even with generous funding, it would take time to collect data on a tribal survey.

DOI and Census Consultation: In the fall Census will be conducting Consultation on the upcoming 2020 centennial census. SG has the opportunity to provide feedback and recommendations learned over the past year to improve outcome for tribes. Potential 2016 funding for Department of Interior to improve the AI/AN count. SG group can help inform DOI to identify data gaps. Day 2 of the meeting more discussion on the impact and importance of the upcoming Census and Consultation.

Discussion about how to age the AI/AN data and utilize the support data. General discussion about what happens when ACS captures a lower AI/AN count than 2010 census. There are drawbacks to each data source: IHS uses administrative records and does not capture migration and recorded at county. Census Bureau cannot track by race, ACS uses a rolling five year average.

TE reported that the overall sampling up in the ACS 2013. Smaller communities not getting covered and some larger NY tribes. Of the 617 tribal communities, 150 communities have more than 50% of households surveyed between 2009-2013, 312 communities have between 25-50% households surveyed, and 100 households (25 larger tribal communities) would have concerns about the lack of data. Not sure how many of those 75 communities are also minimally funded tribes.

Sample size: Recommendation to census

ACS shift may be too drastic of a shift. Recommendation to keep decennial for AI/AN pop. Count

How do we age decennial? Best method? At what point do you need to age data?

ACS can have an annual rolling 5-year average, decennial every ten years,

How to smooth funding spikes over time.

Is there a disconnect between having AI/AN be linked to decennial and the other factors linked to ACS 5-year rolling average. AI/AN factor a small part of the formula.

Potential to age data further apart from each other. How to address the pattern of disconnect.

Preserve Tribal Challenge process right without making it overly complicated.

How will tribes challenge the data if the data is based on a rolling sample? Will a one time count hold in a challenge setting environment? As we haven't had any new data, current challenges have held for the last ten years. Don't want to make it costly for tribes to have to challenge annually. How long can you keep that data challenge results. Minimize burden on tribe.

Core data used to measure the AI/AN:

1. Use ACS and not age
2. Use ACS and age:
 - a. Rolling average 5-year period
 - b. Updated every five-year snap shot
3. Use Decennial census and not age
4. Use Decennial and age for with:
 - a. Annually, IHS (drawbacks: does not capture migration, collected at the county level only, and not updated every year), or
 - b. Annually, Census Population Estimates program (captures general population migration), or
 - c. Annually, ACS percent change in the five-year rolling average.

Migration data:

- IHS does not capture migration and collected at the county level.
- Census Population Estimates can measure migration by race, but data delayed by a year. Data compiled by information from IRS and Social Security Administration. Anyone outside those, would not be counted.

Data Challenge: Core data would dictate the challenge cycle. Always opportunity for challenge AI/AN with tribal survey/data. Currently, since all factors on decennial, any factor can be challenged and challenge would stand for ten years. Moving forward, how long to keep challenge data? Age challenge data the same, until data catches up. But, what happens when there is a population decline?

Statute requires looking at the formula data every five years. Put challenging the data on the same five-year cycle. Balancing burden of a challenge and accuracy of data.

2020 census will be capturing Alaska Native, Native American, Central American, South American, Canadian American. Will be able to exclude Central, Canadian, South American. Can the 2010 data have a special tabulation Central, South, Canadian. However drawback, when completing form, persons check AI/AN, but do not check what tribe.

ACS continually improves methodically, counts, and survey. Do not want to lose the ability to capture better data. Give the benefit of the tribe catching to the locked-in data. How to balance the timing of data and challenges.

Two Recommendations to propose to Committee: 1) Data Source, 2) How does it impact data challenge process and interval of challenge period.

Decennial occurs every ten years, and two pieces of core data. Decennial data tolerance to age it out ten years, or should it be looked at every five-years. Add in the "better of" option when ACS catches up. How to determine the cliff of falling numbers.

Recommendations for Variable AI/AN:

- Core Data: better-of ACS, tribal challenge, or decennial (not-aged)

- Challenge life cycle: ten years

Placeholder: to exclude South, Central, and Canadian AI/AN from the decennial and ACS.

The AIAN population will be the greater of the most recently available ACS, Decennial Census, or Challenge data. All of the need variables will be adjusted as a ratio of:

[“the greater of AIAN population” / ACS AI/AN population] X each need variable

Translation: The greater of AI/AN population divided by ACS AI/AN population, multiplied by each need variable in the formula.

If this is adopted, the data would no longer be “aged”.

After lunch discussion about if the support data above should be revisited as IHS data does not measure migration. Discussion about using a ACS percent change in the rolling five-year average. Desire for supporting data to measure AI/AN and migration.

*Day 2 Note: There was a discussion on day 2 of the meeting to eliminate the aging of decennial data as previously discussed on day 1 of the meeting.

[1] Follow-up item for TE: Come back tomorrow, between ACS and Census Population Estimate, which would be a better reflection of population change.

Discussion for Variable Overcrowding: (25% of formula weight)

- a. **Overcrowded, or**
- b. **Without complete kitchen, or**
- c. **Without complete plumbing**

Discussion about residence without a flush toilet and difference between ACS and Census long form. ACS tries to get more detailed information, but is considering dropping the flush toilet language from the question. Census testing suggests that eliminating that part of the question does not impact the result.

