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ABSTRACT

Providing a comprehensive collection of data and materials essential to understanding the American Indian housing problem, this report was prepared to acquaint Members of Congress and others with the fact that Indian housing is "deplorable" due to such factors as the prevalence of low incomes, the predominance of trust land, unique cultural patterns, and the multiplicity of Federal agencies involved in the Indian housing effort. Report divisions include: (1) Housing and Urban Development (HUD) Indian Housing Programs; (2) Bureau of Indian Affairs (BIA) Housing Improvement Program; (3) Related Services and Program Administration (roads, water, sanitation, etc.); (4) Problems with the Present Program (the tri-agency agreement, the 1974 Housing and Community Development Act, building on Indian lands, relative priority accorded Indian projects, special legal relationship, and regional characteristics); and (5) Possible Options and/or Policy Alternatives (maintain the status quo with certain legislative and administrative changes and develop a comprehensive Indian housing and community development act). Extensive appendices (some 600 pages) document the slow progress of Indian housing, presenting dates, acts, various agreements, HUD circulars and legal memorandums, correspondence, agency responses, General Accounting Office reports, papers, etc. (JC)

94th Congress }
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INDIAN HOUSING IN THE
UNITED STATES

A STAFF REPORT ON THE INDIAN HOUSING
EFFORT IN THE UNITED STATES WITH
SELECTED APPENDIXES

PREPARED AT THE REQUEST OF
HENRY M. JACKSON, *Chairman*
COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS
UNITED STATES SENATE



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MEMORANDUM OF THE CHAIRMAN.

To Members of the Senate Committee on Interior and Insular Affairs:

Although Congress has established a National Housing Policy that every American family is entitled to a "decent, safe and sanitary" dwelling, we are still far from achieving this goal for many Americans. This is, particularly true of the American Indian.

Despite the existence of several Federal programs designed to provide Indian housing, the condition of much Indian housing today can only be described as deplorable. The reasons for this include such factors as the prevalence of low incomes, the predominance of trust land, unique cultural patterns and the multiplicity of Federal agencies involved in the Indian housing effort.

This report highlights these, and other factors contributing to the sad state of Indian housing. It provides for the first time a comprehensive collection of data and materials essential to an understanding of the Indian housing problem.

The report was prepared for the Indian Affairs Subcommittee, chaired by Senator James Abourezk, by Thomas B. Williams and Robert D. Leatherman of the Committee's professional staff. Mr. Leatherman, an attorney with the Department of Housing and Urban Development, is serving on the staff as a Congressional Fellow, sponsored by the American Political Science Association.

This report merits study by Members of the Congress and all those who are concerned with the problems of Indian housing. I have therefore asked that it be published as a Committee print with the hope that it will stimulate fresh thinking and new approaches to helping every Indian family achieve decent housing.

HENRY M. JACKSON, *Chairman.*

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UNITED STATES

A STAFF REPORT

PREPARED BY

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ROBERT D. LEATHERMAN
Professional Staff Members

AT THE REQUEST OF

SENATOR HENRY M. JACKSON, *Chairman*
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
UNITED STATES SENATE

FEBRUARY 1975

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INDIAN HOUSING IN THE UNITED STATES

INTRODUCTION

Because of exceptionally low incomes and unique land tenure problems, Indian people—especially those on reservations—have had to rely primarily on subsidized Federal housing programs to meet their housing needs.¹ The bulk of this subsidized housing on Indian lands has been developed by the Department of Housing and Urban Development (HUD) under the public housing program (1937 U.S. Housing Act; 42 USC 1401 et seq., as amended). In addition, the Bureau of Indian Affairs (BIA) operates a Housing Improvement Program (HIP) which provides assistance to Indians who are unable to obtain housing assistance from any other source. Finally, in addition to HUD and BIA housing programs, Indian people have also received some housing assistance under various loan programs of the Farmers Home Administration (FmHA), Veterans' Administration (VA), and various other public and private sources. However, the number of units constructed in Indian areas under these loan programs has been small and production has not been carried out on a continuing basis.² Despite the existence of all of these programs Indian housing needs remain critical.

The table below summarizes the national pattern in terms of selected characteristics of Indian housing as reported in the 1970 Census. In almost every characteristic, Indian housing was far below average. Almost half the Nation's Indian households occupied units which either lacked essential plumbing facilities or were overcrowded, or both—the incidence of housing which lacked plumbing facilities or was overcrowded among Indian households was more than three times as high as non-Indian households. The situation was even worse in rural areas where over 70 percent of the Indian households were inadequately housed even by this limited measure (which does not consider either the condition of the structure or the proportion of the family's income that is being paid to occupy it).²

¹ For a general summary of the basic Federal housing programs available to Indians, see "Community Development: A Manual on Tribal Housing Enterprises and Resources." Prepared by the Non-Profit Housing Center, Inc., Washington, D.C., 1973.

² For further interpretation of this and some related information, see George W. Rucker, "Indian Housing: A Background Paper," prepared for the Rural Housing Alliance's 8th Annual Meeting, Rapid City, South Dakota, October 1973, see Appendix III, pp. 123-30.

SELECTED CHARACTERISTICS OF INDIAN HOUSING, 1970, INSIDE AND OUTSIDE STANDARD METROPOLITAN STATISTICAL AREAS (SMSA'S)

Selected characteristics	Inside SMSA's				Total metro and nonmetro
	In central cities ¹	Outside central cities	Total metro areas	Outside SMSA's	
All occupied units.....	44,257	36,071	80,328	99,938	180,266
Owner occupied.....	13,824	19,812	33,436	56,682	90,118
Renter occupied.....	30,433	16,459	46,892	43,256	90,148
Percent renter occupied.....	68.8	45.6	58.4	43.3	50.0
National average—Percent renter.....	(51.9)	(29.7)	(40.5)	(29.6)	(37.1)
Age of units:					
10 yr or less.....	6,330	10,096	16,426	28,130	44,556
10 to 30 yr.....	15,225	15,263	30,488	31,405	61,893
30 yr or older.....	22,702	10,712	33,414	40,403	73,817
Percent 30 yr or older.....	51.3	29.7	41.6	40.4	40.9
National average—Percent 30 yr.....	(48.0)	(27.4)	(37.7)	(46.7)	(40.5)
Quality:					
Units lacking plumbing.....	2,818	4,682	7,460	39,935	47,406
Percent lacking plumbing.....	6.4	12.9	9.3	40.0	26.3
National average—Percent without plumbing.....	(2.9)	(2.9)	(2.9)	(11.4)	(5.5)
Units with plumbing but crowded ¹	6,927	5,375	12,302	17,300	29,602
Percent with plumbing but crowded.....	15.7	14.9	15.3	17.3	16.4
National average—Percent crowded.....	(7.9)	(6.3)	(7.1)	(6.4)	(6.9)
Units with plumbing, severely crowded ²	1,968	1,552	3,520	7,199	10,719
Percent with plumbing, severely crowded.....	4.4	4.3	4.4	7.2	5.9
National average—Percent severely crowded.....	(2.0)	(1.1)	(1.9)	(1.3)	(1.5)
Household income:					
Under \$3,000.....	11,054	7,711	18,765	38,652	57,417
\$3,000 to \$5,999.....	11,129	7,643	18,772	26,780	45,552
\$6,000 to \$8,999.....	11,893	9,318	21,211	21,241	42,452
\$10,000 to \$14,999.....	7,061	7,491	14,552	9,626	26,178
\$15,000 and over.....	3,120	3,908	7,028	3,639	10,667
Median.....	\$6,000	\$7,100	\$6,500	\$4,200	\$5,100
(National median).....	(\$7,900)	(\$10,300)	(\$9,100)	(\$6,800)	(\$8,400)
Household size:					
1 person.....	9,825	5,026	14,851	12,535	28,386
2 persons.....	11,059	8,673	19,732	18,485	38,217
3 to 4 persons.....	13,349	11,601	24,950	27,037	51,987
5 to 6 persons.....	6,745	7,058	13,803	19,680	33,483
7 or more persons.....	3,279	3,713	6,992	21,221	28,213
Median.....	2.7	3.2	2.9	3.8	3.4
(National median).....	(2.4)	(3.0)	(2.7)	(2.7)	(2.7)
Percent 7 or more persons.....	7.4	10.3	8.7	21.2	15.7
(National percent, 7-plus persons).....	(4.6)	(5.1)	(4.8)	(5.7)	(5.1)
Age of household head:					
Under 35.....	18,449	12,236	30,685	29,038	59,723
35 to 44 yr.....	8,605	7,746	16,351	20,607	36,958
45 to 64 yr.....	12,126	11,650	23,776	42,763	56,539
65 and over.....	5,077	4,439	9,516	17,430	27,046
Percent with head under 35.....	41.7	33.9	38.0	29.1	33.1
(National percent with head under 35).....	(26.8)	(26.5)	(26.6)	(23.5)	(25.7)

¹ Crowded means more than 1 person per room.

² Severely crowded means more than 1.50 persons per room.

Source: 1970 Census of Housing, HC(7)-9, "Housing of Selected Racial Groups," HC(7)-1, "Housing Characteristics by Household Composition," and HC(2)-1, "Metropolitan Housing Characteristics."

In light of these alarming statistics, the BIA began to examine the total needs of Indian housing with a view toward establishing a production goal. Using the various Federal programs mentioned above, it was determined that substandard Indian housing could be substantially eliminated by the end of the 1970's. It is becoming increasingly clear that this goal will not be realized under present Indian housing programs.³

As indicated in the table below, at the end of fiscal year 1973, the BIA reported 106,702 Indian families under its jurisdiction who were occupying less than 72,000 units—more than 60 percent of which were rated "substandard." In short, the BIA estimated its backlog of housing needs at something over 71,000 units—two-thirds of which

³ A similar conclusion was reached by the General Accounting Office in their 1971 Report to the Congress, "Slow Progress in Eliminating Substandard Indian Housing," see Appendix I, p. 31.

would have to be new construction. During that same year (fiscal year 1973) there were 9,339 new construction starts and rehabilitations in areas under BIA jurisdiction. Due to the increase in the number and size of Indian families and other factors of change, the result was a net decrease in housing need among BIA Indian households of only 1,506 units. Using these 1973 figures as a benchmark, it is indicated that 7,800 starts and rehabilitations will be needed every year just to stay even. At this rate of improvement, it will take nearly 50 years to do the job.⁴

HOUSING CONDITIONS FOR INDIANS UNDER BIA JURISDICTION, MID-1973.

BIA offices	Total number of families	Number of standard units	Number of sub-standard units	Families doubled up	Total need as per cent of families	New units needed	Rehabilitations needed
Aberdeen.....	10,546	4,697	4,353	1,496	55.5	4,739	1,110
Billings.....	6,071	3,335	2,269	467	45.1	1,861	875
Minneapolis.....	3,283	1,685	1,409	189	48.7	1,092	506
North-central total.....	19,900	9,717	8,031	2,152	51.2	7,692	2,491
Anadarko.....	5,373	1,401	2,617	1,355	73.9	2,398	1,574
Muskogee.....	16,052	7,171	5,547	3,334	55.3	7,044	1,837
Abuquerque.....	8,349	3,180	2,841	2,328	61.9	3,332	1,837
Navajo.....	23,801	3,126	19,242	1,433	86.9	7,324	13,351
Phoenix.....	9,644	3,493	5,309	1,142	66.9	6,025	426
Southwest total.....	63,219	18,071	35,556	9,592	71.4	26,123	19,025
Sunau.....	12,550	2,751	8,503	1,296	78.5	9,209	590
Portland.....	6,116	3,331	1,951	834	45.5	1,804	981
Sacramento.....	2,149	518	1,080	551	75.9	1,260	371
Pacific total.....	20,815	6,600	11,534	2,661	68.3	12,273	1,942
Southeast agency.....	2,768	1,153	1,226	389	58.3	1,084	531
United States total.....	106,702	35,541	56,347	14,814	66.7	47,172	23,989

Source: BIA Consolidated Area Housing Inventory.

It is the purpose of this report to review the major Indian housing programs; to discuss the history, characteristics, and problems of the current housing delivery system; and to suggest some possible policy alternatives to help meet Indian housing needs.

HUD INDIAN HOUSING PROGRAMS

While the Housing Act brought public housing to much of the country in 1937, this basic act was amended and funded for some 25 years before its public housing programs were made available to American Indians in 1961-62. It was not until then that it was administratively determined that Indian tribes had legal authority to establish, under Indian law, the tribal housing authorities which could develop and operate low-rent public housing projects. This determination, and the legal opinion accompanying it, had the effect of creating the first real housing program on reservations and other restricted lands.⁵

⁴ George W. Rucker, "Indian Housing: A Background Paper," see Appendix III, p. 124.

