

1 U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
2 INDIAN HOUSING BLOCK GRANT FORMULA  
3 NEGOTIATED RULEMAKING COMMITTEE  
4

5 Tuesday, July 29, 2014  
6 8:31 a.m.  
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19 Sheraton Downtown Denver  
20 Majestic Ballroom  
21 1550 Court Place

1 Denver, Colorado 80202

2 PARTICIPANTS

3 ANNETTE BRYAN, Co-Chair

4 JASON DOLLARHIDE, Co-Chair

5 JASON ADAMS

6 JAD ATALLAH

7 RODGER BOYD

8 JEMINE BRYON

9 HEATHER CLOUD

10 GARY COOPER

11 PETE DELGADO

12 SAMI JO DIFUNTORUM

13 EARL EVANS

14 SARA FIALA

15 DEIRDRE FLOOD

16 KARIN FOSTER

17 SCOTT GEORGE

18 CAROL GORE

19 LAFE HAUGEN

20 ROBBIE HOBGOOD

21 PAUL IRON CLOUD

1 LEON JACOBS

2 TERI NUTTER

3 PARTICIPANTS (CONTINUED)

4 SAMUEL OKAKOK

5 DIANA PHAIR

6 SUSAN PODZIBA

7 MICHAEL REED

8 S. JACK SAWYERS

9 MARTY SHURAVLOFF

10 MICHAEL THOM

11 JIM TREAT

12 BEN WINTER

13 SHARON VOGEL

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P R O C E E D I N G S

5 MR. DOLLARHIDE: Okay. Good morning, everybody.

6 I'd like to welcome everybody to Denver this morning.

7 I hope everybody had a safe and enjoyable flight in,

8 got a good night's rest for a lot of good work that

9 we're hoping to get accomplished this week here in

10 Denver for our fifth session of negotiated rulemaking.

11 I've asked Scott George with the Citizen

12 Potawatomi Nation of Oklahoma to open us up with a

13 prayer.

14 (Pause.)

15 MR. GEORGE: Thank you, Jason, for asking me to

16 open this conference up like this. If you would,

17 please bow your heads and pray along with me as I go to

18 the Creator.

19 (Speaking Native language.)

20 Father God, we come to you today, and we ask you

21 to look down upon the tribes, the families that are

1 represented here today. We ask that you come into our  
2 life and to help us find the way to be closer to you  
3 and be -- find our way to do the things in our lives  
4 that pleases you.

5 As we move on to this conference, Father God, we  
6 ask that you open our hearts and our minds that we can  
7 find a way to come together and do what's best for our  
8 people on a path to our God.

9 And in closing, Father, I ask you that whatever  
10 needs are here today, represented here today --  
11 illnesses, worries that people have about death of a  
12 neighbor back home -- that you take care of them for  
13 us, Father God.

14 We ask these things in your name, amen.

15 (Pause.)

16 MS. BRYAN: Good morning. Thank you all for  
17 coming. And as Jason said, looking forward to a  
18 productive Denver meeting session.

19 And next on our agenda is the welcome by Jemine  
20 Bryon, the Acting Assistant Secretary for Public and  
21 Indian Housing. Good morning, and welcome to our

1 table.

2 MS. BRYON: Good morning, everyone. And welcome  
3 to our fifth meeting of the HUD IHBG Formula Negotiated  
4 Rulemaking Committee meeting.

5 I would like to extend a special welcome to the  
6 tribal leaders who are here with us today and thank  
7 them for making housing a priority issue among all  
8 those you face every day in your nations and  
9 communities.

10 My name is Jemine Bryon. I am the Acting  
11 Assistant Secretary for Public and Indian Housing. I  
12 have the honor of following behind Ms. Henriquez, who  
13 has done a wonderful job to date in working with you,  
14 and I look forward to carrying on that wonderful  
15 success that she has had.

16 I'm -- my official title is the General Deputy  
17 Assistant Secretary for Public and Indian Housing, but  
18 (inaudible) totally replaced me. I've dedicated my  
19 career to working on ways to provide quality affordable  
20 housing to communities in need, and you have my  
21 commitment to continue these efforts in the area of

1 Indian housing. I am honored to be the new HUD  
2 committee member and look forward to working with the  
3 tribal nations on a government-to-government basis.

4 I was in attendance at the last committee meeting  
5 in Phoenix in June and saw firsthand the incredible  
6 effort and passion that you all have of the committee  
7 members to tackle these very tough issues and address  
8 the concerns of your fellow committee members. While I  
9 was encouraged to see the commitment of members to come  
10 here in good faith, I also became concerned that the  
11 committee has not yet engaged in negotiations.

12 As my predecessor, Assistant Secretary Henriquez,  
13 has raised at every meeting, we are uncertain what the  
14 future holds as far as funding. We are facing a tough  
15 climate with a possibility of sequester cuts in '15 or  
16 '16.

17 I say all of this to once again emphasize how  
18 crucial it is that we make the most of these last two  
19 NegReg sessions and for you to use your voice as  
20 representatives of the tribal nations across the  
21 country by bringing forward your recommendations. I'm

1 really excited about these opportunities, and I look  
2 forward to working with you to progress in this area.

3 So thank you very much.

4 MS. BRYAN: Thank you, and welcome.

5 Next we'll have logistics from Sara.

6 MS. FIALA: Hi. Good morning, everybody. Oh,  
7 sorry. Just really quickly, I'm going to go over just  
8 some basics of the hotel. You all found it here this  
9 morning. That's good. I know it was a little tricky  
10 to find, but everything else looking out should be very  
11 easy.

12 We happen to have this floor and the floor above  
13 are completely for our group. So all the meetings are  
14 either here. There's one breakout room, Vail, across  
15 the hallway, and upstairs on the next level -- just  
16 take the escalator -- are the other breakout rooms.

17 The room assignments, temporary room assignments,  
18 you can see them up on the board for the workgroups and  
19 the caucus rooms. The FCAS group will be meeting in  
20 the Vail Room, which is right around the corner on this  
21 level. The other rooms are above the escalator.

1           And then for those of you that need Wi-Fi log-in  
2 information, it's FIRSTPIC33, all caps. That's the  
3 user name and the password. So just click on Sheraton  
4 Meetings, and then you can enter in your user name and  
5 password.

6           As always, we have staff throughout the meeting  
7 space. So if you have any questions or any issues,  
8 please let us know.

9           Thank you.

10          MS. BRYAN: Thank you, Sara. And thank you all  
11 for the hard work, for pulling it together. It's a  
12 little different just coming here, so appreciate you.

13          Next on the agenda, we're going to go over the  
14 committee review and approval of the group host agenda.  
15 So that's in front of you. Are there any additions or  
16 changes to the agenda as you look at it right now this  
17 morning?