Discussion of overcrowding calculation # persons/room. Back in the day, rooms were built with well defined rooms, now houses are built with large open rooms. Affects the calculation for overcrowded. Two potential miscounts by under counting household and number of rooms, can really alter results.

Discussion about how full Committee could discuss breaking this variable apart and weighting each component different. To weight, for example, substandard or very substandard. However, not the task of SG.

[1] (for Todd) What is the difference in the census overcrowding result and the ACS overcrowding result?

[1] (for Todd) Need to compare the ACS questions and the 2000 Census long form used in the formula variables.

1 (for Todd) How many of the minimally funded tribes fall into the category of under surveyed by the ACS.

Question 8 (excluding telephone), Number of rooms, and number of persons feed the Overcrowding variable.

Full committee could consider picking and choosing specific items in the household condition question on the ACS.

Discussion of Core Data:

- a. Decennial Census**
- b. ACS**
- c. National Tribal Survey**
- d. Tribally administered Survey**

Discussion about the cost and timing of creating and paying for a survey. SG member suggested taking ACS and providing recommendations on how to improve data using supporting data to supplement, if ACS variable is lacking. Another suggestion on providing ways to improve ACS outcomes. There is not another comprehensive data source that can capture, consistently better than ACS. ACS will give a reasonable answer, adequate for the variables.

Proposal 1: to use ACS five-year rolling average, updated annually, as the Core data on the remaining variables.

Proposal 2: Status quo, to continue as currently practiced with 2000 Census data aged.

Discussion of cost. Special tabs from Census cost money, but not a lot. Labor cost in the assembly of the data, more expensive part. Overall, less costly and burdensome than a survey.

Discussion of geospatial surveying technique at NHA, to weight the factors of urban and rural to enhance survey results. ACS is improving the sample size every year. 2010 Census updated the Master Address file, worked with tribes to get information about housing units. Census using satellite surveying of communities to expand Master Address file.

Suggestion for how to better collaborate between Census and Tribes. In Alaska, Census worked with delegation to counts people at times when people are back in the villages. How to capture transient/seasonal populations, that they are counted and counted in the right place. Most likely missed in the ACS, because it is a housing unit based survey.

In 2010, Census launched the tribal count earlier than general count, however got stalled when the general count launched. Not enough bandwidth to follow-up.

Recommendation for Census, increase budget to increase sampling size and increase outreach/advertising to tribal communities. Consideration to make updates to process and delivering a form in person, then leave and let the family fill out form in private.

Opportunities to participate in Census consultation and provide recommendations from the Committee.

1 (for TE) To compile a list of recommendations to put forward to Census on ways to improve the ACS outcome in tribal communities.

Question about availability of Census Master Address File. Maps are available of areas surveyed, by census tract and provide the number of households, but individual addresses are protected under privacy. Tribes can provide their own address and ask Census to do a comparison.

Comment that the SG make some future recommendations on what would be an ideal sources of data and data collection, for example a better Census tool, or tribally administered survey.

Discussion to rethink the entire formula mechanism, for example, shifting the fund allocation to be based on a tribe's determination of need and dollars needed. It would require a change in the statute (as current statute state all eligible entities receive funding based on a formula allocation).

Day 2 deliverables:

- General discussion on the difference in using “persons” vs. “households” in the need variables. The run will come from a special tabulation from Census and may not have the run in time for the August meeting.
- Once runs complete the SG will meet to discuss and make a decision on which of the four Options for Proposal 2 to present to the full Committee.
- Language to recommend to the full Committee the future viability of a Tribal Survey. SG member will craft after meeting. Demonstrate traction and methodology beyond a grand concept.

Report from technical experts, re: revisions to the evaluations based on Study Group feedback.

- Methods to “age” the data: IHS, Census Estimate Population, and ACS. General comment that TE are uncomfortable with all of them.
 - IHS- no migration captured.
 - Census Estimate Pop- unclear how Census captures tribal migration. Lag of a year will provide population migration by race by county. Not a clear understanding of how Census calculates (mixture of decennial form and administrative records). Also, does not capture those persons “off the grid”.
 - ACS- comment that may as well use the ACS data itself.

General purpose of aging data to soften the spikes year to year. In the effort to soften the spikes, potentially aging the data wrongly could create a spike that should not have been there. Concern about those with population decline, and get a steeper decline when data reset is a greater problem.

Recommendation to build into the formula a “better-of” option between decennial, ACS, or challenge for the AI/AN count.

Recommendation: If ACS is the higher, use it. If decennial higher than ACS, then use the ratio differential that decennial higher or lower to apply to all other factors in the formula.

For the most part, this mostly affects smaller tribes who are generally underrepresented in the ACS surveys for counties. Stable

Discussion on challenging the data: Which data source is easier to challenge? ACS may be easier to challenge than using aged data.

Decennial
ACS
Tribal survey

Potentially not age the decennial data and use a “better-of method”, so that potential spikes would only occur at the next decennial.

What is the volatility and impact of using a better-of method and not aging the decennial? Discussion of the hold harmless provision and the introduction of new data. Discussion of the volatility agreement of the Committee. The report should clarify how the volatility language affects the recommendations of the SG (to include in the preamble). Discussion moved to earlier part of the notes to add language to the Recommendation for Variable AI/AN.