⁵ For copies of both documents, see Appendix VIII, pp. 213-19.

Under the 1937 act, as amended, HUD is authorized to make loans and pay annual contributions⁶ to local housing authorities to assist in developing and acquiring low-rent public housing projects and achieving and maintaining the low-rent character of such projects. Where a tribe under its constitution and bylaws has an established governing body with police power for its reservation (that is, the legislative power to promote peace, health, safety, and morals on the reservation) that governing body can perform the legal functions that are otherwise performed by the State legislature and local government. Specifically, such a tribal governing body is legally competent to enact an ordinance creating a housing authority. In several States, primarily Oklahoma, Texas, and Maine, where some tribes do not have such police power, the State legislatures have enacted statutes to provide for the establishment of tribal housing authorities.

Indian housing authorities are important elements of the Indian housing delivery system in that they administer the three HUD public housing programs which comprise the backbone of the Indian housing effort. These programs are Low-Rent, Mutual-Help Homeownership, and Turnkey III Homeownership. Additionally, HUD also established a Modernization Program in 1968 specifically for improving low-rent housing projects by (1) correcting extensive physical deterioration of the site, structures, or equipment, (2) replacing outmoded equipment or outmoded aspects of structures, and (3) improving the grounds, structures, or equipment by alteration or providing additional structures or equipment.

1. Low-Rent Program

The Low-Rent⁷ public housing program for American Indians is essentially the same as the Low-Rent public housing program for non-Indians. Under this program the housing is constructed either by the "conventional" or "turnkey" method by a building contractor, selected by a local housing authority, and is thereafter operated as rental housing by that housing authority. Under the "conventional" method of construction, the housing authority acquires the property and hires its own architect to develop building plans and specifications and then employs a contractor to build the units using the plans and specifications provided him. Under the "turnkey" method, the builder acquires the property himself and develops his own plans and submits them to the housing authority for its consideration. To finance the development costs of the projects, the housing authority sells up

⁶ HUD agrees to make such annual contributions sufficient to amortize the development and financing costs of a housing project in an Annual Contributions Contract (ACC), entered into with the housing authority for each project. Normally, the amortization period for a rental project is 40 years, and for a homeownership project (whether Mutual-Help or Turnkey III) either 25 or 30 years. While the entire development of a housing project with HUD funds is too complicated a process to be described here in detail, a short summary of its financing may be helpful.

HUD makes a short-term loan to the authority to enable it to hire the necessary personnel to get the housing project underway. Under HUD supervision the housing authority then issues temporary notes, called Project Notes, of up to 12 months maturity to private investors. The money thus generated is used by the authorities to repay these initial loans to HUD. Ultimately, the notes may be incorporated into what is referred to by HUD as a more "permanent" means of financing, in the form of bonds with up to 40 year maturities. Bonds of shorter maturities for homeownership projects are presently not sold. Whether notes or bonds, after the units are occupied, HUD then pays directly to the Paying Agent named by the purchaser an amount sufficient, but not above that stipulated in the ACC, to take care of the annual debt service on the securities, until they are retired. Where the projects continue to be financed by the sale of Project Notes, old notes are refinanced by a sale of new notes, in effect capitalizing interest costs. As can be seen, the entire process involves both a loan and an annual contribution arrangement. Leased units are also provided for in an ACC. However, since under the leasing programs the housing authorities are not building or purchasing the units, this elaborate financing scheme is unnecessary.

⁷ To avoid confusion, where discussed in this report, "Low Rent" will refer only to those units of public housing developed to serve as rented dwellings as opposed to those intended to be ultimately owned by the occupant.

to 40-year bonds to private investors (See footnote 6). HUD agrees to pay annual contributions in an amount sufficient to assure payment of the annual debt service (principal and interest), and these annual contributions are pledged as security for the local housing authority bonds, thereby enabling them to be sold at unusually low interest rates. Also, by Federal law, these bonds are exempt from Federal taxation—thus creating an additional incentive for investors.

After construction, the dwelling units are rented by the housing authority to low income families at rents based on their incomes. The rents theoretically must be sufficient in total to pay the housing authority's operating expenses—except that additional operating subsidies can be made by HUD under certain conditions to help insure the low rent character of the project.

2. Mutual-Help Homeownership Program

The Mutual-Help Homeownership Program was established by HUD in 1964 in cooperation with the BIA in an effort to provide an ownership alternative to rental housing.⁸ The basis of the mutual-help concept is to provide an opportunity for ownership which will be a strong incentive for participants to aid in the building and maintenance of their own homes. Under this plan, a group of participating Indian families contribute their labor in the physical construction of the houses. In addition, the participants, on the tribe, contribute the building site and, where feasible, local building materials. The participants operate on a lease-purchase type of option and receive equity credit, in amounts approved by HUD, toward the purchase of their homes in lieu of cash for their contributions. Theoretically at least, an incentive for the participants to make as great a contribution as possible exists under this program because the greater the portion of the development cost represented by the equity credit received, the shorter is the period of time before the mutual-help participant becomes a home owner.⁹

HUD contracts to pay annual contributions at the highest authorized, annual rate to help repay the funds borrowed by the housing authority for the development of the Mutual-Help Housing project. Once the homes are built, participants are responsible for the maintenance and utility costs for the unit and pay a fee for the operation and administration of the tribal housing authority.

On the basis of income, participants are required to make additional payments which increase their equity toward ownership. Should a participant fail to properly maintain his home, the housing authority may have the necessary work done and pay for it out of funds obtained by deductions from the equity payments and mutual-help contribution made by the participant. Obviously, such deductions reduce the participant's equity in the unit and increase the period of time until ownership is realized.

A major element in the Mutual-Help Program is the assistance provided by the BIA on reservations. In many instances the BIA has provided the tribal housing authorities with administrative guidance and assistance as well as with construction supervision for the participants and the professional help employed by the housing authorities.¹⁰

⁸ See Appendix VIII, pp. 221-26 for documents establishing the Mutual-Help Program.

⁹ See Appendix II p. 117 for General Accounting Office comments regarding some of the problems encountered in the assignment of equity credit under the Mutual-Help program.

¹⁰ The BIA estimates that they spent approximately \$2.6 million between 1962-67 in this capacity. This is in addition to the funds spent on the BIA's own Housing Improvement Program established in 1965.

The BIA and builder can assist the tribal housing authority with scheduling participant's mutual-help labor; however, the housing authority alone is responsible for making certain that all individual participant's efforts are substantially equal.

3. Turnkey III Homeownership Program

Developed in 1968 and later made applicable to Indian areas, the Turnkey III Homeownership Program is designed to help low-income Indian families become home owners by entering into and fulfilling their obligations under a home-buyer's ownership opportunity agreement with a tribal housing authority. The participant must agree to do the necessary routine maintenance on the unit himself. For this contribution, he receives credit from the housing authority in an earned home payments account which, when sufficient to cover the remaining debt on the unit, will enable him to assume title and become a home owner, or may be used as a downpayment for a mortgage if his income increases to the point where he is able to obtain a mortgage.

Financial feasibility of a proposed Turnkey III project is based on a demonstration that the selected home-buyer families will be in a position to make payments which will produce an average monthly payment at least 10 percent in excess of an established "break-even amount." The "break-even amount" is the sum of (1) monthly operating expense, including provisions for operating reserve, (2) monthly payments to a homebuyer's ownership reserve, and (3) the monthly amount to be essentially credited to the nonroutine maintenance reserve. As a general rule, Turnkey III units necessitate higher monthly payments on the part of the participant than units constructed under the mutual-help or rental programs.

The table below summarizes the HUD Indian housing effort during fiscal years 1962-74.¹¹

INDIAN HOUSING UNITS PROVIDED THROUGH ALL PUBLIC HOUSING PROGRAMS (FISCAL YEARS 1962-74)

Fiscal year—	Authorized in executed ACC's	Construction starts	Completed for occupancy
1962.....	74	51	0
1963.....	500	56	0
1964.....	2,239	294	83
1965.....	94	624	201
1966.....	598	533	603
1967.....	753	1,222	513
1968.....	858	1,206	992
1969.....	1,794	1,049	1,523
1970.....	4,358	3,763	1,206
1971.....	7,304	4,974	2,180
1972.....	3,706	3,111	2,889
1973.....	1,498	2,675	3,788
1974.....	660	2,638	3,499
Total.....	24,476	22,196	17,457

Source: Publicly Financed Housing Division, Housing Production and Mortgage Credit, Department of Housing and Urban Development.

As evidenced in the table above, between fiscal year 1962-74, only 17,457 units of public housing (including Low-Rent, Mutual-Help, and Turnkey III) were completed for occupancy by Indian families.¹²

¹¹ See Appendix XII, pp. 455-574, for additional HUD data.

¹² It should be noted that the category "Completed for Occupancy" may not include those units that are completed and occupied but not designated as such because they have not been assigned a Date of Full Availability (DoFA) as established and reported to the HUD Central Office by the Regional and Area Offices.

While information is not readily available in a form that permits a detailed breakout by specific HUD public housing programs, at the close of 1972, the Mutual-Help Homeownership program accounted for some 6,100 completed units while the Low-Rent program and Turnkey III together produced a comparable amount for a total of 12,094 units. Thus, at least between 1962-72, the 'Mutual-Help' program accounted for about 50 percent of the HUD Indian housing units.¹³

Although the HUD Indian effort increased considerably between 1962-71, the last 3 or 4 years have witnessed a decline with regard to executing ACC's and construction starts. At the same time, the number of units completed for occupancy has continued a relatively steady (albeit limited) increase since 1962. Significantly, these figures do not consider the most recent HUD commitment to authorize 12,558 units in light of the 1974 Housing and Community Development Act.¹⁴

BIA HOUSING IMPROVEMENT PROGRAM

In 1965, the BIA, in an effort to respond to the housing needs of those Indian families with exceptionally low incomes or no income at all, developed and implemented its own Housing Improvement Program (HIP) which provides grants for repairs, major rehabilitation, down payments, and some new housing construction. The HIP is designed to provide these various forms of assistance to Indian people who are unable to obtain it from any other source. Project grant funds may be deposited into individual accounts to enable Indian people to do their own purchasing and/or contracting. The BIA can also do the work themselves or they can contract with the tribe to have the work done. Where grants are made to individuals, the BIA may provide assistance in obtaining reasonable prices, determining the adequacy of contract specifications, and making inspections to be reasonably certain that good value is obtained for the grant funds.

Under the new home purchase or construction provisions of the HIP, total home construction is funded for use by families and elderly persons who are at the time of their selection receiving or are eligible for welfare assistance. Generally, priorities for the selection of families are established by the tribes or tribal housing entities on the basis of need and funds available. Annual HIP appropriations are distributed among all twelve BIA area offices according to tribal needs and relative priorities for housing repair services to Indian homes located within their jurisdiction.

This program attempts to combine the elements of individual choice, simplicity, and self-help. An effort is made to keep the program adaptable in order to reach the person for whom it is intended with a minimum of administration and a maximum of impact. The most obvious deficiency with the HIP is that it is extremely underfunded, and can make only a limited contribution in meeting total Indian housing needs.

¹³ "Indian Programs", Development Program Directory, Department of Housing and Urban Development, December 31, 1972.

¹⁴ For further discussion of this authorization see Appendix XII, p. 506.

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According to BIA data, the HIP has assisted in the repair of approximately 23,800 units and built 3,500 additional units during fiscal year 1968-74.¹⁵ The following table depicts the amount of money spent, the number of units repaired and the number of units constructed during fiscal year 1968-75 under the HIP.

PERFORMANCE OF HIP, 1968-75

Fiscal year—	Repairs	New construction	Appropriation
1968.....	1,814	311	\$3,080,000
1969.....	3,095	262	3,671,000
1970.....	3,573	656	5,711,000
1971.....	3,873	574	6,652,000
1972.....	4,501	495	9,164,000
1973.....	4,437	636	10,475,000
1974.....	3,750	679	10,432,000
1975 ¹	4,400	500	10,402,000
Total.....	29,443	4,113	59,587,000

¹ Anticipated figures.

Source: Division of Housing Assistance, Bureau of Indian Affairs.