18          (No response.)

19          MS. BRYAN: So we had scheduled to just do a brief  
20 update on what the committees are doing, and then we're  
21 going to break at -- into workgroups at 9:45 a.m. and

1 just hit it. And then we'll do the same for tomorrow,  
2 too. We'll get together and break into workgroups.  
3 So, again, I want to make it flexible with this.

4 Jemine?

5 MS. BRYON: Hi, I apologize. I do want to speak  
6 to the agenda. As you know, HUD has formed a strong  
7 partnership with the Census Bureau, and through this  
8 partnership, we have learned that the Census ACS has  
9 endless possibilities in addressing your concerns.  
10 Since we have not had a chance to discuss this in depth  
11 with the Census Bureau, they have agreed to be present  
12 at today's meeting.

13 Therefore, in our draft agenda provided to the  
14 committee and workgroup co-chairs, HUD proposed placing  
15 the Census folks on today's agenda to provide  
16 additional insight into the Census ACS and to discuss  
17 several of the TA requests. After much discussion, the  
18 chairs and co-chairs decided to move this presentation  
19 from the plenary session to the needs workgroup.

20 However, given the importance of this issue and  
21 HUD's role in providing TA to the group, I will be

1 proposing that the full committee consider adding it  
2 back to today's agenda. I consider the Census Bureau  
3 presentation to be that important.

4 An understanding of what the Census Bureau can  
5 provide us is a basic foundation to build on as we  
6 develop solutions to these formula concerns and  
7 directly respond to questions asked by committee  
8 members. If this presentation is moved to the needs  
9 workgroup agenda, I am concerned that it is unfair to  
10 ask the FCAS subcommittee members to choose between two  
11 very important agenda items, especially since the full  
12 committee will ultimately be making decisions on this  
13 issue.

14 Please know that I make this proposal in good  
15 faith, believing that this will prove to be an  
16 efficient use of our limited time as it will ensure we  
17 are all aware of the Census ACS capabilities and  
18 limitations. I thank you very much for your  
19 consideration of this proposal, for your service to  
20 this committee, and to your service to American Indians  
21 and Alaska Natives in need of housing assistance.

1 MS. BRYAN: Thank you. I'm glad that you brought  
2 that up. There was a long discussion.

3 When planning these agendas, we have to guess what  
4 might be in the best interest of the committee. So I'd  
5 like to open it up to the committee to hear your input  
6 on the presentation that has been prepared for us  
7 through a TA request for the committee today.

8 Jason?

9 MR. ADAMS: Good morning, everyone. Jason Adams,  
10 Salish Kootenai Housing Authority.

11 First and foremost, I'd just like to, on behalf of  
12 the UNAHA region and as the UNAHA chairman, welcome you  
13 all to the Northern Plains region here. And I just  
14 wanted to speak up in regards to the agenda and Ms.  
15 Bryon's comment with regards to any presentations  
16 today.

17 I was the one that spoke against any type of  
18 presentations on the agenda for the full committee,  
19 this one and there was another one that was proposed,  
20 mainly for two reasons. First and foremost, being a  
21 workgroup chair, our workgroup has tried to get through

1 work. As the Assistant Secretary had mentioned her  
2 concern about getting to negotiations, our workgroup is  
3 trying to get there.

4 Our workgroup is working on proposals that we will  
5 bring items back to the table for the full committee to  
6 consider here very soon. And hopefully, that will  
7 happen by, as you see on the agenda, Friday. That's  
8 being very optimistic that we get there. We've got a  
9 lot of issues to work on.

10 And so, my first and foremost priority is getting  
11 back into our workgroups so that we can get the work  
12 done that we've been charged to do. There's a lot of  
13 folks throughout the country that participated in the  
14 process to set the parameters of our work here that  
15 asked for things to be considered, things to be  
16 revised, things to be looked at through the workgroup  
17 and through this committee, and I just think it  
18 behooves us to get there to work on those issues.

19 And our workgroup, as they appear here in a few  
20 minutes, has a lot of work to get done. We've been  
21 very diligent in trying to keep with our timeframes and

1 get some product to this committee. And so, that's  
2 really the first issue that I raised on the point here.

3 The other -- the second issue is really just the  
4 idea of ACS. We need to have -- well, as we worked on  
5 at our last meeting, there was the approval of this  
6 committee to a proof of concept of a study group to  
7 study datasets.

8 And to me, all of those questions that have gone  
9 unanswered are really issues that need to be raised and  
10 need to be addressed in the study workgroup that's  
11 going to happen and going to take place over the next  
12 year, as per the concept document. So I would hope  
13 that we would leave those issues that are dataset  
14 related to that workgroup and that study time for the  
15 next year.

16 So that's really my concern is that, first and  
17 foremost, again, that we take this time and get right  
18 into our workgroups and start working on those issues  
19 to come back to the table to negotiate on those issues  
20 that we can negotiate on. I think everybody  
21 acknowledges that the study -- the dataset issue is a

1 huge issue and needs a lot of time. That's why the  
2 additional time has been -- has been granted in  
3 concept, and I'm very appreciative of that opportunity.

4 So, hopefully, we can stick with that. Again, I  
5 just wanted to explain my objection to the draft agenda  
6 that was proposed that had quite a bit of time set  
7 aside for an ACS presentation. So, hopefully, I've  
8 helped explain that, that opposition this morning.

9 Thank you again.

10 MS. BRYAN: Thank you, Jason. Jemine and then  
11 Earl.

12 MS. BRYON: Again, let me just not ignore  
13 commending the committee for the vote that took place  
14 at the last meeting to have a 2-year delay on the  
15 implementation of a dataset and the work surrounding  
16 the concept of the study. I look forward to discussing  
17 the concept of the study and the parameters such as  
18 cost, time, and participation.

19 However, again, the presentation that we are  
20 referring to from the Census Bureau is really to form  
21 the foundation of any discussions that the work -- the

1 needs working group will enter into. It is a very  
2 informative, broad conversation about what is  
3 available, what can be done, and the role that the  
4 Census Bureau has taken over time and can take in the  
5 future to assist us in our formula.

6 So, again, that is why we are proposing that it be  
7 added to the agenda for the full committee.

8 MR. EVANS: First of all, welcome, Ms. Bryon --

9 MS. BRYON: Thank you.

10 MR. EVANS: -- to the committee. Or welcome,  
11 congratulations, or condolences, whichever applies.

12 (Laughter.)

13 MS. BRYON: I take the former.

14 MR. EVANS: My question concerning the proposal of  
15 the ACS presentation is this. Based on what you've  
16 described, it sounds like the information we've already  
17 been provided at earlier meetings. So my question  
18 would be how would you see the presentation that you're  
19 proposing as being different than the presentations  
20 that we've already received and instead of being a  
21 regurgitation of the same information that's been

1 provided?