- Change in overcrowding. Background on how this impact affected the CDBG program. General nationwide drop in overcrowding 5.3% to 3% between 2000 and 2010 census. Does this hold true in tribal communities? Issues with room count (newer homes have more open floor plan). ACS question is much clearer about what constitutes a room. Looking at all persons living in tribal areas. Average rate of overcrowding in tribal communities fell from 17% to 13%. However, areas with higher rates of overcrowding in 2000, continued to be the same areas most overcrowded 2010. Navajo 39% to 20%, Pine Ridge, and Yakama experienced large falls in overcrowded. Very high correlation between 2000 and 2010.
- Change in definition on kitchen and plumbing definition of the question, same items asked, but in a different way. Overall decline for all people living in tribal areas 2000 17%, 2013 ACS to 12%. Very high correlation between 2000 and 2013, largest drop in Alaska.
- Each overcrowded household and unit without kitchen and plumbing is now worth more on a per unit. Those with overcrowded will receive more in funding per unit. Conclusion that it will not have a lot of movement of reallocation of funds except for those larger tribes (Navajo, Pine Ridge, Yakama) who have experienced a large decrease in overcrowded units that may or may not be true reflection of housing condition.

General discussion on the imperfection of data (Census, ACS). How to know what data is accurate, or close to accurate. Navajo conducted own needs assessment (based on 2 persons per bedroom) was 39%. ACS overcrowded number is 1 person per room.

Alternative to overcrowded to look at number of households in a housing unit. Special tabulation from Census to be determined in time.

How to mitigate this drop in funding? Possible recommendation to soften the impact by designating a buffer percentage that if tribe drops XX%, then would only drop only XX%. A hold harmless clause for a variable and to lessen the burden of conducting a challenge.

- Minimal funded tribes and issue of data quality in the ACS. ACS not great for tribes with small populations. Mixed story. 100 tribes received min. funding (typically small- fewer than 50 houses), although ACS measures small as 400 households. Idea of doing the "best of" can help alleviate these cases.
- List of recommendations to improve data collection to put forward to Census consultation (deferred to later point)

 TE add this sample size to the list Census of recommendations. TE elaborated by getting the sampling frame correct. Census weights population to the total people of the county for all people. Works pretty well at the county level. However, does not work as well with smaller communities of a particular racial group. **Recommendation** would be to treat Native American communities as counties. This would weigh the tribal areas better and force Census to work more closely with tribal leaders to get better surveying. Overall in the 2010 census, there was a larger ratio of the long form sent to rural communities.

 TE add marketing budget for the ACS to the list Census of recommendations.

- Self-identified AI/AN and the exclusion of Central, South, and Canadian (represents 3%)
 - 2010 1.76 million AI/AN alone, 1.28 specify tribe, 88K Alaska Native, 443K no tribe, 43K Central, South, and Canadian. Summary 3% specified a non-American Indian group, 20% do not specify tribe
 - 2010 2.7M AI/AN and another race, 1.9M specify tribe, 630K do not specify, 79K non-American Indian Tribe. Summary 3% specified a non-American Indian group, 23% not specify
 - 2010 multi race 39% do not specify tribe.
 - The 3% varies more in certain States.
- TE responses to Evaluation questions: (See attached doc)
 - General discussion regarding the write-in box for tribal affiliation, vs. an appendix with list of federally- recognized tribe.
 - Is there a comparison of those who check AI/AN box, but do not specify tribal affiliation. Todd will follow-up with 2010 data.

Review of timing of materials and deliverables.

- Report delivered to Committee July 28, 2015
- How and when to determine the report is complete. TE provide a draft report on June 19, 2015, delayed. But will be available by or before July 6th. Draft report will be based on approved outline, but may need some modification. Point person for submitting errors in the report can be sent to Todd Richardson, and cc: Glenda Green.
- Suggestion to keep the Executive Summary is a simple and complete with enough detail to include process, recommendation, and the why. Suggestion to begin with the recommendations, then go into the process, then reference to sections of the report.
- General statement to keep the report simple and complete.
- Who will draft the recommendation language for the proposals?
- TE will put together the PowerPoint for full Committee. SG meeting the Monday prior to meet and make any changes to the presentation.
- What to do with the supportive data characterized and evaluated?
- List of items to-do:
 - Reviewing report.
 - Reviewing runs and making a decision on recommendation for Proposal 2.

Review of draft sections prepared by HUD.

This agenda item was not discussed during the meeting.

Next meetings:

Monday, July 6 – 8am AK/9am PT/10am MT/11am CT/12pm ET

Monday, July 13 – 12pm AK/1pm PT/2pm MT/3pm CT/4pm ET

Monday, July 20 – 8am AK/9am PT/10am MT/11am CT/12pm ET

Monday, July 27 – 8am AK/9am PT/10am MT/11am CT/12pm ET

Adjournment.

Meeting adjourned at 4:18 pm.

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
July 13, 2015
4:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants on the call. Six of the seven study group members were present. The Southwest regional member or alternate was not present. It was noted that Gary Cooper would be joining the call late today so Jason Adams served as the chair for today's meeting in his place. It was also noted that today's call is recorded because the note taker has to leave before the call ends. Since the agenda for this conference call was not sent out before the meeting, the group proposed the following agenda items for today's call:

5. Review and approve the meeting notes from previous meeting (June 23-24, 2015).
6. Review and approve the draft Memo to the Negotiated Rulemaking Committee.
7. Discussion of updated drafts of the Nine Data Source Evaluations.
8. Discussion of updated draft of the Study Group Report.