With regard to the figures above, it should be noted that the HIP provides for the repair of units either to make them "standard"¹⁶ or to make them more livable until the families can obtain standard housing through other means. Thus, some of the repair projects listed above may not have served to make the dwelling "standard." In these cases, repairs were made to units in an attempt to make them more sanitary and more comfortable places to reside until those families have the opportunity to obtain "standard" housing.¹⁷

Regardless of the advantages of HIP, it is clear that a program which provides for only about 500 new units per year will not be sufficient to meet the bulk of Indian housing needs. While there is certainly a need for a meaningful home repair program, there is even a more pressing need for new units in Indian areas.

RURAL HOUSING PROGRAMS OF THE FARMERS HOME ADMINISTRATION

While the vast majority of Indian housing units have been constructed pursuant to programs under the auspices of HUD or BIA, the Farmers Home Administration (FmHA) also operates a number of rural housing programs which, in recent years, have been made available to Indian participants living on trust land.

Current overall FmHA rural housing activities include four major loan and grant programs authorized by the Housing Act of 1949, as amended: (1) section 502 low-to-moderate income rural housing loans to individuals (including self-help, emergency, and special loans); (2) section 504 home repair loans to very low income individuals; (3) sections 514 and 516 farm labor housing grants and loans; and (4) section 515 rural rental and cooperative housing loans. In addition, limited technical assistance grants are made annually for self-help housing.

¹⁵ See Appendix XII, pp. 462-63, for additional BIA information.

¹⁶ The criteria for "standard" housing according to the HIP can be found in Appendix XII, pp. 467-68.

¹⁷ This same caveat holds true for the figures contained in the BIA Consolidated Area Inventories found in Appendix XII, pp. 477-83.

Indians living on reservations have only recently been eligible to participate in FmHA rural housing programs. The Housing and Urban Development Act of 1970 (P.L. 91-609) authorized the Secretary of Agriculture to make loans to lessees as well as owners of nonfarm rural property, thus making thousands of Indian people living on reservations eligible for the FmHA single family housing programs. However, it was not until the 1974 Housing and Community Development Act was enacted (P.L. 93-383) that FmHA rural rental programs were made applicable to leasehold lands. With changes such as these, and given the interest credit and rent supplement programs FmHA has available, low income rural Indians could benefit significantly from FmHA rural housing programs. Unfortunately, performance to date has been very limited and future prospects are unclear.¹⁸

Although approximately 55 percent of all Indian households are found in rural areas, the number of rural housing loans made to Indian families through the FmHA has been relatively modest over the years. For example, in South Dakota, where Indians comprise nearly six percent of the State's total rural population, only 1.7 percent of the FmHA loans made there in fiscal years 1972 and 1973 were to Indian borrowers.¹⁹

The table below summarizes the number, dollar amount, and percentage of the total of rural housing loans made to American Indians during fiscal year 1970-74.²⁰

FmHA RURAL HOUSING LOANS TO INDIANS 1970-74

Fiscal year—	Number of rural housing loans	Total amount of loans	Number of loans to Indians as percent of total rural housing loans
1970.....	274	\$2,406,640	0.8
1971.....	459	5,703,200	1.0
1972.....	417	5,825,000	.4
1973.....	485	6,898,000	.4
1974 ¹	1,298	(?)	.6

¹ Figures for loan applications received at FmHA rather than loans distributed by FmHA.

² Not available.

Source: Farmer's Home Administration, Department of Agriculture

Note: Figures include reservation as well as nonreservation Indians.

Despite the relative concentration of Indian people in rural areas, Indian housing needs are not being adequately met by the various FmHA programs. Since FmHA is one of the primary Federal agencies involved with the housing needs of rural people, increased applicability of their programs to rural Indian people may be an important factor in meeting Indian housing needs.

¹⁸ For example, FmHA's proposed regulations for Sec. 515 rural rental housing published in the *Federal Register*, November 7, 1974, omitted provisions for rent supplements. Additionally, testimony given by FmHA officials before the Banking, Housing and Urban Affairs Committee in November 1974, indicates that FmHA is reluctant to institute this program. On the other hand, the most recent FmHA information available regarding rural housing loans to reservation Indians, indicates some improvement over fiscal year 1973. See Appendix XII, pp. 635-36.

¹⁹ See Housing Assistance Council, Inc., background paper, Appendix VII, p. 201.

²⁰ See Appendix XII, pp. 589-636, for additional FmHA information.

RELATED SERVICES AND PROGRAM ADMINISTRATION

Until now, this report has primarily focused upon Indian housing need and production. To place the entire Indian housing program in proper perspective, some discussion of the provision of related housing services and the overall administration of the program is necessary. With regard to the prime source of new Indian units—the HUD Mutual-Help and Low Rent Programs—the BIA provides administrative assistance to the tribal housing authority and construction supervision to the Indian participants. The BIA also provides streets and roads in and around HUD and BIA housing projects. Additionally, the Indian Health Service (organized under the Public Health Service Division of the Department of Health, Education, and Welfare) provides water and sanitary facilities for HUD and BIA units.

1. Road Construction

The BIA, under its Indian Reservation Roads and Bridges Program, provides roads and bridges for Indian people on reservations, performing the function of county or State governments in tax-supported areas. Construction of roads and bridges is intended to promote the development of reservations to the benefit of the Indian people. Tribes participate in the determination of where roads or bridges will be constructed by establishing a list or priority projects for their reservation. The BIA schedules construction of projects according to the priorities set by the tribe. Of course, a limitation of funds may prevent the BIA from constructing all the projects on a tribe's priority list.²¹

Reservation roads and bridges built with BIA funds are usually constructed using BIA employees and equipment, although Indian-owned or tribally-owned construction companies are encouraged to seek subcontracts for construction projects. Tribes may develop a capability, through organizations of their own, for the entire supervision and construction of roads and bridges, under contract to the BIA. Initial assistance in developing organizations with this capability may be received under the BIA's Community Development Program. In considering priorities for construction, the tribe is supposed to specify the priority of street construction for new housing developments so that road and street construction will coincide with construction of housing. Construction of streets which will form part of a housing project being developed under a HUD program should then be coordinated with the HUD area office and the sponsor of the project. In fact, however, both housing construction and road construction involve long lead times, which seriously jeopardize attempts to effectively coordinate agency activities.

2. Water and Sanitation Facilities

The Indian Health Service (IHS) provides water and sanitation facilities for new and renovated housing on reservations under its Sanitation Facilities program. American Indians and Alaska Natives who live on or near a reservation and are recognized as members of a tribe with whom the Federal Government has a special relationship are eligible to apply for projects under a variety of programs.

²¹ Officials in the BIA's Roads Division estimate that approximately \$45 million has been spent between 1963-1974 to provide roads, streets and bridges for related housing projects.

Indian people eligible for the various projects administered under the various sanitation facilities programs may apply as individuals, through a tribal housing authority, or other appropriate organization, depending on the services needed for a particular project or individual unit. Those Indians living in towns, cities and similar political entities organized under the laws of a state are not ordinarily considered for assistance since the provision of sanitation facilities in such cases is generally recognized as a community responsibility.

As was true in the case of the BIA and their road construction activities, advance planning and coordination between IHS and HUD (and/or the BIA) is essential if water and sanitation facility construction is to coincide with the completion of housing units. A combination of long lead times, lengthy application and review procedures, and uncertainties regarding agency funding have tended to make coordination between HUD and IHS as difficult as that between HUD and the BIA. When all three agencies are involved, as they often are, the problems are compounded.

The table below summarizes the amount spent and the number of Indian housing units served by IHS during project years 1964-1973.²²

NUMBER OF HOUSING UNITS SERVED UNDER PUBLIC LAW 86-121 AUTHORITY, 1964-73

Project year—	IHS funds	HUD sponsored	BIA sponsored	Other sponsored ¹	Total new and improved	Existing units
1964	\$52,189	121	0	0	121	0
1965	253,544	374	10	0	384	97
1966	2,325,865	1,067	89	451	1,607	158
1967	1,939,173	546	135	183	864	158
1968	2,084,681	691	458	102	1,251	118
1969	7,825,510	1,407	422	465	2,294	322
1970	13,600,149	4,047	664	322	5,033	1,773
1971	16,270,422	3,057	781	753	4,591	2,903
1972	22,205,676	7,131	1,097	462	8,690	2,448
1973	23,067,105	4,198	1,066	687	5,951	3,334
Total	89,624,314	22,639	4,722	3,425	30,786	13,311

¹ Includes FmHA and FHA loans and guarantees, and all non-Federal sponsors.

Source: Sanitation Facilities Construction Branch, Indian Health Service, Department of Health, Education, and Welfare.

Obviously, the IHS effort with regard to Indian housing projects has increased dramatically since 1969—for reasons to be discussed more thoroughly below. The problem with the provision of related services is that such services are ultimately dependent upon housing production. If not enough units are being constructed to meet the need, the availability or nonavailability of related services seems much less important.

3. Program Administration

As alluded to earlier, the effect of concentrating the majority of Indian housing construction programs in one federal agency (HUD), significant elements of management and road construction in another agency (BIA), and water and sanitation construction in still another agency (IHS), has given rise to a very complex housing delivery system for Indian people. Public housing built under the auspices of a tribal

²² See Appendix XII, pp. 575-88 for the balance of the data provided by IHS.

housing authority must work through (1) HUD who has major responsibility for planning, funding and developing Indian public housing; (2) the BIA who is responsible for approving all site leases as well as performing some preliminary site tests and construction of the majority of improved roads to the housing projects; and (3) the IHS who is responsible for providing most water and sanitation facilities. In addition, HUD requires that all new projects receive a flood plain clearance from the Army Corps of Engineers; the BIA, in collaboration with the National Park Service, is required to assure that new projects are not built on archeological specimens; and it is the job of the tribal housing authority to work with these requirements as they apply to their particular project. Rarely is a housing authority able to exert the kind of coordinating influence necessary to assure the timely development of its housing projects.²³

Serious problems of coordination persist today despite the fact that an effort to resolve these problems was made in April of 1969, when the three major departments involved in Indian housing entered into a formal commitment to provide decent housing for reservation Indians. While this commitment was more an outcome of the budget planning process than a reflection of Indian housing needs or goals, this effort still represents an important step in attempting to provide Indian people with "decent, safe, and sanitary" housing.

In two tri-agency Memoranda of Understanding signed by HUD, BIA, and the IHS, each agency's responsibilities were outlined in an attempt to overcome the lack of coordination that resulted in families occupying new housing units that lacked plumbing or access roads. One Memorandum, which has since been operationally if not officially modified, specifically identified the functions and essential points of coordination between the three agencies and the local Indian housing authority.²⁴

The other tri-agency agreement, however, was significantly more important in that it established an annual Indian housing production goal.²⁵ In an attempt to meet the critical need for new housing units on reservations, a projection of 8,000 housing units to be constructed and renovated in each of fiscal years 1970-1974 was established. HUD was responsible for 6,000 units of new housing, BIA for 1,000 units of new or improved housing, and the tribal groups for 1,000 units of new housing. While HUD has now "authorized" a sufficient number of units to meet their 30,000 unit commitment (6,000 units x 5 years), far fewer units have actually been completed for occupancy.²⁶

Although important from the standpoint of recognizing the problems besetting the Indian housing program, these Memoranda have never been entirely successful because they lack any means of enforcement. Two years after they were signed, the General Accounting Office (GAO) in its report, *Slow Progress in Eliminating Substandard Indian Housing*, noted frequent examples of projects which still lacked water and sewer hookups or decent access roads, and concluded that the elimination of substandard Indian housing will not be achieved unless the program is accelerated substantially.²⁷

²³ "Toward an Indian Housing Delivery System", prepared by the Housing Assistance Council, Inc., at the request of the HUD Office of Equal Opportunity, for the HUD National Indian Housing Conference, November 14-19, 1974, see Appendix V, pp. 171-172.

²⁴ A copy of this Memorandum is included in this report, see Appendix IX, pp. 295-297.

²⁵ See Appendix IX, pp. 293-294 for a copy of this agreement.

²⁶ HUD has provided an analysis of their commitment which is attached, see Appendix XII, p. 506.

²⁷ *Slow Progress in Eliminating Substandard Indian Housing*, see Appendix II, pp. 40-46.

While not mentioning the GAO report specifically, on October 29, 1971, HUD issued a Circular HPMC-FHA 7581.1A, designed to increase coordination between the agencies primarily involved in Indian housing.²⁸ This circular permitted HUD to include within the costs of planning, construction, and inspections of low-rent public housing projects, the cost of providing (within project boundaries) all needed water and sewage facilities as well as all-weather streets, sidewalks, curbing and street lights. This circular also provided that if connection with existing systems appears more feasible, HUD could include connection fees in the pro-rata share of the construction costs for water and sanitation facilities.

