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Programs

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NPONAP Bulletin

Volume 2, Issue 1

Spring 2011

New Indian Housing Plan/Annual Performance Report Form

Under the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4101 et seq.), Indian Housing Block Grant (IHBG) program recipients must submit an Indian Housing Plan (IHP) that meets the minimum requirements of the Act. An Annual Performance Report (APR) must also be submitted to report on the activities of the IHBG recipients.

Effective for Fiscal Year 2012, recipients must submit the IHP to HUD at least 75 days prior to the start of their program year. The APR is due no later than 90 days after the end of the recipient's program year. The IHP and the APR (previously two separate forms) will be combined into one form. The new form (form HUD 52737)

received temporary emergency clearance from OMB. The new form will be required starting July 18, 2011, as follows:

- Program year beginning October 1, 2011, IHP deadline is July 18, 2011
- Program year beginning January 1, 2012, IHP deadline is October 18, 2011
- Program year beginning April 1, 2012, IHP deadline is January 17, 2012
- Program year beginning July 1, 2012, IHP deadline is April 17, 2012

HUD has been conducting training on the new IHP/APR form. Several sessions are planned for this summer. The Department is fine-tuning the form and guidance based on the input received from the training participants. Please see page 6 for upcoming training dates and locations.

American Recovery and Reinvestment Act Second Quarter Reporting



Section 1512 of the Recovery Act requires grantees with active grants to report through FederalReporting.gov on the status of its grants each quarter. First quarter reporting for ARRA funds will begin on April 1, 2011. FederalReporting.gov has extended the reporting period this quarter and will be open through April 14, 2011, to input your second quarter data.

ARRA funds recipients must also enter reporting data into the Recovery Act Management and Performance System (RAMPS). Section 1609 of the Recovery Act requires agencies to report on the status of compliance with the National Environmental Policy Act (NEPA) for all Recovery Act-funded pro-

jects and activities. In order to provide this information to the Council on Environmental Quality, HUD grantees who complete NEPA reviews according to Part 58 must report NEPA-related data directly into RAMPS. Core activities must also be entered into this system. RAMPS can be accessed at http://portal.hud.gov/app_ramps/

Second quarter reporting deadlines for RAMPS are as follows: NEPA updates must be input when they occur; and Core Activities must be input by April 31, 2011. For additional help with ARRA reporting, please contact your customer service team (listed on page 8).

Funding Notices

Below please find a listing of funding available for housing and community development projects for which Native American tribes and tribal organizations are eligible to apply:

- Health and Human Services Administration for Native Americans' Social and Economic Development Strategies; closes April 1, 2011; <http://www.acf.hhs.gov/grants/open/foa/view/HHS-2011-ACF-ANA-NA-0143>.
- Health and Human Services Administration for Native Americans' Social and Economic Development Strategies Tribal Governance; closes April 5, 2011; <http://www.acf.hhs.gov/grants/open/foa/view/HHS-2011-ACF-ANA-NG-0141>.
- Environmental Protection Agency's Support to the National Tribal Water Council; closes April 11, 2011; http://water.epa.gov/grants_funding/tribal/.
- Department of Energy's Energy Sufficiency Development and Deployment in Indian Country; closes April 13, 2011; <http://www.fedconnect.net/FedConnect/>.
- HUD's Self-Help Homeownership Opportunity Program (SHOP); closes April 18, 2011; http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/fundsavail.
- Department of Justice's 2011 Coordinated Tribal Assistance Solicitation; closes April 21, 2011; www.tribaljusticeandsafety.gov.
- Department of Justice's BJA FY11 Second Chance Adult Mentoring Grants to Non-profit Organizations; closes April 21, 2011; www.ojp.usdoj.gov/BJA/grant/SecondChance.html.
- Department of Justice's FY11 Tribal Domestic Violence and Sexual Assault Coalition Program; closes April 28, 2011; <http://www.ovw.usdoj.gov/docs/tribal-domestic-fy2011.pdf>.
- Department of Justice's OJJDP FY11 Second Chance Act Juvenile Mentoring; closes May 2, 2011; <http://www.ojjdp.gov/grants/solicitations/FY2011/2ndChanceActJuvMentoring.pdf>.
- Environmental Protection Agency's Environmental Education Grants; closes May 2, 2011; <http://www.epa.gov/enviroed/grants.html>.
- Department of Agriculture's Community Connect Grant Program; closes May 3, 2011; http://www.rurdev.usda.gov/utp_commconnect.html.
- Department of Energy's Renewable Energy Development and Deployment in Indian Country; closes May 11, 2011; <https://www.fedconnect.net/FedConnect/>.
- Department of Justice's OJJDP FY11 Community-Based Violence Prevention Demonstration Program; closes May 23, 2011; <http://www.ojjdp.gov/grants/solicitations/FY2011/Community-BasedViolence.pdf>.
- HUD's Section 202 Supportive Housing for the Elderly; closes June 1, 2011; http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/fundsavail.