The study group then reviewed the notes from the previous meeting on June 23-24, 2015. Karin Foster requested that the notes reflect that she was sick and was not able to attend the Seattle meeting. With this change, the meeting notes from the face-to-face meeting in Seattle on June 23-24, 2015, were approved.

Review and approve the draft Memo to the Negotiated Rulemaking Committee

The group reviewed the draft Memorandum to the IHBG Negotiated Rulemaking Committee that was emailed out to the study group last week. The Memo provides an update of the study group's work from August 2014 through July 2015. Glenda Green went over the draft memo and asked the study group members to ask questions and make comments. It was noted that the following numbers referenced in the memo needs to be updated:

- Number of data sources identified in the nomination process
- Number of data sources that did not meet the pre-determined screening criteria
- Number of characterizations prepared
- Number of data sources rejected during the characterization phase

Glenda Green will look into this and update the memo with the correct numbers. There was a comment from a study group member that the second paragraph does not correctly reflect that some of the technical experts were involved in the study group's process from the beginning. There was a suggestion from a study group member to remove references to the phases that each of the technical experts was involved in. There was another comment to add to the last paragraph that the Final Report will also be posted on the IHBG Rulemaking Website. The group approved these changes. Glenda Green will revise the Memo based on the suggested changes and send out a revised draft via email on July 14th for the study group's final approval.

Discussion of Updated Drafts of the Nine Data Source Evaluations

The study group then moved onto discussions about the updated drafts of the nine Data Source Evaluations. The technical experts noted that most of the comments from the study group members on the previous drafts were about being consistent with information for all data sources. A study group member suggested postponing the discussion of the updated evaluations until the next conference call, since the study group just received the updated evaluations and has not had a chance to review the information. The group agreed to put the discussion of the updated evaluations as agenda items for the next conference call.

Discussion of updated draft of the Study Group Report

The discussion of the updated draft Study Group Report was postponed until the next conference call because the study group just received the updated draft report and needs adequate time to read the draft report. The group decided to look at the changes made from the Seattle meeting on today's call. It was noted that the study group's request to put the study group's recommendations in the beginning of the report was reflected in the revised draft report. Todd Richardson raised three specific questions for clarification to the group. These questions and the study group's discussions of these questions are addressed below.

1. How do we treat challenge data? When the study group's recommendation is implemented, the challenge data would have expired, should we apply the challenge data as if it is 2018?

A study group member requested Todd Richardson to run 2 separate test runs: one test run if it is 2018 and one test run that is aged as it currently is. There was a comment by a study group member that if a tribe has a HUD accepted challenge, that we should give the tribe the benefit of the challenge and consider retaining that challenge as active in implementation year (like giving it a 10-year life). There was another comment from a study group member that the FY the rule is implemented, the 10-year life starts from there (the challenge data that is aged with a 10-year life cycle). A study group member requested the technical experts to list out the assumptions behind the test runs clearly and very explicitly (especially when using tribal challenged data). The study group suggested to clarify in the study group's recommendations that the challenge data will have its ten year start date on the date of implementation (2018), including any aging of the challenge up to this time, with an expiration of FY 2028. Four study group members agreed to the suggested change and two study group members reserved their votes because they were not present at the Seattle meeting where the language for this recommendation was drafted. Todd Richardson will send out an email with clarification on the study group's recommendation on the AIAN Persons Variable based on today's discussions.

2. Does the study group want to see what the effect of the allocation is before or after the volatility adjustment?

The Negotiated Rulemaking Committee agreed to the volatility adjustment when we introduce new data into the formula. The study group suggested that they would like to see both test runs: one with and one without the volatility adjustments.

3. What are the points of comparison for the test runs? Do we compare the runs to the current funding allocation (2000 Census data aged) and also the Decennial 2010 data with ACS?

The study group suggested that the first comparison will be to the current funding allocation. The second comparison will be with the Decennial 2010 data with ACS.

Executive Summary: A Study Group member noted that a change needed to be made on page 4 of the draft executive summary. “Of the 47 nominated data sources, the ~~technical reviewers~~ **study group members** agreed unanimously that...” An additional typo on page 4 was also identified and corrected. It was also recommended that the recommendations from Seattle be incorporated into this section. A committee member also noted that Item 3 was still in play and should be noted for the record. This section will also be re-titled, “Executive Summary and Data Study Group Recommendation”.

Section 4: This section walks through the overall process and lays out important dates. No changes were noted.

Section 5: This section lists the Study Group Members. No changes were noted.

Section 6: This section lists the technical experts and their roles. It was noted that the bio for Jim Anderson should also reflect that he represented SPONAP.

Section 7: This section details the nomination process. No changes were noted.

Section 8: This section lists each nomination and it's source. Glenda Green noted that four data source nominations (8, 9, 10, and 16) were not included in the list. It was determined that nominations 8, 9, and 10 were withdrawn. It was noted that nomination 16 was split into multiple sources and reviewed individually. A Study Group member noted that an edit was needed on page 18, “Public comments addressing other issues -- measuring alternative needs, handling Formula Area overlaps, and mitigating perceived inequity between small and large tribes – already are being addressed by the ~~Study Group Negotiated Rulemaking Committee~~ process.”

Section 9: This section describes the initial screening and characterization process. No changes were noted.