HUD further responded to the GAO report through a January 1972 Circular HPMC-FHA 7410.7, which established that HUD is ultimately responsible for any housing constructed through its programs.²⁹ As evidenced above, what may be happening is that rather than attempt to improve coordination between several agencies, one agency—HUD—will feel compelled to assume more of the costs of water, sewer, and road construction. One problem with such a course of action is that provision of these related services may come about at the expense of housing construction money unless other changes in the program are made.³⁰

There are other factors which tend to make administration of the various Indian housing programs difficult. At present, there is no single uniform set of published guidelines for the HUD Indian housing program although publication of an Indian Housing Handbook has been anticipated for several years. Additionally, while one HUD Regional Administrator has a Special Assistant for Indian Affairs, William Hallett, the Special Assistant has no decisionmaking authority with respect to the allocation of Indian units. Furthermore, HUD Regional and Area Offices do not have authority to execute an ACC until approval, in the form of a Program Reservation and List Number has been received from the HUD central office in Washington, D.C.

To further complicate the process, there is currently underway at HUD a reshuffling of office and administrative responsibilities for its programs, including those affecting Indian housing. There are proposals now being considered, which may transfer public housing application processing from certain HUD Area Offices to Federal Housing Administration (FHA) insuring offices. FHA insuring offices in North and South Dakota and Montana are beginning to conduct construction inspections on Indian housing units although to date this is the only activity of this nature in which these offices are engaged. When the Area Office structure was created in 1970, many members of the FHA insuring office staff were moved to these Area Offices to process public housing applications. Many feel that several years of housing development progress were lost in that transfer—a situation that could repeat itself if the current reorganization plan is ever implemented.

²⁸ See Appendix X, pp. 342-344 for a copy of this circular.

²⁹ *Ibid.*, pp. 301-302.

³⁰ "Toward an Indian Housing Delivery System", see Appendix V, p. 173.

PROBLEMS WITH THE PRESENT PROGRAM

1. The Tri-Agency Agreement

The tri-agency agreement is illustrative of some of the unique situations faced by tribal housing authorities in their attempts to deal with Indian housing problems. Whereas non-Indian governments, (usually a county or municipality) may need to work only with one Federal agency (HUD), tribal governments must work not only with HUD, but also with the BIA for the roads and site work to be incorporated into the housing project, and then again with IHS, which is responsible for water and sewer facilities servicing the project.

The possibilities for delay under such an arrangement are apparent and have been noted briefly above. Former HUD Secretary James T. Lynn estimated that it takes around 18 months³¹ to process a housing allocation to ACC—the point at which construction usually begins. Barring any unusual circumstances, such as an abnormally short construction season, construction time on a moderately sized project may take another 18 months. While the agencies can proceed independently of each other, many critical assignments cannot be begun by one agency until work has been successfully completed by another. For example, IHS cannot commence its sewer planning or water tests until sites for the units have been established by the BIA, and only then can HUD confidently proceed with its review of the construction plans.

Typical of this type of problem was one experienced by the Blackfeet Tribal Housing Authority in Browning, Montana. The Blackfeet Tribal Housing Authority is not immune to the pressure that some local groups and reservation residents can exert toward forcing a housing decision. Due largely to this local pressure, the authority proceeded to develop a public housing project on the reservation while HUD and IHS attempted to coordinate their schedules. The result was completed dwelling units, standing unoccupied without proper sewer and water hookups. These unoccupied units are not only subject to substantial acts of vandalism but are also susceptible to more rapid deterioration since there is no one to identify and quickly correct minor defects and needed repairs. While many similar incidents can no doubt be recited by almost any tribal housing authority,³² one more illustration should suffice to emphasize the fact that multiple agency responsibility as presently constituted has the capacity to waste money and prolong the time between conception and delivery of a housing project.

In 1971, the IHS, in anticipation of announced plans by HUD and BIA to proceed expeditiously in the construction of seriously needed units for Alaska Indians, began to stockpile important stores of building materials in the proposed areas of construction. Because some of these areas are accessible only for limited trips during a relatively brief time of the year, an entire construction season may be completely lost if such stores are not readily on-hand. It was precisely this type of problem that the IHS was attempting to avoid.

³¹ Remarks by former HUD Secretary James T. Lynn, HUD National Indian Housing Conference, November 14, 1974.

³² The General Accounting Office noted several such examples on various reservations in its 1971 report to the Congress, see Appendix II, pp. 32-34.

However, neither HUD nor BIA could work out the details of their portion of the project until just recently. Meanwhile, the material stockpiled by IHS has been exposed to two Alaskan winters. Possibly, if these materials had belonged to either HUD or the BIA, these agencies would have proceeded in a more timely manner to comply with the construction schedule, thereby avoiding this situation.

Admittedly, constructing housing units and providing necessary related services is, by nature, a complex process. Any housing authority, Indian or non-Indian, must necessarily endure some of "red tape" before units can be financed, constructed and eventually occupied. However, the administration of the Indian housing programs seems to be plagued with an inordinate amount of delay and lack of coordination. The reason for this is primarily two-fold. First, tribal housing authorities must work exclusively through Federal agencies and sub-agencies. This forces the tribal housing authority to work through the Federal bureaucracy at every turn. Secondly, many tribal housing authorities are understaffed and their members inadequately trained and underpaid. Few come to the housing authority with the skills and expertise necessary to cope effectively with the procedures and regulations of the several Federal agencies involved. The net result of these factors, and others suggested above, is a cumbersome process with which few tribal housing authorities are able to contend.

2. *The 1974 Housing and Community Development Act*

Tribal authorities face other problems with current housing programs in addition to those posed by the multiple agency arrangement. One such problem is directly related to the new Housing and Community Development Act of 1974 (P.L. 93-383).³³ As previously stated, the bulk of the reservation housing built since 1961 has been developed through one of the three HUD administered public housing programs. These programs underwent extensive legislative modifications in the 1974 Act. This Act effectively directs HUD away from its traditional approach of constructing new units to a "leasing program" which would emphasize the use of existing units.³⁴ Further, the Act contains a paucity of methods whereby HUD can offer adequate financial security to developers to induce construction in rural areas where there is a scarcity of housing of any form. In November 1974, at the HUD-sponsored housing conference in Scottsdale, Arizona, Indian leaders emphasized the fact that the new leased housing program cannot be made to work on Indian lands. There simply is no supply of standard units available on reservations and the financial resources needed for direct construction of new leased housing units do not exist. While the Act recognizes this fact to some extent by providing for an Indian "set-aside" in section 5(c),³⁵ which cannot be utilized for leased housing, it is obvious that the \$30 million so provided over a two year period will fall far short of meeting total Indian housing needs. Significantly, at this writing, there is also some confusion regarding the manner in which HUD intends to use this \$30 million funding set-aside.³⁶

³³ For a copy of P. L. 93-383, see Appendix XI, pp. 349-456.

³⁴ *Ibid.*, pp. 377-81.

³⁵ *Ibid.*, p. 372.

³⁶ See letter to Secretary James T. Lynn dated December 13, 1974, and his response of January 29, 1975, in Appendix XIV, pp. 643-46.

3. *Building on Indian Lands*

Indian people really have had little or no choice regarding their housing alternatives. HUD has geared most of its housing to meet the needs of urban, high density, mass construction type techniques, and rural non-Indian as well as Indian housing authorities have had to struggle to adapt these various programs to their specific needs. The situation has been especially critical on trust lands because contractors, sub-contractors, construction laborers, material suppliers, and others, have shown considerable reluctance to enter into construction agreements where they are unsure to what extent they are protected in terms of contract inforcibility, availability of labor or material supplier lien protection, and tribal versus State versus Federal court jurisdiction in adjudicating any of these questions if a dispute arises.

Obviously, the sparsely populated regions of the Nation where most reservations are located produce fewer business opportunities than urban areas, thus attracting far fewer numbers of architects, planners, contractors, engineers, skilled laborers, lawyers, etc., whose skills and talents are all essential to the successful development and construction of housing. Indian housing, the bulk of which is constructed in isolated rural areas, suffers accordingly from a lack of these skills at or near the construction site. If such personnel are not available locally, their time and travel to the project site must be paid for, thereby increasing the cost of constructing the housing.

To compound the problem, such Indian communities usually have fewer revenue producing alternatives available to them and consequently rely more heavily on the Federal Government for assistance. They generally lack any industrial tax base; possess few if any planners or other kinds of professional staff to effectively seek Federal grants or loans; and have little or no bonding capacity that is so necessary to enlist private investors to underwrite needed projects.

4. *Relative Priority Accorded Indian Projects*

Most Federal agencies, including HUD and IHS, view the feasibility of a project with, among other criteria, a scale of economy perspective. In other words, a fifty or one hundred housing unit project is usually more attractive than a fifteen unit project from a management standpoint because the larger number of rental units generates more income that can be used as a maintenance reserve or used for the employment of professional services such as an accountant—and all this with only slightly more attention needed to keep the housing project operating successfully. This, of course, may be prejudicial to smaller, less organized tribal community projects. There is also a scale of economies in developing water and sewer systems for a larger number of users as opposed to a smaller number, with the per user unit cost used in computing the requisite capital investment and maintenance reserve proportionally reduced. Of course there are also limits as to how large the project can become before the project's size produces negative returns.

More than likely, an agency goes through an exercise of either formally or informally rating the priority in which projects should be funded. This usually means that larger projects are generally accorded higher priorities than smaller ones with the end result being that, barring any intervening set of circumstances, the agency's funding for any particular fiscal year runs out before the smaller projects are considered—the next fiscal year, the whole process repeats itself.

5. *Special Legal Relationship*

The shape and content of any Indian housing program, whether publicly or privately financed, must of necessity be structured around the trust status of the real property on which the housing is to be located. Trust status has been a mixed blessing to the Indian. Without it, the tribal government runs the risk of losing even more land from its land base (and without a land base, the tribal government's power and autonomy would be substantially diluted, or even non-existent); but because of it, private lenders, builders, and other businesses tend to shy away from making investments because most forms of trust status render property inalienable, thus not effectively mortgagable, and hence is of little value as security to a lender or investor.

While most minorities in this Nation can lay claim to having particular needs which are not being met by existing Federal programs, Indian people occupy a somewhat special position by virtue of the Constitution, Executive orders, and various Federal treaties and statutes. Only Indian people possess land that imposes a special trust responsibility on the Federal Government and as long as this special legal relationship exists, there flows a legal responsibility to act consistent with this relationship. Such a relationship imposes duties and responsibilities on the trustee which no other group can claim. Add to this relationship the fact that American Indians are the most disadvantaged group in the Nation, irrespective of the unit of measurement, and one can argue that Indian needs ought to be addressed in the most timely manner possible; not to the exclusion of other groups, but merely as a matter of proper priority.

6. *Regional Characteristics*

More so than among non-Indians, regional and cultural differences among Indians have tended to produce pronounced variations in housing needs. Indian people of the Southwest, Plains, Midwest and East, Eskimos and Native Alaskans, differ vastly in their regional native cultures, which have strongly influenced their living arrangements. It is these differences that have further contributed to dissatisfaction among many Indians with traditional HUD and BIA housing programs since as presently administered, these programs are not easily adaptable to the wide range of Indian cultural patterns.

However, the problem is much more complicated than just whether fireplaces are "cosmetic" and insufficient supplemental heat sources to be permitted in development costs of a housing project; or whether dwelling units should be constructed in cluster as opposed to scattered sites; or whether adobe is an acceptable building material. The problem is whether housing programs can be made sufficiently flexible to permit a wide range of cultural differences to be incorporated into their design so that the programs, and the units constructed under them, reinforce these differences, rather than suppress them. Restated, can Indian housing programs be designed to better help those individuals they are supposed to assist, or must the Indian participant continue to be confronted with a "take it or leave it" situation and conform without deviation to administrative requirements?

These are just some of the problems inherent in housing Indian people. The list, by no means exhaustive, is intended to stimulate a dialogue that may lead to a more flexible, responsive, and better financed Indian housing program.