2 MS. BRYON: So we do have a Census representative  
3 here. Perhaps they could answer your question as far  
4 as what the difference is between their presentation  
5 this time and last time. Can you allow them to do  
6 that? Just 2 minutes.

7 MS. BRYAN: I'd say 30 seconds maybe.

8 MS. BRYON: Thirty seconds. You'll be given 30  
9 seconds.

10 MR. TREAT: So, good morning, everyone. I'm Jim  
11 Treat. I'm from the Census Bureau.

12 What we're planning to do is really have more of a  
13 conversation rather than a presentation. I know at the  
14 meetings that we had in March, we ran out of time, and  
15 the committee had a lot of questions.

16 So, one, it's a more dialogue-focused session, as  
17 well as there were questions that the committee  
18 submitted through HUD to us that we were trying to  
19 address some of those questions in the information that  
20 we wanted to relay.

21 Thank you.

1           MS. BRYAN: Thank you. Yes, Jack? And then  
2 Rodger.

3           MR. SAWYERS: We follow our procedure. We have  
4 had a presentation. We do have questions. All of  
5 those things will be forwarded to our committee when we  
6 study through this year.

7           And so, I -- I think it's, in my opinion, not a  
8 waste of time, but we certainly have other things to do  
9 before we get in -- we're here to get a whole year of  
10 study. This is part of that. And so, I would say  
11 let's delay until the study begins.

12          MR. BOYD: Thank you, and good morning.

13          One of the things I'd like to add into this is  
14 that we've had 26, I believe, TA requests over the last  
15 several months. And what we are also trying to do, and  
16 I think as the gentleman from Census alluded to, is  
17 that we wanted to also tie in some of these TA requests  
18 into that presentation so it'd give everybody an  
19 opportunity to see the results and the impact that some  
20 of these TA requests would have.

21          I think sitting in some of the needs working

1 groups, I think we certainly have circled around ACS,  
2 but we have never really gotten into a position of  
3 looking at some of the benefits. And -- and so, we  
4 felt that some of these TA requests that were made  
5 could be presented and talked about at that time.

6 Thank you.

7 MS. BRYAN: Thank you, Rodger.

8 I'm going to take a minute, if I can. We'll call  
9 on Carol. And then, just logistically, roll call  
10 wasn't on the agenda. So I skipped over it. For the  
11 record, before we do vote on the agenda, we'll need to  
12 do a roll call.

13 So, Carol?

14 MS. GORE: Thank you. I think it's clear that the  
15 agenda for the committee will not reach consensus to  
16 change what's already been presented, right? But I  
17 want to speak in favor of the Census group making a  
18 presentation to the needs workgroup.

19 There are really two things I think that matter to  
20 all of us. One is that the study group framework has  
21 not been considered yet by the needs workgroup. How we

1 get to that means we have to understand where the  
2 challenges are not just with ACS, but others. The same  
3 challenges we face with ACS we'll face with any  
4 dataset. So I think this educational component will be  
5 really helpful.

6 The second reason I think it matters to us is  
7 because Census has asked us for our input. We're  
8 looking at a 2-year transition period, I think, whether  
9 it's ACS or a different dataset. ACS is being used in  
10 Indian Country. Our input matters not just to our  
11 formula if ACS is the dataset -- I'm not suggesting it  
12 is. But it will matter to Indian Country that Census  
13 hears from all of us.

14 And within a 2-year period, they have a chance to  
15 improve how they collect our data, I think that's  
16 important. I think that's worthy of a couple of hours  
17 from the needs workgroup to listen to them.

18 So I'm speaking in favor of them presenting today,  
19 whether it's at the committee or at the needs  
20 workgroup, and not deferring it to the study workgroup.  
21 I personally would benefit from hearing that

1 information because the framework of the study group  
2 has not been determined yet, and we have a lot that's  
3 circular to date to have about that framework. This is  
4 helpful to me. So I speak in favor of that.

5 Thank you.

6 MS. BRYAN: Thank you. So I think it's good to  
7 hear those things. And Census Bureau, stand by. You  
8 are not off the hook.

9 So I'm going to go ahead and do roll call, and  
10 we're going to take vote on this agenda. And we'll  
11 just start with Jack, if you could? Your name and  
12 where you're from for the official record, please?

13 MR. SAWYERS: Jack Sawyers, Utah Paiute,  
14 representing Region 5.

15 MR. ADAMS: Good morning. Jason Adams, Salish  
16 Kootenai Housing Authority.

17 MR. SHURAVLOFF: Good morning. Marty Shuravloff,  
18 Kodiak Island Housing Authority.

19 MS. NUTTER: Good morning. Teri, with Copper  
20 River Housing Authority.

21 MS. GORE: Good morning. Carol Gore from Cook

1 Inlet Housing.

2 MS. CLOUD: Hi, everybody. Heather Cloud, Ho-  
3 Chunk Nation.

4 MS. FLOOD: Deirdre Flood, Washoe Housing  
5 Authority.

6 MR. THOM: Michael Thom, Karuk Tribe.

7 MS. DIFUNTORUM: Good morning. Sami Jo  
8 Difuntorum, Siletz Tribe, Region 6.

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

11 MR. DOLLARHIDE: Jason Dollarhide, Peoria Tribe.

12 MS. BRYAN: Annette Bryan, Puyallup Nation Housing  
13 Authority.

14 MR. DELGADO: Pete Delgado, Tohono O'odham Nation.

15 MR. REED: Michael Reed, Sovereign Nation of  
16 Cocopah.

17 MS. VOGEL: Sharon Vogel, Cheyenne River Housing  
18 Authority.

19 MR. JACOBS: Leon Jacobs, Lumbee Tribe.

20 MS. PHAIR: Diana Phair, the Lummi Nation Housing  
21 Authority.

1 MR. OKAKOK: Samuel Okakok, Native Village of  
2 Barrow.

3 MS. FOSTER: Good morning. Karin Foster, Yakama  
4 Nation Housing Authority.

5 MS. BRYON: Jemine Bryon, Department of Housing  
6 and Urban Development.

7 MR. BOYD: Rodger Boyd, HUD ONAP.

8 MR. COOPER: Gary Cooper, Housing Authority of the  
9 Cherokee Nation.

10 MS. HOBGOOD: Robbie Hobgood. I'm sitting in for  
11 Russell Sossamon with Choctaw Nation.

12 MR. HAUGEN: Lafe Haugen, Northern Cheyenne Tribal  
13 Housing Authority.

14 MS. BRYAN: Okay. We have a quorum to conduct  
15 business. Thank you very much for indulging me there.

16 Now we have a proposal on the table to amend the  
17 agenda to include the Census Bureau presentation.

18 All in favor? The proposal has been made. We  
19 need to vote. So who would like to hear the  
20 presentation in full committee? Thumbs up, thumbs  
21 down, sideways, backwards, anyone? Everyone?