Section 10: This section provides the results of the screening and characterization process. A question as raised as to whether the chart should also note that the Study Group members (in addition to the technical reviewers) rejected the data sources. One call participant stated that the reason for rejection for Nomination 20 was vague and suggested additional information be added. A Study Group member also stated that the reasons for nomination acceptance or

rejection should be clear to all readers and that the report should be written objectively. It was also noted that this chart would stay in the report and not be moved to the appendices.

Section 11: This section describes the evaluation process for the 9 nominations that passed from screening into evaluation and then the process of how the recommendations were formed. No changes were noted.

Section 12: This section provides the results of the data source evaluations, details the core data sources, and provides an overall summary. This section will be slightly re-organized so that the data is presented in a different order.

Section 13: There was discussion regarding whether this section is still needed since the recommendations were moved up to the Executive Summary Section. It was decided that this section would remain if needed pending the outcome of all the recommendations (ie if not all recommendations were passed with full consensus, the decision making process would be outlined here). This section would then be re-titled, "Narrative Description of the Process for Recommendations."

Other Comments: A Study Group member noted that the Table of Contents was missing Section 12. It was also requested that the report be made available in Word. Todd Richardson will send out the report in Word with the changes made during this call. The Table of Contents may also be re-worked labeling Brief Summary as Section 1 (removing Section titles from the Table of Contents and the Executive Summary). It was also discussed that the report may be broken into volumes for the ease of printing and downloading. Volume 1 would be the report and Volume 2 would be the Appendices.

Data Runs:

A status on the data runs was that the preliminary runs were completed and needed to be run with the volatility clause and would also include the agreed upon changes and adjustments for other Needs variables.

Recommendation #3: There was discussion on Recommendation #3 sent out by Study Group member Jason Adams and the Alternate Recommendation sent by Study Group member Heather Cloud. Each proposer was provided time to discuss their recommendation. Jason Adams stated that his recommendation was designed to include the two data sources and wanted to include both since they were evaluated. He tried to encapsulate the complexities and the cost and tribes and tribal sovereignty and wanted to put them forward as a recommendation that this is something to be pursued at some point in time. Heather Cloud stated that she had concerns about the unknown variables and how the outcomes may affect the block grant and future funding. After discussion, it was decided that if changes to the proposals were not made, both recommendations would be brought to the Committee. However, more discussion and suggestions for revised language would be discussed during the next call.

Next Call: It was noted that there were only 2 calls remaining before the report was distributed on July 28. The goal is to have the recommendations completed during the July 20th call and to reserve the July 27th call to finalize the report wording. Another call was tentatively scheduled for Tuesday, July 21st at 12pm eastern pending the outcome of the July 20th call. Decisions that need to be made during the next discussions were:

1. Go back through evaluations for questions on process.

2. Another review of draft report
3. Recommendation #2 (given that the data runs will be done this week)
4. Recommendation #3
5. Make sure Study group comfortable w/ wording and recommendations in final report (for the July 27 meeting)

It was noted that Recommendation #4 was approved by Consensus prior.

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
July 20, 2015
12:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants on the call. All seven study group members were present. The Southwest regional member was able to join the conference call later. The following agenda items discussed during the last conference call were proposed for today's call:

6. Review and approve the meeting notes from previous meeting (July 13, 2015)
7. Go back through evaluations for questions on process
8. Another review of draft report
9. Recommendation #2 (given that the data runs will be done this week)
10. Recommendation #3
11. Make sure Study group comfortable w/ wording and recommendations in final report (for the July 27 meeting)

The study group then reviewed the notes from the previous meeting on July 13, 2015. Without any changes, the meeting notes from the previous meeting on July 13, 2015, were approved.

Go back through evaluations for questions on process

Todd Richardson did not receive any comments from any of the study group members on the updated drafts of the Evaluations that were sent out last week. A technical expert mentioned that there was an outstanding question from the list of questions raised in the Seattle meeting last month. This outstanding question was about a list of how ACS and the Decennial Census could be potentially altered to better serve Indian Country. A study group member expressed that this is a recommendation that should be coming from the study group. Another study group member expressed that it will be ideal to have this recommendation as part of the Study Group Report. The technical experts will work on putting together a short brief summary of what can be done to improve ACS and the Decennial Census this week.

In looking at the list of questions from Seattle, a study group member asked if the technical experts responded to all the questions where the group asked for additional elaboration. In addition, she requested affirmation that the technical experts have gone through all of the 29 questions raised in Seattle and have addressed them. The technical experts will do another review and make sure that each of the evaluations can be a stand alone document and that the information is covered. The next step will be for the study group to formally accept the changes made to the nine evaluations.

Another review of draft report

The study group then moved onto discussions about the Study Group Draft Report. So far, Todd Richardson received comments from Cook Inlet, Pat Boydston, and Jim Anderson. It was requested that if there are additional comments to the draft report, to send them to Todd Richardson by COB today.

Recommendation #2 (given that the data runs will be done this week)

Todd Richardson received three of the six data runs last night and will be looking over these to make sure that there are no errors. If possible, he will send these out to the study group tonight. The first three data runs will be without the volatility control. Todd Richardson will follow-up with Peggy to see the status of the other three data runs.