Additional details for the above funding as well as other funding opportunities and funding applications may be found on grants.gov.

Featurette: Flandreau Santee Sioux Tribe Down Payment

Philip Allen, a member of the Flandreau Santee Sioux Tribe, works for the Tribe as the Membership Service Clerk. In April 2010, he signed a purchase contract with a Tribal member who owned a HUD Mutual Help home. The house he purchased is located on tribal land. It was important to Mr. Allen that his three children live on trust land. After adding new carpet, new flooring, and painting, Mr. Allen and his family moved into their new home in June, 2010.

The Allen family was renting from the Flandreau Santee Sioux Housing Authority (FSSHA) for approximately ten years. The Down Payment Assistance Program, offered through the American Recovery and Reinvestment Act of 2009 (ARRA)

provided \$15,900 to the Allen family for the down payment. Mr. Allen and his family would not have been able to purchase a house without the FSSHA Down Payment Assistance program.

Mr. Allen told the FSSHA, "I would like to thank Shelli Marshall and Flandreau Santee Sioux Housing Authority for all of their help establishing funds for the Down Payment Assistance Program. The Down Payment Assistance Program was great for not only my family, but for all the families the program helped. Wopida (Big Thanks) for helping our family!"

NPONAP Updates

- Notice PIH 2011-06 regarding Interim Funding provides for TDHEs to request up to 25% of the FY 11 IHBG estimated formula allocation amount based on justification received from the TDHE. The NAPONAP has limited funds available for interim funding and the majority of those funds have been distributed as of March 31, 2011.
- The FY 2011 Notice of Funding Availability (NOFA) for the Indian Community Development Block Grant program is expected to be released sometime in the 3rd quarter of FY 2011. Once the NOFA is published, grantees will be notified of application deadlines and training dates.
- Indian Housing Plans for FY 2011 are due no later than July 1, 2011.
- Grantees are required to expend 50% of their funding within two years of grant receipt and 100% must be expended within three years.
- An ARRA expenditure deadline reminder letter will go out to grantees at 60 days and again at 15 days prior to the deadlines per PIH Notice 2011-9.
- In this region, 83.5% of Recovery funding has been expended as of March 31, 2011.
- For grantees with a March 31 FYE, FY 10 APRs are due by June 30, 2011. Grantees may request a 30-day time extension in advance of the due date if there are justifiable reasons. If you do not submit an APR, you will be required to submit support documentation for drawdown of LOCCS funding. APRs must include ARRA funding.
- For FYE June 30 grantees, FY 09 audit reports were due March 31 2011. Audits must include ARRA funding. No time extensions will be granted.
- Remember that all Public/Indian Housing Notices and NAHASDA Program Guidances are posted on Code Talk.

Featured NPONAP Staff: Administrator's Office

Randy has served as the Administrator for NPONAP since 2001. Prior to taking his current position, Randy served 21 years as the Associate Field Counsel for the San Francisco Office and Phoenix ONAP. He served as the principal point of legal contact for HUD programs delivered to 172 tribes located in the western United States. During 1997, Randy was part of the HUD team providing legal support to the first negotiated rulemaking committee under NAHASDA. In 1999, he participated in the One Stop Mortgage Center Initiative, a federal-tribal partnership to reform mortgage lending in Indian Country. Randy is a member of the Comanche Nation of Oklahoma.