1 (Voting.)

2 MS. BRYAN: Okay. It is not passing. We had an  
3 alternative presented that we went into our workgroups.  
4 So I'm just going to go ahead and move this vote  
5 forward to have the proposal for the Census in the  
6 needs workgroup and so that the FCAS workgroup can  
7 separate and do their work.

8 Rodger?

9 MR. BOYD: We would -- sorry. We would like this  
10 presentation then to the needs working group be made in  
11 this room since it's already set up. I think it'd be -  
12 - visually, I think it would be very helpful. And we  
13 would like to open this presentation to all committee  
14 members that want to attend and to the public that  
15 would like to attend.

16 Thank you.

17 MS. BRYAN: Thank you, Rodger. Earl? Marty, then  
18 Earl.

19 MR. SHURAVLOFF: Thank you. I just want to  
20 mention if -- and I think Rodger pretty much answered  
21 my question, but if you're going to have this

1 presentation, I would like to know what time and when  
2 so we can attend this.

3 MS. BRYAN: Absolutely. Earl?

4 MR. EVANS: Thank you. Earl Evans, Haliwa-Saponi.

5 I'm a little confused. I think the vote that we  
6 just had was that we voted to approve the agenda. That  
7 was about not getting into the full -- we should be  
8 separated. So do we --

9 MS. BRYAN: The vote was to amend the agenda, and  
10 that vote got voted -- there was not a consensus for  
11 it. So I would like to propose the agenda as it stands  
12 for us.

13 MR. EVANS: So then my next question is do we need  
14 to vote for that presentation to occur in the needs  
15 workgroup, or is that simply left to the discussion of  
16 needs --

17 MALE SPEAKER: Needs.

18 MR. EVANS: Okay, thanks.

19 MS. BRYAN: My opinion on the answer to that  
20 question is that they were invited to come when we had  
21 the conference call creating the agenda, that they

1 would stay and present to the needs workgroup as it is  
2 critical that we hear these presentations and have  
3 these conversations with the work that we're doing in  
4 that workgroup.

5 So all in favor of the agenda as it's proposed?

6 (Voting.)

7 MS. BRYAN: Thank you. We have an approved  
8 agenda.

9 Next is our approval of the minutes from our  
10 fourth session, which was June 11th through the 13th in  
11 2014.

12 Marty, is your card still up?

13 MR. SHURAVLOFF: No.

14 MS. BRYAN: Okay. Rodger?

15 MR. BOYD: I wanted to respond to Marty's comment.  
16 What we would like to do as the respective working  
17 groups break out into their respective areas that the -  
18 - we make this presentation at that time, which would  
19 be this morning, to the needs working group.

20 MS. BRYAN: Thank you. We are going to be ahead  
21 on the agenda. So at that time, if we do break out

1 into workgroups early, you can stay and listen to the  
2 presentation.

3 So next on the agenda is approval of the minutes.

4 MS. GORE: Madam Chair, Carol Gore. I move to  
5 approve.

6 MS. BRYAN: We have a move to approve.

7 MR. EVANS: Earl Evans. I second.

8 MS. BRYAN: We have a second. All in favor of  
9 approving the minutes from June 11th through the 13th?

10 (Voting.)

11 MS. BRYAN: The minutes have been approved. Thank  
12 you.

13 Next on our agenda is the FCAS and needs  
14 workgroups review, and we have Jason Adams for the FCAS  
15 workgroup.

16 MR. ADAMS: Good morning. Jason Adams, Salish  
17 Kootenai Housing Authority.

18 On behalf of the FCAS workgroup, I just wanted to  
19 give a brief overview of where we've been and what we  
20 are working on. As I've stated in the past, we have  
21 nine items that were part of the overall master list of

1 issues. We boiled those down to nine areas that we are  
2 working on currently.

3       The first item on our list was the language in  
4 regards to demolishing units and rebuilding those  
5 units. And that language is actually ready to come to  
6 the floor for full committee consideration whenever we  
7 have that opportunity.

8       Item Number 2 on our list was the Indian Housing  
9 Operating Cost Study and looking at a -- there was a  
10 study done. Actually, this issue was related to the  
11 AEL and those local area cost adjustments. And there's  
12 a TA request out there for that issue. There was a  
13 study that was done in 2008, and our workgroup was --  
14 hopefully, everyone has had time to digest that study  
15 and look at its recommendations. That's going to be  
16 probably where we start our workgroup today is with  
17 that issue.

18       Number 3 on our list is the Mutual Help  
19 conveyance, and we have a sub-workgroup that's working  
20 on some language for that.

21       Number 4 on our list was the Section 306 of the

1 regulation, (c), in regards to Section 8 units. And we  
2 have a technical correction issue there that we're  
3 going to propose. Also from that work, there was a new  
4 issue that came about with conversion of units and how  
5 they get counted after they're converted. So we're  
6 working on that issue.

7         Number 5 on our list was FCAS with no needs or low  
8 needs money, and we have some TA requests in for that.  
9 I think we have three TA requests in and that those are  
10 ready for our discussion now.

11         Number 6 on our list was put a time limit on  
12 grantees' expenditures, no-year money in regards to the  
13 appropriations language from 2012. Current language  
14 that's being considered in the President's budget  
15 request and through appropriations, and so we're having  
16 -- continuing our discussions on that issue.

17         Number 7 on our list is Section 302(c) in relation  
18 to FCAS, and that's, again, from the statute and some  
19 other parameters as far as maybe some additional  
20 parameters as far as how money in the formula is  
21 granted to tribes.

1           The last two issues on our list we didn't get to  
2 talk about yet in our workgroup. All seven that I've  
3 previously discussed, we've actually had discussions in  
4 all of these areas so far and hope to get back to the  
5 six that remain from those and come up with some  
6 proposals for the full committee.

7           The last two areas that we are going to try to get  
8 to and discuss are HUD processes and practices that  
9 could be in conflict with proposals, and that was an  
10 early TA request that showed all of the HUD notices and  
11 guidances. And what I mentioned earlier in regards to  
12 the new issue on conversion and count of units, that  
13 actually is contained in the current guidance, that we  
14 are going to possibly come back with some language  
15 based on that guidance to put it in the regulation  
16 where it should be.

17           And the last issue, Number 9 on our list, is  
18 NAHASDA assisted units. We are all looking forward to  
19 getting to that issue and having a very lively  
20 discussion on that issue when we get there.