Recommendation #3

Jason Adam's Proposal on Recommendation #3

The study group then moved onto voting for Jason Adam's proposal on recommendation #3. The study group has all seen this proposal so this proposal was not read out loud to the group. There was a roll call vote of the study group members on Jason's proposal. The group did not reach consensus on this proposal: four members rejected this proposal, two members accepted this proposal, and one member was absent for the vote. Four study group members rejecting this proposal are: Carol Gore, Heather Cloud, Gary Cooper, and Glenda Green. Two study group members supporting this proposal are: Jason Adams and Karin Foster. The Southwest regional member or alternate was absent during this vote.

Heather Cloud's Proposal on Recommendation #3

The study group moved onto voting for Heather Cloud's proposal on recommendation #3. There was a roll call vote of the study group members on Heather's proposal. The group did not reach consensus on this proposal: four members rejected this proposal, two members accepted this proposal, and one member was absent for the vote. Four study group members rejecting this proposal are: Jason Adams, Karin Foster, Gary Cooper, and Glenda Green. Two study group members supporting this proposal are: Heather Cloud and Carol Gore. The Southwest regional member or alternate was absent during this vote.

A study group member suggested that since the group did not reach consensus, to go forward with both proposals as minority positions in the Study Group Report and have no formal recommendation #3 in the report. Another study group member requested Todd Richardson to frame these minority positions in the Study Group Report as part of the executive summary and send a revised draft of the Study Group Report to the group by tomorrow. The group requested Todd Richardson to reflect that the study group could not reach consensus and also requested him to put a summary of the two different proposals in the Study Group Report.

The group brief discussed items that the study group still needs to do. The following three items were brought up:

1. Accept Final Evaluations.
2. Review Final Draft of the Study Group Report.

3. Figure out the Study Group's recommendation on #2.

A study group participant suggested that the study group make their recommendation decisions after receiving the volatility control simulations. In wrapping up, the following agenda items were suggested for tomorrow's conference call:

1. Review Final Draft of the Study Group Report.
2. Accept Final Evaluations.
3. Walk through and Discussion of the 3 Data Runs.

The technical experts will meet today or tomorrow before the next conference call. Todd Richardson will send a revised Study Group Draft Report to the group today. It was noted that there were no additional comments received on the draft Study Group Report (other than comments from Cook Inlet, Pat Boydston, and Jim Anderson). The next conference call will be on **Tuesday, July 21, 2015, at 12:00pm Eastern Time.**

DRAFT

Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
July 21, 2015
12:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants on the call. All seven study group members were present. The following agenda items discussed during the last conference call were proposed for today's call:

4. Accept Final Evaluations.
5. Review Final Draft of the Study Group Report.
6. Walk through and Discussion of the Three Data Runs.

Accept Final Evaluations

The study group discussed the Final Nine Evaluations. The technical experts affirmed that they have been responsive to all the questions raised in the Seattle meeting. One study group member asked if there were any questions that the technical experts could not respond to or did not have agreement. In response, a technical expert stated that there was one question about the technical experts' reviews being consistent from the screening, characterization, and evaluation phases of the data sources. The technical experts thought that it was better for each piece to stand on its own and it will be inappropriate to go back and make changes to the characterizations. Another technical expert also mentioned that there was a question about whether or not the technical experts should list the Navajo needs assessment as an example in the evaluations. This is not a substantive issue and the technical experts did list a few of the individual tribal surveys as examples. The study group accepted the Final Nine Evaluations.

Review Final Draft of the Study Group Report

The study group then moved onto discussions of the Draft Study Group Report. The study group approved the following changes to the Draft Study Group Report:

- Page 3: Remove the following notes under Recommendation #2 Option1:
~~Notes: Part of the large drop from the overcrowded scenario between 2000 and 2010, then option to keep status quo of 2000 decennial (discussion based around the overcrowded issue)~~
- The study group did not have any comments about the non-consensus items (page 4) that were added to the report.
- Page 16: Replace Jim Anderson's experience based on his comments.
- Page 19: Revise the following sentence:
Oglala Sioux outlined ~~an~~ the following approach to a new national tribal survey ~~that is intended to overcome the weaknesses in the Census:~~

- Page 26: Make changes on which technical experts participated in the characterization phase. Gabe Layman did not participate in the characterization phase but Pat Boyston and Jim Anderson participated in the data source characterization phase.
- Page 27: In the chart titled, "Chart. Data sources rejected at initial screening", will make changes to the reason for rejecting based on comments received. Change the chart title: Chart. Data sources rejected at initial screening ~~by all three technical reviewers with study group agreement~~

The group then reviewed the comments received on pages 30 through 33 of the report. Due to the amount of comments received in this section, the study group decided to postpone further discussion of the report until the next conference call. The group decided that additional comments to the Study Group Report should be sent to Todd Richardson by Wednesday, July 22nd at 10:00AM Eastern. Todd will make changes based on the comments received and send out a redline version to the group. There was a brief discussion about making sure that the report is objective. The technical experts expressed that they have made substantial efforts to be as objective as possible, given the diversity of opinions of the technical experts.