Carol Quinlan assumed the position of Administrator Advisor for NPONAP in 2010. In this role she supports the Administrator and his staff to carry out the goals of the

Department and assists the Grants Management and Grants Evaluations in their day to day duties. She previously worked in the GE and GM Divisions and in the HQ ONAP stationed in Denver. She enjoys working with the NPONAP clients and loves the customer service aspect of her job.

Edward Vaughan is a Harvard Kennedy School of Government, Community Builder Fellow on Native American Initiatives. He serves as the Native American Program Specialist with NPONAP. Mr. Vaughan is responsible for coordinating the HUD-Section 184 Indian Housing and Title VI Loan Guarantee Program activities in the Northern Plains. He represents the Office in meetings and conferences and develops, implements, and monitors projects and initiatives intended to stimulate the use of HUD programs in Indian country.

Project HUD Story

Information is being sought for use by HUD to be incorporated into public announcements, speeches, press notices, web pages and/or other media. The information provided is voluntary and is not required to be submitted. These stories do not impact any aspect of HUD projects or programs. The intent of Project HUD Story is to inform the public of HUD program accomplishments through the lens of a person who received HUD assistance. The stories of most interest are about persons who have an affordable place to call home because of public housing funds; have been put to work by the Recovery Act (i.e., construction workers); and any

other way HUD programs have impacted a person, family or community. Project HUD Story aims to capture the stories of real people and places where HUD has made significant contributions, impacted peoples' lives, and improved their communities.

If you are interested in submitting a story to be used for Project HUD Story, please contact your customer service representative listed on page 8, or the Northern Plains Office of Native American Programs at 303-672-5465. If possible, please plan to submit two to four photos related to your story.

Unsolicited Office Supplies

If a tribally designated housing entity (TDHE) receives and is billed for unsolicited office supplies, there is a Federal law that prohibits such practices and a TDHE's procurement policies and practices will protect against these types of deceptive tactics.

Section 3009 of the Postal Reorganization Act provides that a TDHE is not obligated to return nor pay for unordered supplies, but may treat such supplies as a gift. This is true if the merchandise is sent through the mail or delivered through a private delivery service.

Victims of such abuse may seek to enforce Section 3009 through a complaint to the Federal Trade Commission (FTC). The FTC's Consumer Response Center can be reached at 1-877-FTC-HELP or by logging onto www.ftc.gov.

TDHEs can take the following precautions to prevent future mail deliveries made in violation of Section 3009:

- Assign purchasing authority only to designated staff members.
- Establish and enforce procurement procedures, require documentation of all orders and deliveries including: (a) the date of the order; (b) the name and job title of the TDHE employee making the order; (c) a description of each item ordered, its quantity, and unit price; (d) the total price of the order; (e) method used for placing the order—phone, mail, internet, etc.; (f) the name of the seller and their contact information.
- Train all staff on how to respond to telemarketers.
- Review all TDHE phone bills.
- Be wary of ordering from cold callers and their high pressure tactics.
- If the TDHE receives goods that it did not order, they should not pay for them and do not need to return them to the sender.

Board of Commissioners' Income

Most TDHEs treat their Board of Commissioners as independent contractors and issue them 1099 forms at the end of the year. Other TDHEs treat the Board members as employees and issue a W-2 form to them at the end of the year. 1099 forms do not include tax deductions and require Board members to calculate his or her own self-employment taxes whereas W-2 forms include various tax deductions.

Under expired HUD regulation 24 C.F.R. § 805.110 (1983), a "member of the IHA's Board of Commissioners shall not be eligible for employment by the IHA except under unusual circumstances and with HUD approval." Under NAHASDA there is not an explicit regulation which prohibits this practice.

24 C.F.R. §§1000.30, 1000.32, 1000.34, and 1000.36, under the NAHASDA regulations, apply to Board income. Section 1000.30 provides that no individual shall use their decision-making powers or their ac-

cess to inside information to obtain a personal or financial interest. For example, a member of a TDHE Board of Commissioners may not vote to hire him— or herself as an employee of or contractor for the TDHE.

Board of Commissioners members can be treated as employees and will not create a conflict of interest under current regulations. A conflict would arise if a Board member was involved in a decision affecting the personal or financial interest of him— or herself or of someone with whom he or she has business or immediate family ties.