21           So those are the nine areas that the FCAS

1 workgroup is trying to get through. On behalf of all  
2 of the -- all of the folks that listed items on the  
3 overall matrix when we started this process, we're  
4 trying to come up with language to come back to the  
5 full committee to perform and negotiate on, hopefully  
6 at least by our last meeting in Scottsdale.

7 So as far as an overview of where the FCAS  
8 workgroup is, that's what I have for you this morning.  
9 Thank you.

10 MS. BRYAN: Good. Thank you, Jason.

11 Overview on the needs workgroup. Sami Jo  
12 Difuntorum?

13 MS. DIFUNTORUM: Good morning. Thank you. Sami  
14 Jo Difuntorum.

15 In needs workgroup, we touched on three items  
16 primarily. The first was discussion on some of the  
17 challenges and identification of the problems. And the  
18 problems were identified was the need to expand the  
19 challenge timeframe and the data collection procedure.

20 The discussion resulted in the workgroup  
21 submitting a TA request for the number of Census

1 challenges submitted by tribes, the number of  
2 challenges initiated by HUD, the number of successful  
3 and unsuccessful challenges and the number withdrawn,  
4 the primary reasons for approval, and the primary  
5 reasons for denial. We did receive the TA request, and  
6 I have a copy of that for the workgroup to look at when  
7 we break back into the needs workgroup.

8 There was a discussion on two concepts that were  
9 presented to the full committee. The workgroup

10 ultimately divided into one workgroup and one drafting  
11 group to further develop the concepts. One is the  
12 reimplementation of a new data source called the  
13 volatility clause. I think of it as the "nuclear  
14 option," but it's really not that.

15 (Laughter.)

16 MS. DIFUNTORUM: The discussion resulted in the  
17 drafting of a potential rule that would mitigate the  
18 impact to tribes that would lose money as a result of  
19 the introduction of a new data source in FY '18

20 The other group was the study group. The subgroup  
21 was tasked with developing a framework for a group that

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1 will study data sources to use in the needs portion of  
2 the grant to include practicality and methodology for  
3 conducting a qualitative analysis.

4       Some of the questions -- and I don't know if  
5 they're answered yet. I wasn't part of that particular  
6 group. We divided. Who will participate? Where will  
7 the meetings take place? Who will pay for the  
8 meetings? Look for and associate a cost timeframe.

9       It's really a pretty big task, and it's a pretty  
10 big subject. So I anticipate that will be a subgroup  
11 when we break back into the workgroup.

12       My preference, and I'm ~~stepping out of my~~ role of  
13 chairing the needs workgroup. I think it's a conflict  
14 with another commitment, and so what we will be doing  
15 is selecting new chairs and co-chairs for the  
16 workgroup.

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17       I did prepare a draft agenda for the workgroup,  
18 and what I had anticipated is the ACS presentation to  
19 the study group. It will be up to the workgroup if the  
20 whole workgroup wants to hear the presentation or not.  
21 And then tomorrow morning, there will be a presentation

1 on overlapping formula areas.

2           It seems to me, given the limited amount of time  
3 that we have and the amount of time that the study  
4 group is going to take to develop that we really need  
5 to have a group that's looking at some of the other  
6 issues that we can handle without having the data  
7 source identified by formula areas and things in the  
8 regulations along those lines.

9           So that's where we've been. That's where we're  
10 going. Thank you.

11           MS. BRYAN: Thank you, Sami Jo. Jason?

12           MR. ADAMS: Yeah, Madam Chair, thank you. Co-  
13 Chair. I just -- Jason Adams, Salish Kootenai.

14           I wanted to -- since we are ahead a little bit on  
15 the agenda, I have a request from a member from our  
16 region to have a few minutes just to speak. And he's a  
17 good friend of ours, good friend of many in this room,  
18 a well-respected tribal leader for years, worked in  
19 housing for many years.

20           And he'd asked for just a minute of time for this  
21 morning. So, as a committee member, I'd like to yield

1 a few moments of time to my friend Paul Iron Cloud.

2 If a mike could be brought to Paul, that would be  
3 great. Thank you.

4 MR. IRON CLOUD: Do I have to holler?

5 (Laughter.)

6 MR. IRON CLOUD: Thank you very much for yielding  
7 me some time for this very, very important group. I  
8 feel that you guys are doing something that's probably  
9 been needed for a long time, and I just wanted to greet  
10 everybody with a warm handshake here today.

11 It's been a while since I've been coming to these  
12 meetings. I know I was on the first Negotiated  
13 Rulemaking Committee 17 years ago, and we were talking  
14 about at breakfast this morning just a comment. We  
15 were at 600 million then, and we're still at 600  
16 million. So that's 17 years, and our population has  
17 grown, grown.

18 And here's one of the poorest counties in the  
19 United States of America. You try to make things where  
20 our population is growing. We have 45,000 people and a  
21 budget of \$11 million. Well, that isn't very much

1 after you look at your maintenance and all of the  
2 things that you've got to do. Every one of you that's  
3 been a housing director knows how important it is to  
4 have dollars to do the job that you want to do.

5 But you know I was very, very -- I don't know how  
6 to say it. I'm scared of what's going to happen where  
7 we're going to go with this American Community Survey,  
8 and maybe to some it's good. But if you look at our  
9 tribes in our region, see how we operate, come and  
10 visit. Two, three families living in one house.

11 Rodger Boyd was there. I had appropriations  
12 people there last summer, House Appropriations. I had  
13 10 people there who walked through these homes to  
14 actually see what I was talking about. Every time I go  
15 to Washington, they're probably tired of hearing my  
16 same story, but that's reality. That's really  
17 happening.

18 We have some other problems. We've got drugs.  
19 We've got meth. We've got everything that's out there  
20 is there, and you have a limited budget we work with.  
21 Just put yourself in my position one time.

1           You know, I had a friend come and see me, and I'm  
2 really proud of him. And that was Jack Sawyers. He  
3 came to Pine Ridge and actually looked through the  
4 homes and looked at the need that was there.

5           And I also want to thank Jason Adams, who's been a  
6 longtime friend of mine. He's been within HUD for so  
7 many years. He knows Indians. He's no different from  
8 us.

9           But I'll tell you what. You look at Sharon Vogel  
10 here. She has one of these tough times, just like I  
11 do. You've got Rosebud. You've got one of those big  
12 tribes. I feel a great need, and I could lose  
13 \$700,000.

14          Our road conditions are bad. They're going to  
15 take some of that money. I think we really have to sit  
16 down and think where is the need? And I think that's  
17 what you're doing here.

18          You know, I think I used to tell the Senators when  
19 I was tribal chairman at one time at Pine Ridge. I was  
20 on the council for 16 years. And I used to always tell  
21 them you need to actually come there and see what I'm

1 talking about.