Discussion of the Three Data Runs

The study group had a discussion about the first three data runs. Todd Richardson walked through the three data runs that were emailed out to the group. He explained that these data runs do not have the volatility adjustment control, and the caveat to these runs is how we roll the challenge data on these. He also mentioned that these data runs show the tribe's full grant amount (both Needs and FCAS). A study group member asked if in these runs, the challenge data will continue to have standing. Todd responded that options 1 and 2b includes the aged challenge data and options 2a and 4 do not. A study group member requested another data run with option 4 with aged challenge data (option 4b). Todd will request this additional data run. A study group participant requested Todd to take another look at the data runs for the Tlingit-Haida and Rosebud Sioux tribes and make sure that these simulations are correct. These tribes have had successful data challenges in the past. Todd will request Peggy to take a look at these tribes and make sure that the runs are correct. A study group participant asked when the group can anticipate receiving the volatility control runs. Todd responded that we anticipate the volatility control runs to be completed in a week. A study group member mentioned that additional data runs may be requested in the near future (possibly a data run that projects out the four years).

A study group member asked how this relates to the work the study group has left to do in recommendations. Todd explained that in the Seattle meeting, the group agreed to the population variable being the best of ACS, Decennial Census, or challenge data. The group wanted to see the run on other options on how the needs variables be adjusted in the formula to decide if the group wanted to make another recommendation to adjust the ACS data. A study group member mentioned that the study group is trying to come to a decision on which of the four options in the data runs the group will recommend; the data runs are intended to help the group to try to come to a consensus on what will work for the Needs variable. A study group

member asked about the pending items that the study group still needs to get done. The following items were listed:

1. Comments on Study Group Report by Wednesday, July 22nd at 10:00AM Eastern.
2. Other data runs or variations of the runs:
 - a. Todd needs to get that list from the study group.
 - b. Have plans to run option 4b.
 - c. Data runs with volatility control.
3. Look at the challenge data for Tlingit-Haida and Rosebud Sioux tribes.
4. Incorporate comments fairly into the Study Group Report and send a redline version out to the group.
5. Discuss recommendations and come to a conclusion on how to present this in the report.

In closing, the group mentioned that there is a study group meeting on Monday, August 10th at 3:00pm before the Negotiated Rulemaking Meeting in Scottsdale. Todd Richardson will send a note to the technical experts about when to meet on Monday in Scottsdale. The group agreed that the next conference call will be extended until 3pm Eastern (if necessary) to make sure the group has enough time to discuss all pending items. The next conference call will be on **Monday, July 27, 2015, at 12:00pm Eastern Time.**

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Needs Study Group of the NAHASDA Formula Negotiated Rulemaking Committee
Conference Call
July 27, 2015
12:00 p.m. ET

Meeting Notes

The conference call started with a roll call of all participants on the call. All seven study group members or alternate were present. The following agenda items discussed during the last conference call were proposed for today's call:

1. Review and Discuss Final Draft of the Study Group Report.
2. Discuss the Study Group's Recommendations for the Negotiated Rulemaking Committee.
3. Discuss the American Community Survey (ACS) Enhancement Recommendation from the Technical Experts.

Review and Discuss Final Draft of the Study Group Report

The study group reviewed and had a discussion about the Draft Study Group Report that was emailed out to the group last Friday. The study group approved the following changes to the Draft Study Group Report:

- Study Group agreed to be consistent throughout the report and use the terms "Data Study Group" and "technical experts."
- Page 5 under the Background Section:
 - Remove the following words from this bullet point: An initial screening process of those data sources ~~that included recommendations from technical support persons~~ agreed upon by the study group;
 - Go through the paragraph describing the nomination process and make sure the numbers referenced matches with the updated Memorandum numbers.
- Page 10, fourth paragraph: replace the word "technical committee" with "work group"
- Page 12, IHBG Study Group Timeline: Go through and make sure all meeting dates are correct and add study group meetings in 2014 prior to the December 2014 meeting.
- Page 19: Add and replace with the following words:

On September 25, 2014 at 79 FR 57489, HUD ~~placed~~ published a Notice in the Federal Register ~~Notice 24 CFR Chapter IX in the Federal Register, Volume 79, No. 186, dated Thursday, September 25, 2014,~~ requesting information to assist for the Native American Housing Assistance and Self-Determination **Formula Negotiated Rulemaking Committee Act of 1996**. ~~The~~ Specifically, the Notice stated that HUD's Negotiated Rulemaking Committee is:

The Notice requested interested members of the public “to provide information regarding alternate data sources, including ACS, which might serve as the basis upon which the needs variables of the IHBG formula could be based.” ~~The September 25, 2014, Notice also stated that the Committee established a Data Study Group to identify and review all relevant data sources to determine whether the source might serve as the basis for the needs variables of the IHBG formula.~~ The deadline for comments was October 27, 2014.

- Page 20: Add/replace the following words to the paragraphs below:

~~Commenters responding~~ **Respondents** to the Notice nominated two data sources for the population variable of the formula: Tribal Enrollment records and Indian Health Service (IHS) user population data.

~~Public Notice respondents also suggested~~ **Commenters also recommended** that the Study Group evaluate several other specific data sources: TDHE administrative records, Head Start early childhood education program data, U.S. Department of Agriculture 515 Housing Program, Free and Reduced Lunch program population and Longitudinal Household Employer Dynamics data.

~~Public comments addressing~~ other issues **raised by commenters** -- measuring alternative needs, handling Formula Area overlaps, and mitigating perceived inequity between small and large tribes – already are being addressed by the ~~Full Committee~~ Negotiated Rulemaking Committee process.

- Data sources rejected at initial screening Chart:

Nomination Number 17: Delete the following sentence under reason for rejecting:

~~However, Technical Experts wanted study group members to discuss what specific administrative records may be useful.~~

Format Nomination Number 38 so that the information is not split into two pages.