POSSIBLE OPTIONS AND/OR POLICY ALTERNATIVES

As suggested at several points in this report, there are some significant shortcomings in the present method of delivering houses to Indian people on trust land. Similarly, perhaps the kind of housing units being delivered also bears scrutiny since these units may not reflect the type of dwelling desired by a particular tribe, given cultural, climatical, and geographic differences. While many possibilities exist with respect to changes in the present program, listed below are some general alternatives with representative specific suggestions included under each broad category.

1. *Maintain the Status Quo, With Administrative Changes*

There are several changes that could be made in the present housing delivery system that would serve to simplify the processing of Indian housing applications through HUD and the other agencies responsible for Indian housing. An "Indian Desk" might be established within HUD either in Washington, D.C., or in the field closer to the bulk of Indian housing needs. To take this concept a step further, the agencies with a significant number of Indian programs could organize a separate regional office with national latitude in working with Indian housing programs (an "Eleventh Region" concept). While such a reorganization within Indian-oriented agencies like the IHS or BIA may be unnecessary, certainly some restructuring within, and better coordination among, these agencies to improve the Indian housing effort should be considered. An additional aspect of this alternative could include encouraging the various agencies involved to transmit more responsibility and authority to tribal governments, including broader decisionmaking powers with regard to expenditure of housing funds.

A recent amendment to the Intergovernmental Personnel Act (IPA) also suggests possibilities for increased Indian housing benefits under substantially the same program. The IPA provides, among other things, that a Federal agency or combination of agencies may "loan" or assign a specialist or technician, such as a planner or financial analyst, to a local governing body in need of such expertise but without the funds to hire such a person. The Civil Service Commission, which coordinates this program, had held that tribes were not eligible to participate in this program. However, given the amendment alluded to above, tribal participation is now permitted thus affording the various agencies involved in Indian programs the opportunity to pool their planning and training funds in order to maximize dollar impact and get some badly needed expert personnel into the Indian housing area.

The Farmers Home Administration and the Veterans' Administration will have to be encouraged to participate more extensively in the Indian housing effort if more critically needed housing units are going to be constructed under the present Indian housing delivery system.

In sum, the essence of this alternative is a commitment to "try harder" using basically existing programs and agencies.

2. Maintain the Status Quo With Certain Legislative and Administrative Changes

In addition to the administrative changes discussed above, there are several amendments to existing law that have the potential for providing much more flexibility in Indian housing programs. As they apply to units constructed in Indian country: paying Davis-Bacon wage rates, limiting ACC payments to a prototype cost, and collecting maximum or minimum rents might all be made waivable or at least adjustable at the option of the tribal council with concurrence by HUD, in an effort to make the building of houses in Indian country more feasible.

Furthermore, a new title could be added to the Indian Financing Act (P.L. 93-262) which would provide for an extensive insurance or government guarantee program to help tribal members secure private home purchase loans from appropriate financial institutions. Under such a program, the tribal council could be responsible for processing loan requests. Taken together, the elements of this option could bring about significant changes in the present Indian housing system by legislatively modifying a series of laws and programs.

3. Develop a Comprehensive Indian Housing and Community Development Act

While such an act would undoubtedly incorporate many of the features or options already noted above, these changes could be incorporated in a single omnibus law. Further, such legislation could certainly consider the consolidation of all Indian housing and development programs into a single existing agency, or into a new agency created solely for the purpose of Indian housing. The goal of such a reorganization would be to significantly increase program coordination and program review. New legislation could also provide deeper subsidy moneys for tenant and home purchase programs, and might consider a grant program similar to HIP, but with much larger funding reserves.

Certainly other viable options exist which the Congress and/or the agencies involved have or could consider. The attempt here is to raise some general alternatives which will encourage discussion and refinement of the important issues. Only then can the necessary changes in the present Indian housing system be responsibly made and implemented.

APPENDIXES

APPENDIX I

Significant Dates in Indian Housing

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Listed below are some of the most important dates in the history of Indian housing. While certainly not exhaustive, the list is provided to give the reader a feel for the flow of events in Indian housing from passage of the initial Public Housing Act to the present.

Significant Dates in Indian Housing

	Year
The first United States Housing Act (Public Law 75-412) became law but did not expressly mention Indians as eligible participants.....	1937
The Housing Act of 1949 signed into law (Public Law 81-171) giving impetus to postwar housing and urban renewal programs.....	1949
A Task Force on Indian Affairs appointed by Secretary Udall issued findings which included discussion of Indian housing needs. This Task Force clearly recognized the magnitude of the Indian housing problem and the apathy of both Indians and the Federal Government in providing a solution to the substandard condition of Indian housing.....	1961
By administrative decision, supported by HUD General Counsel legal opinion; authorization was extended to tribes to establish local housing authorities. This move had the effect of creating the first real Indian housing program.....	1961
The Public Housing Authority (PHA) received the first application for public housing projects from a tribal housing authority.....	1961
The Mutual-Help Program was administratively established, based on a legal opinion issued by the PHA Legal Division.....	1962
Formal agreement entered into between the BIA and PHA to establish a Mutual-Help Program for Indians. This formal agreement took the form of a letter to Philleo Nash, Commissioner of the BIA, from Marie C. McGuire, Commissioner of the PHA.....	1963
A formal "Agreement Concerning Conventional Low-Rent Housing on Indian Reservations", signed by Marie C. McGuire, Commissioner, PHA, and Philleo Nash, Commissioner BIA.....	1965
The BIA established a special division with the express objective of improving Indian housing by assisting Indians in obtaining funding from various Federal housing programs. During the same year, this division also received funds through the Housing Improvement Program (HIP) to do repairs on homes of Indians who were unable to receive assistance from other sources.....	1965
The BIA again reviewed the Indian housing problem and issued a report enumerating many of the same problems found in the 1961 Udall report.....	1966
Two tri-agency "Memoranda of Understanding" were signed by the Indian Health Service for the Department of Health, Education and Welfare; the Bureau of Indian Affairs for the Department of Interior; and the Housing Assistance Administration for the Department of Housing and Urban Development. The purpose of the first agreement established an objective of 8,000 housing units to be constructed and/or renovated in each of the fiscal years 1970-74. The second memorandum identified more specifically the functions and essential points of coordination between the three agencies.....	1969
President Nixon delivered a message to the Congress establishing new policies and goals for American Indians, noting that Indians were the most deprived and isolated minority group in our Nation.....	1970
The Farmers Home Administration was given authority under Public Law 91-609 to make loans to individuals with leasehold interests on nonfarm rural lands.....	1970
The General Accounting Office released a comprehensive report on the condition of Indian housing—the primary conclusion of which was that the goal of the BIA to eliminate substandard Indian housing reservations in the 1970's would not be achieved unless the program was accelerated substantially.....	1971

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Significant Dates in Indian Housing—Continued

	Year
HUD met with representatives of various Indian housing authorities thus establishing the beginnings of a forum for the formal recognition, if not the solution, of Indian housing problems.....	1971
President Nixon initiated a moratorium on all public housing (including Indian) in January 1973, and emphasized instead a leased housing program which would primarily rely on using existing units.....	1973
The National Council on Indian Opportunity (NCIO) housing conference resolved to form the first national Indian housing organization—The National American Indian Housing Council.....	1974
President Ford signed the Housing and Community Development Act of 1974 into law which contains the first Indian housing "set-aside", authorizing at least \$15 million in both fiscal years 1975 and 1976 for the construction of public housing on Indian reservations.....	1974
HUD sponsored a 3-day, National Indian Housing Conference in Scottsdale, Ariz., to consider problems of Indian housing and to familiarize participants with the various programs available.....	1974

APPENDIX II
GAO Reports

6-17



REPORT TO THE CONGRESS

Slow Progress In Eliminating Substandard Indian Housing

B-114668

Department of the Interior,
Department of Housing and Urban Development

BY THE COMPTROLLER GENERAL
OF THE UNITED STATES

(27)

OCT 12 1971

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APPENDIXES



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-114868

To the President of the Senate and the
Speaker of the House of Representatives

This is our report on the slow progress in eliminating sub-standard Indian housing. The Indian housing program is operated under the Departments of the Interior and Housing and Urban Development.

Our review was made pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

Copies of this report are being sent to the Director, Office of Management and Budget; the Secretaries of the Interior and Housing and Urban Development; the Director, Indian Health Service, Department of Health, Education, and Welfare; and the Executive Director, National Council on Indian Opportunity.

James P. Beato

Comptroller General
of the United States

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ABBREVIATIONS

GAO	General Accounting Office
HUD	Department of Housing and Urban Development

CONTROLLER GENERAL'S
REPORT TO THE CONGRESS

SLOW PROGRESS IN ELIMINATING SUBSTANDARD
INDIAN HOUSING
Department of the Interior
Department of Housing and Urban Development
B-114868

D I G E S T

WHY THE REVIEW WAS MADE

The Indian housing program is operated under the joint plans of three Government entities.

- The Bureau of Indian Affairs in the Department of the Interior.
- The Department of Housing and Urban Development (HUD).
- The Indian Health Service in the Department of Health, Education, and Welfare.

The primary programs involved are HUD's low-rent and mutual-help (home-ownership) public housing programs and the Bureau's housing improvement program. HUD provides financial assistance through local tribal housing authorities. The Bureau provides financial assistance directly to Indian families.

In the Housing and Urban Development Act of 1968, the Congress affirmed the national goal that each American family have a decent, safe, and sanitary home by the end of the 1970's.

The current goal of the Indian housing program is to eliminate substandard Indian housing on reservations in the 1970's. The General Accounting Office (GAO) made this review to determine whether the rate of progress was sufficient to achieve this goal.

FINDINGS AND CONCLUSIONS

Indian housing program progress

Progress has been slow. Unless the program is accelerated substantially, thousands of Indian families will continue to live under severe hardship conditions. (See pp. 10, 16, and 20.)

In June 1968 the Bureau estimated that 68,300 Indian families were living in substandard housing; 2 years later, after construction of 4,800 houses and renovation of 5,700, the Bureau estimated that 63,000 families still were living in substandard housing.

Bureau and HUD officials informed GAO that the slow progress in meeting Indians housing needs was due, in part, to the reluctance of some tribes to obtain Federal housing assistance. Bureau officials also cited delays in obtaining financing from HUD as contributing to slow progress. Other problems are inadequate identification of Indian housing needs and inadequate design, construction, and maintenance of houses. (See p. 19 and chs. 3 and 4.)

HUD's fiscal year 1970 plans called for only 4,500 units to be started, although an April 1969 agreement with the Departments of the Interior and Health, Education, and Welfare called for 6,000 units to be started by HUD in fiscal year 1970. (See p. 19.)

Identification of housing needs

Housing needs have not been identified adequately (see ch. 3) because the Bureau

- had not established guidelines for determining whether existing housing units were standard or substandard and, if substandard, whether they needed to be renovated or replaced (see p. 22);
- had classified newly constructed or renovated houses as standard although they lacked basic necessities (see p. 23);
- had not ensured that inventories of housing conditions and needs were taken periodically (see p. 24);
- had not considered family migration, adjacent off-reservation Indian population, housing deterioration, and family size and income, in determining and planning to meet long-term needs (see p. 27).

As a result of suggestions GAO made during its review, the Bureau has issued new guidelines with respect to general construction, heating, plumbing, wiring, and living space.

Problems in developing and operating housing projects

Although the program lags primarily because not enough houses are being built, many of the houses that have been built are inadequate because of defective design or incomplete construction. For example, new houses on the Pine Ridge Reservation in South Dakota may have to be condemned as unsafe for continued occupancy because various design and construction deficiencies resulted in cracked or bowed basement walls.

An Indian woman in a new housing unit on the Blackfeet Reservation in Montana described how she could watch the sunset through cracks in the walls when it was 40° below zero. As designed, the wall insulation, the attic vapor barrier, the wind barrier, and the heating systems all were inadequate.

Some Indian families are living in new houses which are incomplete or which lack water and sanitation facilities, and some new houses are located in projects which lack roads and streets. Other families have declined to move into the new houses without such supporting facilities. Incomplete housing projects resulted from (1) inadequate planning by, and coordination among, the agencies responsible for ensuring that all facets of the housing projects were completed within the same time frame and (2) a lack of follow-through by the Bureau and HUD to ensure that projects were completed. (See pp. 41 to 53.)

After new or renovated houses have improved family living conditions, there is little activity on the part of the local housing authorities, HUD, or the Bureau to provide assistance to families having problems in adjusting to their new living environment. As a result, many houses are deteriorating and the planned safe, sanitary, and decent living environment that the houses were designed to provide is being lost.

Using a checklist developed from HUD maintenance and safety standards, GAO inspected 232 new or renovated houses on 22 reservations and found the following types of deficiencies.