2       You know, our law and order, when I was there, we  
3 had 100 police officers. Right now, we have 38 police  
4 officers to govern 80 by 100 miles. Now you tell me  
5 how we're going to do that.

6       These are just some of the things that I see every  
7 day that there's a need, and that's why I'm here today  
8 to thank you guys for doing what you did, looking at a  
9 new study. It's going to be very, very important to  
10 some of our tribes, Northern tribes.

11       So I don't want to take any more of your time, but  
12 hope that I gave you a message, and I'm speaking from  
13 the bottom of my heart here today to convince some of  
14 you that there is a real, real need out there.

15       Thank you very much.

16       MS. BRYAN: Thank you.

17       (Applause.)

18       MS. BRYAN: Thank you, Mr. Iron Cloud, for all  
19 your years of dedication. And I think you speak for  
20 each and every one of us when you say that, you know,  
21 our reservations are some of the poorest places in the

1 country. Each and every reservation, each and every  
2 tribe, each and every village has some very, very  
3 desperate conditions. So thank you for bringing that  
4 awareness, and we're all in that same situation.

5 And there will be more time at the end of the day  
6 for public comments, people want to continue to share  
7 and lend those important details to the public record  
8 for this negotiated rulemaking.

9 So we are now on the agenda, I would like us to  
10 break into workgroups, and the needs workgroup is going  
11 to be here. And we will let the needs workgroup  
12 decide, but if you're interested in hearing the  
13 presentation and you do have extra time, I would hope  
14 that the needs workgroup would entertain letting the  
15 Census Bureau give their presentation when we leave or  
16 starting after the break.

17 So we'll have a 15-minute break, start here at  
18 9:30 a.m. That's 14 minutes, I guess, technically.  
19 And if we could -- I think we're getting the needs  
20 workgroup and the FCAS workgroup rooms up on the screen  
21 for you. I'll let Sara or someone from FirstPic

1 announce where we're going to be for those workgroups.

2 Thank you.

3 MS. FIALA: The needs workgroup will be here, and  
4 the FCAS workgroup will in the Vail Room, which is go  
5 out this door and it's straight back.

6 (Recessed at 9:17 a.m.)

7 (Reconvened at 5:06 p.m.)

8 MS. BRYAN: Thank you all for coming back. We'll  
9 go ahead and get started. It's 5:06 p.m., and we have  
10 a lot of work that's been accomplished today.

11 So I would like now to start with an announcement  
12 just so I don't forget. I know the needs workgroup on  
13 the Web site, the BIA information has been put up  
14 there. So those of you who requested it know what it  
15 is, and it is there available for you now.

16 The reports from the workgroup to the committee.  
17 We're going to start with Jason Adams with FCAS.

18 MR. ADAMS: Good afternoon. Jason Adams, Salish  
19 Kootenai Housing Authority.

20 On behalf of the FCAS workgroup, everything we  
21 told you this morning we were going to do, we're done.

1 So we're good.

2 (Laughter.)

3 MR. ADAMS: Almost. We're getting there.

4 We had a good session today. Going back through  
5 the -- we have nine issues, essentially nine areas. I  
6 shouldn't say specific issues because some of these  
7 areas have a lot of different issues within them. But  
8 we have nine items that were taking a look at today.

9 As I did report this morning, we are ready on Item  
10 Number 1 on the demolition language. That language is  
11 actually out there from our workgroup session last  
12 meeting.

13 So if you want to take a look at that, any of the  
14 committee members, before we negotiate on that  
15 language, it is currently out there in draft form. So  
16 you can take a look at that. And whenever we come back  
17 to the table to begin our negotiation -- negotiations,  
18 that language is ready for that.

19 The second item on our list was the Indian Housing  
20 Operating Cost Study, and specifically, this issue came  
21 down from local area cost adjustments that are in the

1 FCAS side of the formula, specifically AEL and FMR.

2 And what we're taking a look at is we have a TA  
3 request based on the operating cost study, and I don't  
4 know if all of you saw that operating cost study that  
5 was done in 2008. A very good study that HUD and a  
6 contractor accomplished, and so we were supposed to  
7 have done our homework and read the document. And I  
8 think it's about 135 pages long.

9 But the summary of the document really is that it  
10 makes a request that we add an additional local area  
11 cost adjustment factor, and that factor comes from the  
12 515 program under USDA. And so, we are now under a TA  
13 request asking how that impacts if we added that into  
14 the formula.

15 And HUD, of course, has to go to USDA to re-create  
16 what was done under the cost study because that old  
17 data is not usable. So it has to be re-created, the  
18 new data brought in and put into the funding formula.  
19 And so, all that is going to take some time, probably  
20 will not be done by Scottsdale is what we heard today.  
21 So we're waiting to make a decision from our workgroup

1 what we do with this issue.

2 We are going to have a summary of the document  
3 presented to the workgroup and make a decision probably  
4 in Scottsdale on what we do with this issue. So,  
5 basically, it's on hold right now.

6 Number 3 on our items was Mutual Help unit  
7 conveyance. We have a subgroup that's meeting on that  
8 issue. We have some proposed language that they are  
9 working on, and so that's a big issue for a lot of  
10 folks, I know. And so, we're working on that issue,  
11 trying to get some proposed language back to our  
12 workgroup, probably in the morning, and finalize that  
13 issue.

14 Item Number 4 on our issue was a specific  
15 regulation that's in the current regulations at  
16 1000.306(c), which talks about Section 8 units. And I  
17 think that language specifically says that Section 8  
18 units will be reduced by the same number of FCAS units  
19 have been reduced since the implementation of the  
20 program.

21 The problem with that language is it is in

1 conflict with Section 502 of the amendments of the  
2 statute from 2000. And basically, the statutes govern,  
3 and so the language at the regulation has to go away.  
4 We're calling that a technical correction, and that  
5 will be gone.

6 We do have another issue that we addressed in the  
7 HUD guidance on conversion of units, and we are working  
8 on that new language. The drafting -- our drafting  
9 committee is meeting this evening for some time and  
10 coming up with that language. So that will probably be  
11 ready again in the morning for us to go through and  
12 fine-tune and get ready for the full committee's  
13 consideration.

14 We had another item on our list of issues as far  
15 as FCAS, people that get FCAS money with no need or  
16 very little need. And we have a couple of TA requests  
17 from our last meeting, and we went through those TA  
18 requests. And basically, we had a pretty good,  
19 probably an hour discussion on this issue and, in the  
20 end, decided that we've looked at the issue. We've  
21 tried to see if there really was an issue there to come

1 up with some proposed language on.

2       And then there's also an issue with the statute  
3 because there is statutory language on what we call the  
4 1996 "hold harmless" language, which is basically that  
5 floor that we can't get funded under. And so, that  
6 really hampers us coming up with any kind of regulatory  
7 language that affects those recipients of NAHASDA funds  
8 that are in that situation where they get FCAS money  
9 with no needs.