- Page 31, paragraph before the Chart: add clarification that information on each characterization can be found in the appendix.
- Data sources passing initial screening and characterization recommendations Chart:

Data Source 11: Delete the following sentences: ~~Enrollment records could not support formula variables because all tribes may not distinguish between single- and multi-race members. Further, enrollment requirements are not consistent across tribes.~~

- Core Data – Current and Potential Use Chart:

Add “and/or tribal members” in reference to eligible tribes under the Major caveat(s) column

Add the following words: Does not currently exist; time to develop, high cost **including administrative burden** to **tribes undertake**; would be difficult to ensure uniform data collection across all tribal areas

- Core Data – Technical Experts’ Evaluation Review Summaries Chart:

The technical experts will have a conversation offline to resolve differences in how they have rated the variables.

- Page 55: Add/replace the following words to the paragraphs below:

PRO: One strong argument for the ACS is that it is AVAILABLE at no additional cost. All reviewers rate it as **Excellent** on this factor. It also does very well for RELEVANCY, with ratings from **Excellent to Good**. The ACS collects all of the data needed under the current regulations and offers some choice of other data that could be used for alternative **variables aspect of housing needs**. It does not, however, have all data that might be asked for in a discussion of **new variables other new aspect of housing needs**. For example, it does not contain **verifiable** information on enrolled members, nor does it collect data that aligns with some definitions of Indian families within an Indian area.

Discuss the Study Group’s Recommendations to the Negotiated Rulemaking Committee

The study group then discussed the Study Group’s Recommendations for the Negotiated Rulemaking Committee. The group agreed to the following changes to the language of the recommendations:

- Recommendation 1:
Rename the following paragraph as 1a and move the paragraph right above recommendation 2: ***Recommendation to a discussion at the Negotiated Rulemaking Committee whether or not to exclude South, Central, and Canadian AIAN from the Decennial Census and the ACS.***
- Recommendation 2:
 - Remove Option 3.
 - Rename Option 4 as Option 3.
 - Delete the following sentences under Option 3: ~~TE runs all four proposals above to compare using the “better of” from Proposal 1 (above) in all three scenarios. Timing of the completion of these runs will be emailed to Study Chair.~~

The study group then moved onto voting on the wording of Recommendation 2 Option 1. The vote was to decide if the following sentence should be removed: **Until the Negotiated Rulemaking Committee changes the variables to match the questions in the ACS**. There was a roll call vote of the study group members on the removal of this language from Option 1 of recommendation 2. The group did not reach consensus on this: six members supported the removal of this language and one member rejected the removal of this language. Six study group members accepting the removal of this language are: Carol Gore, Thomas Springer (alternate for Heather Cloud), Gary Cooper, Jason Adams, Deidre Flood, and Karin Foster. One

study group member rejecting the removal of this language was: Glenda Green. Also, it was noted that Carol Gore voted in favor of removing this language on the assumption that the study group is moving all three options under recommendation 2 forward. Since the group could not reach consensus, there will be a majority position and a minority position in the Study Group Report. The study group did not have any concerns about the language for options 2 and 3.

The study group then moved onto voting on moving Recommendation 2(Remaining Six Need Variables) forward to the Negotiated Rulemaking Committee. There were two proposals for the study group to consider for recommendation 2, but neither achieved consensus. The first proposal was to recommend one of the three options for full Committee consideration, and the second was to present all three options for the full Committee to discuss. The following study group members rejected moving one of the three options to the full Committee consideration: only moving Option 1 was rejected by Glenda Green, only moving Options 2 was rejected by Jason Adams, and only moving Options 3 was rejected by Jason Adams.

The study group then moved onto voting on moving recommendation 2 with all three options forward to the Negotiated Rulemaking Committee. The group did not reach consensus on this: five members supported and two members rejected moving all three options forward. Five study group members accepting this are: Carol Gore, Thomas Springer (alternate for Heather Cloud), Gary Cooper, Deidre Flood, and Glenda Green. Two study group members rejecting this are: Jason Adams and Karin Foster. Without consensus, this will move forward as a majority and minority position in the Study Group Report. It was noted that Jason Adams and Karin Foster cannot move any recommendations forward that supports using the ACS data because a significant portion of the tribes in their regions lose money every time ACS is used.

It was decided that Glenda Green will do a final cursory review of the Study Group Report before it gets sent out to the Negotiated Rulemaking Committee. With all changes proposed today, the study group accepted the Study Group Report.

Discuss the American Community Survey (ACS) Enhancement Recommendation from the Technical Experts.

The group then moved onto a discussion about the ACS enhancement recommendation from the technical experts. This is not ready yet but the technical experts will do their best to pull this together and send it to the study group by July 28th. The study group expressed that they would like to see this and suggested replacing this as Section 11 of the Study Group Report.

In closing, the group mentioned that there is a study group meeting on Monday, August 10th at 3:00pm before the Negotiated Rulemaking Meeting in Scottsdale. The technical experts will meet at noon on August 10th. Todd Richardson will put together a PowerPoint presentation of the Study Group's Final Report to present to the Negotiated Rulemaking Committee. The following agenda items were proposed for the next study group meeting in Scottsdale:

- Review PowerPoint Presentation.
- Approve meeting notes from last study group meetings.

The next study group meeting will be on **Monday, August 10, 2015, at 3:00pm Mountain Time.**

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