- Heating or ventilation facilities in 100 houses needed repair or adjustment.
- Water or plumbing facilities in 90 houses needed repair.
- Electrical facilities in 90 houses needed repair.
- Sanitation facilities in 30 houses needed repair.
- Roofs of 50 houses needed repair.

The Bureau or housing authority representatives' estimates of the repair costs averaged \$468 a house and ran as high as \$3,500. (See p. 32.)

GAO found a wide variance in the level of home maintenance assistance provided by the local tribal housing authorities and the Bureau. At one reservation which had an active maintenance assistance program, the estimated average cost to correct the maintenance deficiencies noted during GAO's inspection was only \$268 compared with the overall average cost of \$468. (See p. 37.)

At most reservations visited, however, home maintenance assistance was quite limited. For example, at one reservation the housing authority, assisted by the Bureau, inspected a 15-unit mutual-help housing project in 1967 and identified several deficiencies.

At the time of GAO's visit, however, these deficiencies still existed and some had intensified. The estimated average cost to repair these units was \$734. (See p. 37.)

GAO believes that the mutual-help method of construction--in which the tribe or individual Indian participant furnishes the land and the participant contributes his labor during construction--should not be encouraged, because such projects have been plagued by lengthy construction periods.

It took an average 19 months to complete 40 mutual-help projects each normally consisting of 10 to 20 units compared with an average 10 months for other HUD-assisted projects each consisting of many more units. (See pp. 54 to 57.)

RECOMMENDATIONS OR SUGGESTIONS

The Secretary of the Interior should direct the Commissioner of Indian Affairs to (1) require Bureau field officials to ensure that periodic inventories of housing conditions are taken using the guidelines issued by the Commissioner in May 1970 and (2) expand the procedures for measuring housing needs to include consideration of variable factors, such as family migration, adjacent off-reservation Indian population, housing deterioration, and family size and income, that have an impact on Indian housing needs. (See p. 29.)

The Secretary of HUD and the Secretary of the Interior should take steps to ensure (1) that maintenance inspections of federally assisted housing on all reservations are made periodically and that deficiencies identified are corrected on a timely basis and (2) that families experiencing difficulties in adjusting to their new living environment are provided with necessary training in the care and maintenance of their houses. (See p. 40.)

The Secretaries of HUD and the Interior should also

- strengthen the reviews of housing designs to ensure that housing plans adequately consider local climatic conditions,
- place increased emphasis on inspections during construction to reduce construction problems, and
- clearly establish which agency will be responsible for ensuring that known construction defects and incomplete items of construction are corrected on a timely basis. (See p. 54.)

The Secretary of the Interior should coordinate the activities of the various Federal agencies to ensure that roads and water and sanitation facilities are available as soon as the houses are constructed. (See p. 54.)

The Secretaries of HUD and the Interior should use the mutual-help program only when it is desired strongly by the Indians. The Secretary of the Interior should also ensure that, where houses are constructed under the mutual-help program, participants are informed adequately of their

duties and responsibilities and are provided with sufficient training, supervision, and leadership. (See p. 58.)

AGENCY ACTIONS AND UNRESOLVED ISSUES

The Department of the Interior agreed that substandard reservation housing would not be eliminated in the 1970's without substantial acceleration of the program. HUD stated that it planned to review the goals of the Indian housing program in connection with the Secretary's recently established goals for homeownership opportunities. The Department of the Interior and HUD were in general agreement with the report conclusions and recommendations and advised GAO of the various actions to improve the program that were under consideration. (See pp. 20, 29, 40, 54, and 58.)

MATTERS FOR CONSIDERATION BY THE CONGRESS

The goal to eliminate substandard Indian housing in the 1970's will not be achieved unless the program is improved and accelerated.

CHAPTER 1INTRODUCTION AND SCOPE OF REVIEW

The Indian housing program is operated under the joint plans of the Bureau of Indian Affairs, Department of the Interior; the Department of Housing and Urban Development; and the Indian Health Service, Department of Health, Education, and Welfare.

The Housing Act of 1949 (42 U.S.C. 1401) established as a national goal that each American family have a decent, safe, and sanitary home. The Congress, in the Housing and Urban Development Act of 1968 (42 U.S.C. 1441a), affirmed the national goal and stated that it should be met by the end of the 1970's. Until 1967 only a limited housing program existed on Indian reservations. In 1967, however, the Bureau accelerated the effort to improve Indian housing and set as a goal the elimination of all substandard Indian housing. The current goal of the program is to eliminate substandard Indian housing on reservations in the 1970's.

Bureau statistics showed that about 15,000 housing units were completed on Indian reservations during fiscal years 1967 through 1970. Our review included housing projects on 25 reservations having about 40 percent of the total housing units.

Our review included also an examination into applicable Federal laws and Bureau and HUD administrative policies and practices and an examination of pertinent records and files. We also observed and inspected housing units on selected reservations and interviewed the occupants; tribal representatives; and officials of the Bureau, HUD, and the tribal housing authorities.

Our review was made at the Bureau and HUD headquarters in Washington, D.C.; at the HUD regional offices in Chicago, Illinois, and San Francisco, California; at Bureau area offices in Aberdeen, South Dakota; Billings, Montana; Phoenix, Arizona; Portland, Oregon; and Window Rock, Arizona; and at 25 Indian reservations.

OVERALL PERSPECTIVE

We believe that the accomplishments of the Indian housing program should be appraised within the framework of the social and economic conditions on Indian reservations and of the problems and factors encountered by Federal agencies in administering assistance programs for Indians.

The President, in his July 1970 message to the Congress on new policies and goals for American Indians, pointed out that Indians were the most deprived and isolated minority group in our Nation. On virtually every scale of measurement--employment, income, education, and health--the condition of the Indian people ranks lowest. The President stated:

- That unemployment was 10 times the national average; the unemployment rate ran as high as 80 percent on some of the poor reservations.
- That 80 percent of Indian families living on reservations had incomes which fell below the poverty line; the average annual income for such families was only \$1,500.
- That school dropout rates for Indians were twice the national average and that the average educational level of Indians under Federal supervision was less than 6 school years.
- That the health of Indian people still lagged 20 to 25 years behind that of the general population. Infant mortality was nearly 50 percent higher than for the population at large. The tuberculosis rate was eight times higher than, and the suicide rate was twice, that of the general population. Many infectious diseases that had all but disappeared among other Americans continued to afflict the Indian people.

In testimony before the Subcommittees on Department of the Interior and Related Agencies, Senate and House Committees on Appropriations, during fiscal year 1970 and 1971 appropriation hearings, Federal officials stated that some of the problems or factors that had an impact on the accomplishments of the Federal assistance programs were:

- Fear of termination of the special trustee relationship with the Federal Government resulted in hesitancy on the part of some tribes to actively participate in Federal programs.
- Federal agencies providing assistance to Indians took a paternalistic approach.
- Cultural patterns of the Indian tribes differed from those of the dominant culture of the United States.

PROGRAM DESCRIPTION

The primary Federal assistance programs under which efforts have been made to improve housing on Indian reservations have been HUD's low-rent and mutual-help (homeownership) public housing programs and the Bureau's housing improvement program. HUD provides financial assistance through local tribal housing authorities, and the Bureau provides financial assistance directly to Indian families.

The tribal housing authority, with assistance from HUD and the Bureau, plans, designs, and supervises the construction of conventional low-rent housing. Also low-rent housing is constructed under the turnkey method, whereby a developer is responsible for the design and construction of a low-rent housing project and upon completion, the housing authority assumes responsibility for management of the project. The housing is rented to Indian families; the amount of the rent is based on family size and income. The housing authority generally is responsible for maintenance of the low-rent housing.

For several years the only HUD-financed homeownership program available to Indians on reservations was a force account mutual-help housing program. Under this program, the tribe or individual Indian participant furnished the land and the participant contributed his labor during the construction period. He obtained an equity in the house through his labor contribution.

Recently homeownership also has become available through the turnkey III and turnkey mutual-help methods. Under turnkey III, a developer constructs the house for the tribal

housing authority and the Indian family obtains an equity in the house through monthly payments and through maintenance of its house. Under the turnkey mutual-help method, the Indian family participates in the construction of the house under the supervision of the turnkey developer and generally is responsible for maintenance of its house.

The Bureau's housing improvement program provides both new and renovated housing for families when their needs cannot be met under other programs. The emphasis of the program has been on renovating and enlarging existing houses.

During fiscal years 1967 through 1970, the cost of the various HUD-financed housing programs and the Bureau's housing improvement program was about \$108 million. Under these programs, about 8,000 new housing units were constructed and 7,000 units were renovated.

The Indian Health Service generally provides water and sanitation facilities for new and renovated housing on Indian reservations under its sanitation facilities program.

CHAPTER 2INDIAN HOUSING PROGRAM PROGRESS

We believe that, considering the progress in constructing and renovating houses, as shown in Bureau reports for fiscal years 1967 through 1970, and considering the problems that have continued to affect housing construction and maintenance, the Bureau's goal to eliminate substandard Indian housing on reservations in the 1970's will not be achieved unless the program is accelerated substantially.

The Bureau's criteria regarding what constitutes standard housing are that which is decent, safe, and sanitary and that which meets the minimum housing codes adopted by a tribe or otherwise applicable to a locality.

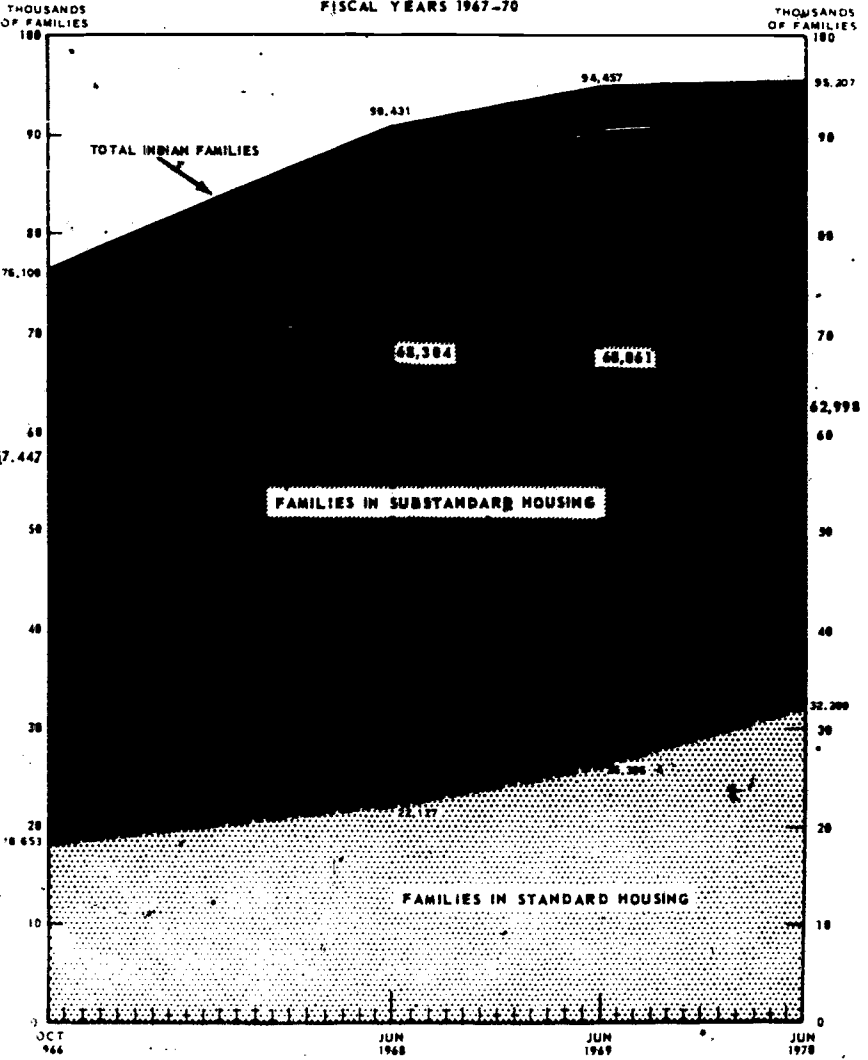
The charts on pages 11 and 12 show (1) the Bureau's estimates of housing needs for fiscal years 1967-70 and (2) a comparison of planned with actual construction and renovation of houses for the same period.