10       And so, in light of all those issues, we've  
11 decided that we've studied the issue, and there is no  
12 issue really to present to the full committee. So the  
13 issue is done.

14       Number 6 on our list was a time limit on grantee  
15 expenditures. Again, we had a pretty good discussion  
16 again today about this issue. We are waiting for a TA  
17 request that had to go through a FOIA process to get  
18 all of the LOCCS balances that really see what the  
19 parameters of the issue are.

20       We had a good discussion again today on the  
21 President's budget request language that's out there,

1 the congressional appropriations language that's in  
2 play right now. And so, we are -- in light of all  
3 that, we have some language that we've passed on to our  
4 drafting committee that's going to put -- we've kind of  
5 put some sidebars on the issue, passed the issue on,  
6 and they're going to draft some language for us. And  
7 we will be considering that again tomorrow and probably  
8 have language for the full committee by Friday on that  
9 issue also.

10 Item Number 7 is Section 302(c) of statute. That  
11 statutory language talks specifically about other areas  
12 that we can -- we can put in additional factors in the  
13 formulation of the formula. We had a good discussion  
14 on this issue, too, on what some of those factors could  
15 be.

16 We talked about maybe it's something that can be  
17 attained, an incentive kind of factor that would give  
18 people that perform a little more money. There were  
19 some folks that felt that that was a good idea, some  
20 folks felt that it wasn't.

21 We had a good discussion on the geographical

1 distribution language that is in 302(c) that talks  
2 about those factors that were administrative factors  
3 that we need to talk about and discuss. That is  
4 original statutory language that hasn't had any  
5 regulatory language behind it since day one, and so  
6 we've kind of exercised the views again on that issue  
7 and had a good discussion on it. But we do have a TA  
8 request because some folks brought up the issue of  
9 geography and how in some parts of the country where  
10 you have large geography, maintenance costs are a lot  
11 higher.

12       Granted, there are factors in the formula for  
13 adjusting those with local cost factors. AEL, FMR are  
14 currently in the formula. TDC is in the formula for  
15 the modification side of the formula for that very  
16 issue. But we were again maybe thinking something  
17 could be added in here just to help bolster that issue.

18       We talked specifically about roads and BIA data  
19 that could be out there that might give us some  
20 parameters for that. We had a good discussion on  
21 infrastructure, on needs and costs and how those

1 inflate in rural areas. And so, we are looking at a TA  
2 request for both BIA and IHS data that could possibly  
3 help us.

4 One way, maybe some possible language under this  
5 additional factor to be considered. So that one is  
6 still being worked on.

7 Then we did get to Item Number 8 on our list,  
8 which that item is the HUD process and practices that  
9 could be in conflict with current practices or the way  
10 things -- the program is run today. Essentially what  
11 that means is that if there is a HUD guidance or notice  
12 that's out there that's governing something that we as  
13 the recipients on how we conduct our business and it's  
14 not grounded in regulation, that it should be.

15 And so, we had a TA request early on that listed  
16 out all of the HUD guidances and notices, and we went  
17 through those this afternoon and determined that other  
18 than the one I pointed out in our earlier discussion, I  
19 think we're okay. Nobody at the table really had much  
20 information or issues that were in conflict.

21 We even looked at the IHP and APR form and the

1 formula response form because those documents have  
2 specific language that HUD communicates with you on.  
3 If there is anything in that that they're saying that  
4 isn't grounded in regulation, we wanted to make sure  
5 that that was covered. We didn't find anything.

6 So, again, if you weren't in our workgroup and you  
7 feel like there's a practice happening that isn't  
8 grounded in regulation, please let us know because that  
9 could be covered by this issue. But we pretty much  
10 exhausted the resources in the TA request that we had  
11 before us on this issue, and so I think we're -- we're  
12 ready to call that issue studied and closed.

13 The last issue -- last, but certainly not least --  
14 was the issue of NAHASDA units, NAHASDA assisted units.  
15 And I know there was a lot of folks waiting for us to  
16 have this discussion because every NegReg, it seems  
17 like we come to this issue on the formula. And so,  
18 we've had a very spirited discussion in this issue  
19 again.

20 The kind of the parameters of what we've centered  
21 the discussion on is how do you define a NAHASDA

1 assisted unit? We have asked for if HUD has any way to  
2 track any kind of number that's out there of how many  
3 units have been built that could be considered NAHASDA  
4 assisted, either 100 percent NAHASDA funded or any  
5 amount of money that's gone into units that have been  
6 developed that could be called NAHASDA assisted.

7 And so, we -- you know, again, lively discussion.  
8 You know, we did reiterate some of the issues from the  
9 past as far as, you know, if you have NAHASDA funded  
10 units, does that just mean that those that have will  
11 just have more? Will that mean that the needs portion  
12 of the funding formula goes away because all of the  
13 money that's left over for needs would go to NAHASDA  
14 assisted units? So we know that there's a lot of folks  
15 that have pretty strong feelings on both sides of that  
16 issue.

17 We are -- our discussions aren't complete in this  
18 area. We've submitted a TA request asking for the  
19 previous preamble language from previous NegRegs just  
20 so that we're seeing what previous Negotiated  
21 Rulemaking Committees have said in this area.

1           So then we finished up our discussion today on an  
2 idea that is just basically a tracking document on  
3 these nine items so that folks aren't relying on my  
4 notes or other people's notes within the committee on  
5 where we're at on these issues. That it's a tracking  
6 document that says here is what we've done, here is  
7 what the action stuff we're waiting for, and here is  
8 where we're headed on this issue. Or if it's done.

9           So we -- but I think we made pretty good progress  
10 today. We're going to make better progress tomorrow in  
11 finishing some of these items. And some of them we  
12 could talk for years on. So --

13           (Laughter.)

14           MR. ADAMS: That's where we're at today. Thank  
15 you for the opportunity to give a report.

16           MS. BRYAN: Thank you, Jason. Very, very  
17 impressive. Good job on all the work that you guys  
18 have done. And everybody who sat in the rooms and  
19 participated, thank you also.

20           Next update is from the needs workgroup. We have  
21 new co-chairs, Gary Cooper and Jack Sawyers.

1 MR. COOPER: Thank you. And thank you for -- to  
2 Jack for agreeing to serve as co-chair.

3 I don't know that we got anywhere close to where  
4 Jason got, but we got a good start. We started out the  
5 morning with, of course, Sami Jo, thank you for her  
6 service to the committee -- or to the workgroup. Got  
7 some pretty big shoes to fill, but I'll try and do my  
8 best.