To determine how to categorize a Board member for income and tax purposes, the TDHE should submit a Form SS-8 to the IRS requesting determination on the issue or request a written opinion from an independent tax professional.

Calendar of Events

APRIL 2011

Su	Mo	Tu	We	Th	Fri	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

April 5-6—Title VI Loan Guarantee Training, Hilton Portland, Portland, OR

April 4-5—Leverage Finance Workshop, Grand Hyatt, Denver, CO

April 18-20—ICDBG Training Program, Renaissance Oklahoma City, Oklahoma City, OK

April 26-27—Title VI Loan Guarantee Training, The Renaissance Depot, Minneapolis, MN

April 27-29—Indian Housing Plan/Annual Performance Report Training, The Edgewater, Seattle, WA

MAY 2011

Su	Mo	Tu	We	Th	Fri	Sa
1	2	3	4	5	6	7
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

May 3-5—Indian Housing Plan/Annual Performance Report Training, Millennium, Anchorage, AK

May 4-6—Foundations in Environmental Review, HUD Region VIII, Denver, CO

May 10-12—US General Services Administration Training Conference, San Diego Convention Center
San Diego, CA

May 24-26—NAIHC 2011 Annual Convention, Sheraton Phoenix, Phoenix, AZ

JUNE 2011

Su	Mo	Tu	We	Th	Fri	Sa
			1	2	3	4
5	6	7	8	9	10	11
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19	20	21	22	23	24	25
26	27	28	29	30		

June 7-8—Indian Housing Plan/Annual Performance Report Training, The Curtis, Denver, CO

June 20-22—ICDBG Training Program, Coeur D'Alene Casino Resort Hotel, Worley, ID

June 20-23—2011 National Healthy Homes Conference, Denver Convention Center, Denver, CO

Get More Information About Events on the Web:
<http://www.hud.gov/offices/pih/ih/codetalk/calendar.cfm>
<http://www.hud.gov/emarc/>

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TRIBE/TDHE	Grants Evaluation	Grants Management
Apsaalooke	Kim Sereff	Bernadette McKale
Blackfeet	Janice Wagner	Luisa Bonilla
Cheyenne River	Mike Sylvan	Luisa Bonilla
Chippewa Cree	Deb Richards	Amy Flowers
Crow Creek	Kim Sereff	Bernadette McKale
Eastern Shoshone	Mike Sylvan	Luisa Bonilla
Flandreau	Kevin Turnau	Lori Roget
Fort Belknap	Carol Quinlan	Vic Szymialis
Fort Berthold	Jean Paschke	Vic Szymialis
Fort Peck	Heather Shea	Luisa Bonilla
Goshute	Jean Paschke	Lori Roget
Lower Brule	Kim Sereff	Amy Flowers
Northwest Band of Shoshone	Heather Shea	Amy Flowers
Northern Arapaho	Kevin Turnau	Jennifer Scott
Northern Cheyenne	Jean Paschke	Amy Flowers
Northern Ponca	Kevin Turnau	Jennifer Scott
Oglala Sioux	Deb Richards	Jennifer Scott
Omaha	Deb Richards	Vic Szymialis
Rosebud	Mike Sylvan	Amy Flowers
Salish-Kootenai	Janice Wagner	Luisa Bonilla
Santee Sioux	Heather Shea	Vic Szymialis
Sisseton Wahpeton	Jean Paschke	Lori Roget
Skull Valley	Heather Shea	Lori Roget
Southern Ute	Kevin Turnau	Vic Szymialis
Spirit Lake	Janice Wagner	Jennifer Scott
Standing Rock	Kim Sereff	Bernadette McKale
Trenton	Heather Shea	Bernadette McKale
Turtle Mountain	Heather Shea	Bernadette McKale
Utah Paiute	Jean Paschke	Amy Flowers
Ute Indian	Jean Paschke	Jennifer Scott
Ute Mountain Ute	Janice Wagner	Bernadette McKale
Winnebago	Deb Richards	Vic Szymialis
Yankton Sioux	Janice Wagner	Lori Roget

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