The living conditions of Indian families in new or renovated housing units generally have improved. (The photographs on pp. 14 and 15 are examples of unimproved and new reservation housing.) Our analysis of the estimated housing needs and of the actions taken to meet these needs shows, however, that the impact of these actions on reducing the number of families living in substandard housing has been offset by increases in the total number of Indian families.

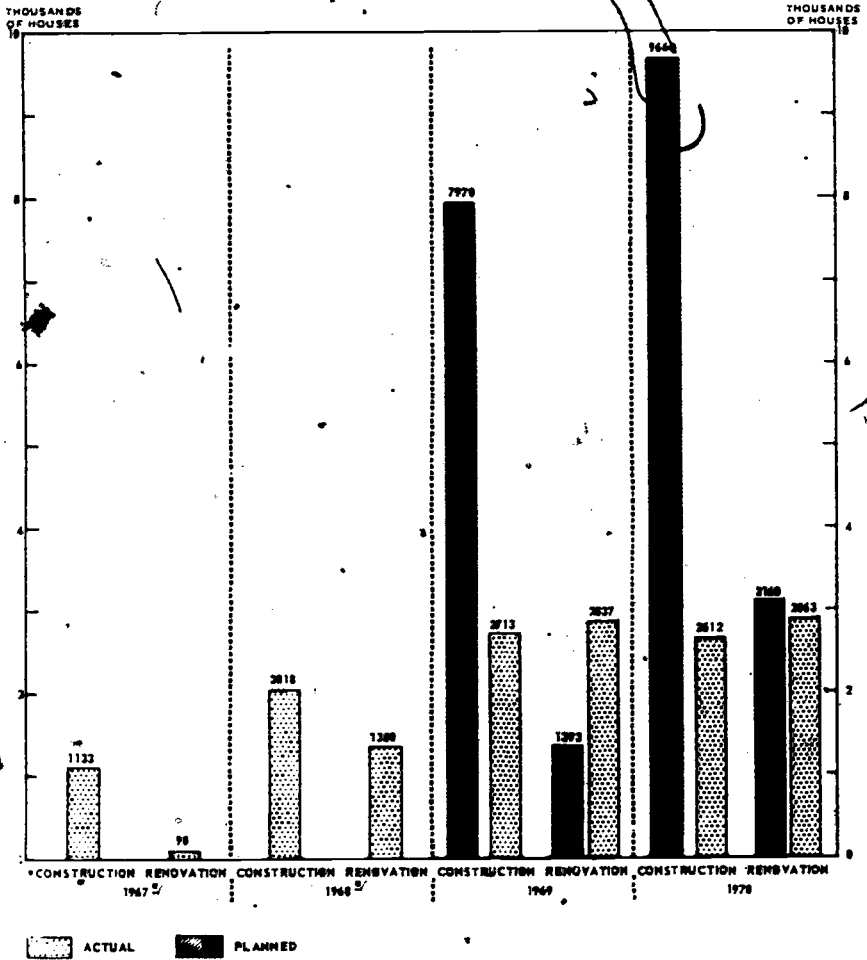
For example, in June 1968 the Bureau estimated that 68,300 Indian families were living in substandard housing. On June 30, 1970, after the construction of about 4,800 houses and the renovation of 5,700 houses, the Bureau estimated that 63,000 families still were living in substandard housing. The disparity in these statistics, as discussed in chapter 3, is caused, in part, by the Bureau's not having obtained accurate data on housing needs.

Assuming that the June 30, 1970, estimate of housing needs was both accurate and static and that the same level of construction and renovation--about 3,475 units in fiscal

BUREAU'S ESTIMATES OF HOUSING NEEDS
FISCAL YEARS 1967-70



COMPARISON OF PLANNED WITH ACTUAL CONSTRUCTION AND RENOVATION OF HOUSES
FISCAL YEARS 1967-70



* SPECIFIC TARGETS NOT ESTABLISHED.

year 1970--continues, it will take about 12 years to satisfy the housing needs of the 63,000 families still living in substandard housing.

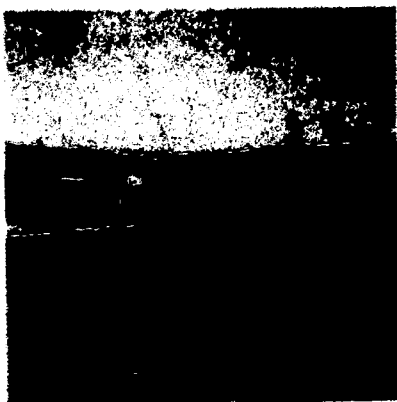
The June 30 estimate of housing needs did not consider, however, the effects that population growth, family migration, Indian families living adjacent to the reservation, and deterioration of standard housing would have on future housing needs. The Bureau estimates that population growth alone will increase housing needs by about 1,500 units a year, or about 18,000 units over the next 12 years.

Although the number of housing units constructed or renovated usually is a good indicator of the progress of a housing program, we found instances where this was not necessarily so. For example, Bureau records showed that, at the Rosebud Reservation in South Dakota, 400 housing units financed by HUD were completed during fiscal year 1969. As of April 1970, however, 72 of these units had not been occupied and thus had no impact on reducing the number of Indian families living in substandard housing. (See p. 51 for additional information on this project.)

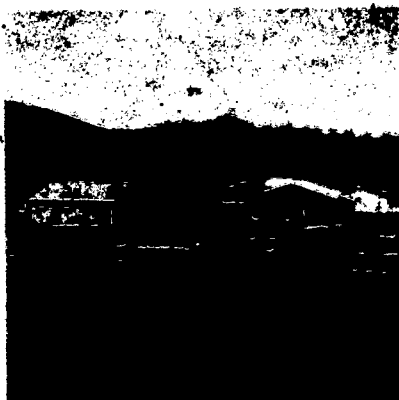
Our review showed that Bureau field officials generally did not use any formal criteria but relied on subjective judgment when determining whether houses were standard (decent, safe, and sanitary and met applicable housing codes). As a result of suggestions we made during our review, in May 1970 the Bureau issued new guidelines with respect to general construction, heating, plumbing, wiring, and living space.

In our inspection of the design and construction of selected Indian housing projects, we considered factors similar to those contained in the Bureau's May 1970 guidelines. The deficiencies we noted are listed in appendix I.

During our inspections of Indian houses on several reservations, we noted instances where recently constructed or renovated housing units were substandard, but, according to Bureau records, the number of substandard units had been reduced. For example, the Bureau renovated and moved 124 Government-surplus houses onto the Pine Ridge Reservation and considered the houses as meeting the standards although



Unimproved homes on the Coeur
d'Alene Reservation, Idaho.



New homes on the Coeur
d'Alene Reservation.



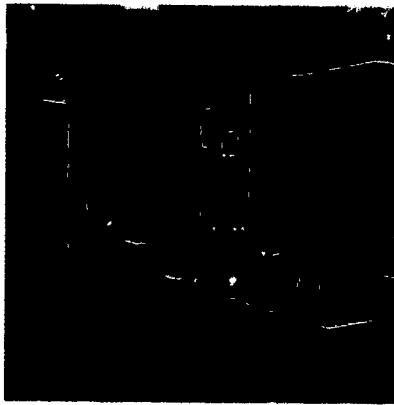
Unimproved home on the Navajo
Reservation.



New home on the Navajo
Reservation.



Interior of unimproved home on the Navajo Reservation.



Interior of new home on the Navajo Reservation.

some of these houses were without plumbing or electricity. We noted also isolated instances at other reservations where units intended for Indian families were occupied by non-Indian families.

EFFECTS OF INADEQUATE HOUSING

Until the Indian housing goal is achieved, many Indians may continue to live in an environment which is seriously detrimental to their health and well-being. Testimony by Indian Health Service officials before the Subcommittees on Department of Interior and Related Agencies, Senate and House Committees on Appropriations, during fiscal year 1970 and 1971 appropriation hearings revealed that many Indian families in substandard housing were living under atrocious conditions that were harmful to their health and safety and that indirectly contributed to social and educational problems.

Indian Health Service officials testified also that many of the deaths and injuries among younger children and youths were associated with conditions in crowded and unsafe homes. These injuries, according to the officials, will continue to increase until the home environment is improved.

Indian Health Service officials testified further that the infant mortality rate for Indians was about 50 percent higher than for the general population. Finally, they testified that infant mortality during the first month compared favorably with national experience and that the high incidence of infant deaths occurred between the ages of 1 and 11 months and was associated with a harsh living environment involving inadequate and crowded housing conditions.

The Navajo Reservation, having about 110,000 residents, has the largest reservation population in the Nation. Its 13,000 families in need of standard housing represent about 20 percent of the overall Indian housing needs. An Indian Health Service report dated April 1, 1970, prepared at the request of the Navajo Tribe, stated that mortality rates for some diseases were much higher for the Navajo population than for the general population. For example, the mortality rate due to

- meningitis was 9.4 times higher,
- gastroenteritis was 6.9 times higher,
- tuberculosis was 3.5 times higher, and
- pneumonia was 3.4 times higher.

The report pointed out that the Navajo infant mortality rate per 1,000 live births was 42, or nearly twice the national infant mortality rate of 22.4. The life expectancy at birth for the Navajo was 63.2 years compared with 70.5 years for the general population. A life expectancy of 63 years was achieved about 25 years ago for the general population.

The report stated that many of the diseases for which rates of incidence were much higher for the Navajo population than for the general population were infectious diseases associated with a harsh physical environment and poor housing conditions, such as poor water supply, over crowding, unsanitary waste disposal, and lack of insect control. Improper food preparation facilities and a lack of refrigeration contributed to a high incidence of gastrointestinal disease.

The report highlighted the following housing conditions at the Navajo Reservation.

- 26 percent of the Navajo homes had electricity,
- 21 percent had running water to kitchen sinks,
- 20 percent had refrigeration for perishable food supplies, and
- 15 percent had flush toilets.

A document entitled "Comprehensive Demonstration Plan," prepared by the Gila River Indian Community in Arizona, described the reservation housing situation as follows:

"The deplorable conditions of housing exist as a result of vicious reinforcing cycle of poverty.

"*** a home with just a woman and the kids *** a father without a job *** walking out because he

can't take it *** sick children *** angry wife
*** misery *** leaky roof *** broken windows ***
no doors *** collapsing walls *** apathy *** res-
ignation *** alcohol *** suicide."

In addition to good health, other benefits may be derived, in part, from better housing. For example, an annual report of Indian achievements prepared by the Bureau's Branch of Credit at the Fort Apache Reservation in Arizona contained the following statement.

"Families in new homes have shown more responsibility on their jobs, their children are doing better in the schools and most significantly, misdemeanor arrests have decreased."

REASONS FOR SLOW PROGRESS

Bureau and HUD officials informed us that the slow progress in meeting the housing needs of Indians was due, in part, to the reluctance of some tribes to initiate action to obtain Federal housing assistance. Bureau officials attributed slow progress also to delays in obtaining financing from HUD. Bureau officials within the Portland and Aberdeen areas told us that tribal leaders at some reservations had failed to take the initiative in applying for housing projects. At some reservations in the Aberdeen area, tribal leaders rejected Bureau suggestions for obtaining housing projects.

In April 1969 HUD and the Departments of Health, Education, and Welfare and the Interior agreed to support a program to construct 7,000 to 8,000 units, including 6,000 to be financed by HUD, during each of fiscal years 1970 through 1974. This agreement was intended to be the basis for coordinated planning of Indian housing, as reported to the Subcommittee on the Department of the Interior and Related Agencies, House Committee on Appropriations, during fiscal year 1971 appropriation hearings.

Plans of HUD and the Bureau for fiscal year 1970, however, did not coincide and did not comply with the agreement. The Bureau planned that about 6,000 housing units to be financed by HUD would be started in 1970; however, HUD planned to start only 4,500 units. Moreover, by April 1970 HUD had a large national backlog of requests for housing units and, at that time, was unable to act on any requests for housing.

As a result, during fiscal year 1970, only 4,105 HUD-assisted units, rather than the 6,000 units initially planned, were started on Indian reservations and at remote Alaskan communities. According to the Director, Production Division, Housing Assistance Administration, HUD plans to make up for this limited production by approving the construction of more than 6,000 housing units during each of fiscal years 1972 through 1974.

Our review revealed other problems that were either impeding the progress of the housing program or making it

difficult to evaluate the true progress that was being made to eliminate substandard Indian housing. As discussed in chapter 3, Indian housing needs generally have not been identified adequately. Also progress has been hindered because of problems in designing, constructing, and maintaining homes. These matters are discussed in chapter 4.