9 But also Sami Jo had submitted a TA request before  
10 for Susan and Ben to help our group out just a little  
11 bit, and so they started that today. It was really  
12 good. It was a big help, and it was really beneficial  
13 to us.

14 Susan handled some of the parts of the  
15 presentation, and then Ben is also there for -- to help  
16 provide us some technical assistance or technical  
17 advice on different matters, which is really good.

18 This morning, we started out with the Census  
19 presentation here in this room. I think the room was  
20 pretty full. There was a lot of people here. So a lot  
21 of people got to see what -- see the presentation by

1 Census. We have also asked them -- and if they're  
2 done, there are copies outside. They're going to have  
3 those out on the tables later on. But they'll also be  
4 posted up on the Web site.

5       There was a slide presentation. There's some  
6 supporting documents that go along with that. And I  
7 believe also on there, they're going to list out the  
8 Web site or the link to their Web site where some folks  
9 had some questions about where some of the backup is  
10 coming from some of the information they used. So  
11 that'll be able to explain a little bit of that.

12       Mr. Treat with the ACS was here, who is with the  
13 Census, and then several of the staff members. So we  
14 had a good presentation on that. I would suggest that  
15 if anyone has -- that folks do stop by and pick up  
16 those slides if they would. I think there's a lot of  
17 good information in there that may be pretty handy to  
18 folks.

19       After that, we broke for lunch and then went back  
20 into our regular workgroups. We meet upstairs in  
21 between the two levels in the Columbine Room. We

1 worked out and discussed quite a few things.

2       One of the things that we did do is we are working  
3 on preparing a sub-workgroup, I guess we might call it,  
4 for the workgroup we have. They're going to meet  
5 tonight at 7:00 upstairs, again in the room we were in  
6 to discuss some things related to that situation, the  
7 information that we had had to discuss and agree to a  
8 concept from at the last meeting.

9       There was a couple of documents also prepared and  
10 brought forward that had some good information on it.  
11 So I think that several people have agreed to meet late  
12 this evening to go through and work out those and then  
13 bring them back to the committee tomorrow so we can  
14 help -- kind of go from there and also help establish  
15 the parameters for the subgroup or sub-workgroup or  
16 whatever we're going to decide on calling it.

17       So that will take place at 7:00 this evening. And  
18 they'll work on fine-tuning the details to that  
19 document and bring back to the workgroup tomorrow.

20       Also we were really close on having some language  
21 prepared and brought back here this evening. We didn't

1 quite make it, but we do have some language that was  
2 prepared by the drafting committee, and we should be  
3 able to hopefully bring that back to the committee  
4 tomorrow. Some workgroup members had asked for some  
5 additional time to review it.

6 In the end, that all goes back to the concept that  
7 was agreed to back last month at Scottsdale. And that  
8 was the proposed regulation change to 24 CFR 1000.330,  
9 which would be the data source. The data source, also  
10 the study group, the volatility factor, a portion of  
11 that, and the whole -- implementing the language for  
12 the concept that everyone agreed to last time.

13 So, with that, I think that is pretty much where  
14 we got to today. It doesn't sound like a whole lot,  
15 but it was the beginning of some pretty big, pretty  
16 major issues, which I think once we can kind of get  
17 these two things moving forward, that we'll be able to  
18 maybe knock out some other things.

19 So at least we're making good progress. Thanks  
20 for all of the folks who participated in our meetings.  
21 I think everyone there had -- played a large part in

1 our -- in our discussions, and we certainly appreciate  
2 that. I think our room was pretty close to being full.  
3 I think they had to bring us some extra chairs.

4 So thank everyone for coming, and with that,  
5 that's all I have unless anyone has any questions.

6 MS. BRYAN: Thank you, Gary. Are there any  
7 questions for Jason or Gary? Jack?

8 MR. SAWYERS: We are going to ask for a caucus  
9 tomorrow in connection with our study. It shouldn't be  
10 a very long one, but we will ask for a caucus in the  
11 morning.

12 MS. BRYAN: In the morning, okay. Thank you. You  
13 try and remember, and I'll try and remember. And if  
14 not, someone remind us.

15 Any other questions?

16 (No response.)

17 MS. BRYAN: Yeah, again, thank you for all the  
18 hard work. It was a lot of progress, and that feels  
19 really good.

20 Part of what we do here at these Negotiated  
21 Rulemaking Committee meetings is open it up for public

1 comment. So at this time, it is 5:26 p.m., and I would  
2 like to open up public comment for Session 5 of  
3 negotiated rulemaking.

4 It looks like there's a microphone on either side  
5 of the room. So those of you in the public are welcome  
6 to come up and give any kind of comments or feedback.  
7 That will go into the public record for this session.

8 (No response.)

9 MS. BRYAN: At the end of each working day, we  
10 will have an opportunity for public comment. So if  
11 you're really itching to say something, we will open it  
12 up again for you tomorrow after the meeting. And want  
13 to thank all of the public for coming and attending the  
14 workgroup meetings, as well as HUD and the members of  
15 the committee.

16 We are going to close for dinner. The workgroup  
17 rooms will be available and open for those of you who  
18 are getting together for the later meetings to  
19 accomplish different tasks that you guys have set up  
20 for yourselves.

21 And at this time, I would like to close. And

1 we've asked Jason Adams from this region to offer a  
2 closing prayer today.

3 MR. ADAMS: Join with me in a word of prayer this  
4 afternoon.

5 Father God, we thank you once again for this  
6 opportunity to gather. We thank you for your provision  
7 and all that you provide for us. We thank you for our  
8 families back home and those that rely on the work that  
9 is done here.

10 I thank you for each and every person here that's  
11 come with items to be discussed and issues to be  
12 addressed because we are all here to take care of those  
13 back home and that we remember those today, our  
14 families and our friends and our relatives, our elders  
15 especially. Those that have taught us and passed on to  
16 us over the years those things that are important to  
17 us.

18 First and foremost is you and our acknowledgment  
19 of you. As my dad always reminds me, we, as Indian  
20 people, never fought over who Creator was. We thank  
21 you for guiding us and showing us what your will is

1 here today.

2 We thank you that we have the opportunity to be  
3 here to speak for those that can't speak for  
4 themselves, for our elders, those that have great  
5 needs. We thank you for our children and the  
6 generations to come, those that we have the awesome  
7 responsibility to make sure that they're provided for.

8 And we thank you that we have the opportunity to  
9 see them grow, to continue on with what we've been  
10 taught, what we learned and what we pass on.

11 For all these things, Lord, I thank you. In  
12 Jesus' name I pray, amen.

13 MS. BRYAN: Thank you. And with that, we'll  
14 recess, and we'll see you in the morning at 8:30.

15 (Whereupon, at 5:30 p.m., the meeting was  
16 adjourned.)

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