CONCLUSIONS AND AGENCY COMMENTS

The goal of eliminating substandard Indian housing on reservations in the 1970's is based on the construction of about 7,000 to 8,000 houses a year, including 6,000 housing units to be financed by HUD. In view of the progress made in constructing or renovating houses during fiscal years 1967 through 1970 and of the continuing problems that affect housing construction and maintenance, we believe that the elimination of substandard Indian housing in the 1970's will not be achieved unless the program is accelerated substantially.

Without adequate housing thousands of Indian families will continue to live under severe hardship conditions that may lead, directly or indirectly, to early deaths, as well as to lifelong physical and mental disabilities.

In commenting on our draft report by letter dated February 18, 1971 (see app. II), the Department of the Interior agreed that substandard reservation housing would not be eliminated in the 1970's without substantial acceleration of the program. HUD informed us by letter dated February 26, 1971, that it planned to review the goals of the Indian housing program in connection with the Secretary's recently established goals for homeownership opportunities. HUD also anticipated that more responsive and efficient program administration would result from the recent establishment of HUD area offices and the Denver Regional Office.

CHAPTER 3IDENTIFICATION OF HOUSING NEEDS

The housing needs of American Indians have not been identified accurately and completely because the Bureau (1) had not established guidelines for determining whether existing housing units were standard or substandard and, if substandard, whether they needed to be renovated or replaced, (2) had classified newly constructed or renovated houses as standard although they lacked basic necessities, (3) had not ensured that periodic inventories of housing conditions and needs were taken, and (4) had not considered family migration, adjacent off-reservation Indian population, housing deterioration, and family size and income, in determining and planning to meet the long-term needs.

We believe that, as a result, the program is being administered without much of the data necessary to plan and direct a successful program. Estimates of total housing needs should be based on accurate and complete data. This would assist management in establishing realistic goals, estimating the total program costs, selecting housing assistance programs to meet the specific needs and desires of the Indians, and measuring the incremental progress made toward the goals.

The 1969 report by the Special Subcommittee on Indian Education, Senate Committee on Labor and Public Welfare, stated that one of the problems in evaluating the Federal programs for the American Indian was the extraordinary inadequacy of available statistical data. The report cited a paper prepared for the Joint Economic Committee of the Congress, which pointed out that it was literally impossible to obtain current and accurate information on such basic questions as employment, educational attainment, income, land ownership, and reservation population.

The paper also stated that, without adequate data, a sound comparison could not be made to determine the increase or decrease of given problems or the improvement or lack of improvement in the economy of Indian tribes. The Subcommittee also reported that the lack of reliable data meant that the Congress could not carry out its legislative oversight function.

CRITERIA FOR IDENTIFYING
STANDARD AND SUBSTANDARD HOUSING

The Bureau's goal of eliminating substandard Indian housing on reservations was prompted by estimates completed in 1966, which showed that there were about 57,000 substandard housing units, of which about 16,000 could be renovated. These estimates were made in a short period of time and without the benefit of guidelines or criteria for identifying standard or substandard housing.

In June 1968 the Bureau's Assistant Commissioner requested that housing inventories which would identify standard and substandard housing and which would categorize housing as needing renovation or replacement be prepared for each reservation. The Assistant Commissioner provided the following criteria to be used when preparing the inventories.

"Housing in standard conditions means housing which is decent, safe, and sanitary in that it meets the minimum standard housing codes adopted by the tribe or otherwise applicable to the locality."

A subsequent inventory of housing needs was requested in June 1969. No additional guidelines for identifying or categorizing existing housing were provided at that time.

In our opinion the general guidelines provided by the Assistant Commissioner were not adequate for determining whether houses were standard or substandard or for categorizing substandard houses as needing renovation or replacement. We did not find any instances in which housing codes were being used to evaluate Indian housing. Reasons cited by Portland area Bureau officials for not using housing codes were: (1) codes were quite technical and were difficult to apply to existing structures; they were applicable primarily to new construction and (2) codes did not provide any guidelines or bases for determining whether a structure should be renovated or replaced.

Generally we found that field officials had not used any formal criteria when classifying houses as standard or

substandard or when determining whether houses should be renovated or replaced. Instead, they normally used subjective judgment as to what constituted standard houses. As a result many newly constructed or renovated houses were classified as standard although they lacked basic housing necessities.

For example, at the Rosebud Reservation, the Bureau classified 375 newly constructed houses as standard although the houses lacked hot water and adequate heating systems. The Bureau's Chief of Housing Assistance informed us that these houses actually were substandard and would have to be reclassified as substandard. During our inspection of houses and our review of records, we noted that several houses had been renovated and classified as standard although they had basic deficiencies, such as inadequate heating, plumbing, or electrical systems.

The photographs on the next page show a recently renovated house which the Bureau considers as meeting housing standards.

In other cases, new or renovated houses were classified as standard but the living conditions were substandard due to overcrowding. On the Rosebud, Pine Ridge, and Cheyenne River Reservations in South Dakota, we inspected 83 new or renovated houses. Of those houses, 51 did not meet HUD's minimum criteria for living space because an excessive number of persons were living in the houses.

As a result of our suggestions during the review, in May 1970 the Bureau issued new guidelines to its field officials for classifying Indian housing. Under the new guidelines a house, to be classified as standard, must meet certain minimum requirements with respect to general construction, heating, plumbing, wiring, and living space. We believe that these guidelines, if properly implemented, will provide a more uniform basis on which to evaluate housing quality and determine housing needs.

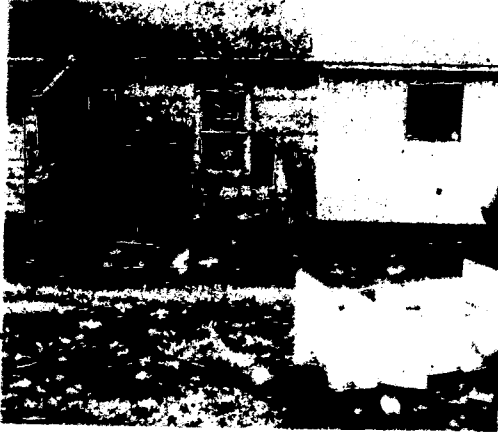
NEED FOR PERIODIC INVENTORIES OF
EXISTING HOUSING CONDITIONS

The Bureau's estimates of housing needs, for the most part, have not been based on inventories made by the Bureau, the housing authority, the tribe, or other agencies operating on the reservation. Only in a few instances, such as at the Makah Reservation, Washington, have inventories of existing housing conditions been made. These inventories were made by a contractor for the tribe and were funded by a HUD planning grant. For most other reservations the housing needs were determined by desk estimates based on fragmentary data. Generally supporting documentation for the estimated needs was not available.

For example, in June 1968 Bureau field officials reported that there were 800 houses on the Yakima Reservation in Washington. An inventory was not taken to arrive at this estimate. During fiscal year 1969, 22 houses were constructed, but at the end of the year the Bureau field officials estimated that there were 1,300 houses on the reservation, an increase of 500 houses. The Bureau official responsible for housing on the reservation was unable to explain why there was an increase of 500 houses and how the Bureau's estimates of substandard housing units requiring renovation or replacement had been developed.

At the Pine Ridge Reservation, the housing inventories showed that there was an increase of 245 houses between 1966 and 1968 although no houses were constructed during that period. Bureau officials explained that the 1966 inventory was not accurate. At the San Carlos Reservation in Arizona, the inventory statistics were based on a roadside count of houses.

To accurately determine Indian housing needs, the Bureau should ensure that its estimates are based on periodic inventories. This does not necessarily mean that the Bureau would have to take the inventories. Instead, the Bureau should be involved primarily in providing technical assistance and in coordinating the efforts of the various tribal and other agencies. For example, a nationwide survey of home environmental conditions by the Indian Health Service is about 50-percent complete. The Bureau, at both the national and local levels, however, did little to coordinate this survey with the Indian Health Service to meet its



House on the Muckleshoot Reservation, Washington, renovated through the Bureau housing improvement program. Photo at bottom shows a portion of the interior of the house. This house, which the Bureau considered as meeting housing standards, had smoke and soot damage, had many holes in the interior walls, and needed a new chimney. A nine-member family lived in the house.



need for accurate and complete data on housing conditions. With adequate coordination the results of this survey probably could fulfill both agencies' housing data needs.

NEED TO CONSIDER ADDITIONAL FACTORS
IN PLANNING HOUSING PROGRAMS

Other factors having an impact on determining Indian housing needs have not been clearly identified and considered by the Bureau in planning to meet the long-term needs. These include (1) adjacent off-reservation Indian population, (2) migration of families, (3) housing deterioration, and (4) family size and income.

Adjacent off-reservation Indian families have not been considered in estimating Indian housing needs, although some of these families want to be served by the housing program. For example, at the Swinomish Reservation in Washington, about four out of 10 families in the mutual-help project previously lived off the reservation. Some families have returned to the Rosebud Reservation to occupy new housing. At the Lummi Reservation in Washington, the tribal chairman stated that many Indians eligible for new housing were living in nearby off-reservation communities and had not been considered in the Bureau's estimate of needs. At the Pine Ridge and Cheyenne Reservations, tribal housing authority officials advised us that, as additional houses were constructed, some families living off the reservation would return and occupy the houses. Also migration to and from the reservation is not being considered. We found no indication that reliable data on migration was available.

HUD, in developing national housing goals, estimated that about 2.2 million housing units considered adequate in 1967 would deteriorate to substandard units and would have to be replaced by 1977. The Bureau, in projecting the housing needs and in setting its goal to eliminate substandard Indian housing, however, did not consider deterioration of houses. We believe that housing deterioration is a factor that should be considered. (See ch. 4 for a detailed discussion of home maintenance problems.)

In formulating plans to eliminate substandard housing, neither the housing authorities nor the Bureau has identified which programs are best suited to the needs of the Indian population in view of such factors as the Indian family's size and income, desire for homeownership, and ability and desire to maintain a house.

The Chief of the Bureau's Housing Assistance Division told us that the above factors should be considered in estimating housing needs but that the necessary data was not available.

CONCLUSIONS

Indian housing needs have not been properly identified because guidelines have not been established to assist Bureau field officials in determining and categorizing housing conditions; because periodic inventories of existing housing conditions generally have not been taken; and because such factors as adjacent off-reservation Indian population, family migration, family size and income, and house deterioration have not been considered.

Housing on Indian reservations can be provided under various federally assisted housing programs. Some are owner-ship programs, while others are rental programs; some call for Indian participation in the construction, while others do not; and some provide home maintenance services, while others require the family to perform needed maintenance. HUD's public housing programs require occupants to make monthly equity or rent payments; the Bureau's housing improvement program provides grants and does not require occupants to make monthly payments. Also family income qualifications differ under each program.

The existence of these various programs provides the opportunity to plan housing programs that are best suited to meet the specific needs and desires of Indian families. Without adequate data, however, it becomes difficult for the tribal housing authorities or the Bureau to develop realistic reservation housing plans.

If Indian housing needs were accurately and completely identified, the program could be more effectively administered, because the Bureau would have data to assist it in adequately answering such pertinent questions as:

--How many families are or will be in need of housing between now and 1980?

- How many existing houses are standard or substandard?
Of the substandard houses, how many need to be replaced rather than renovated?
- Where are the houses most urgently needed? And how should resources be allocated to meet these needs?
- What specific housing program or programs will best meet the reservation housing needs?
- To what extent are such factors as migration to and from a reservation and structural deterioration of housing units affecting program accomplishments?
- What real progress is being made to eliminate substandard housing?

The availability of reliable and complete data on housing needs would permit development of more realistic plans to eliminate substandard housing and would provide the basis for appraising the incremental progress being made toward accomplishment of the goal.

RECOMMENDATIONS TO THE SECRETARY OF THE INTERIOR

We recommend that the Secretary of the Interior direct the Commissioner of Indian Affairs to (1) require Bureau field officials to ensure that periodic inventories of housing conditions are taken using the guidelines issued by the Commissioner in May 1970 and (2) expand the procedures for measuring housing needs to include consideration of variable factors, such as family migration, adjacent off-reservation Indian population, housing deterioration, and family size and income, that have an impact on Indian housing needs.

AGENCY COMMENTS

The Department of the Interior, in commenting on our draft report, advised us that annual housing inventories would be taken and that the Department would utilize data obtained from the Indian Health Service and HUD and from the Bureau's population statistics. The Department also agreed to consider factors that have an impact on housing

needs and stated that migration back to the reservation should be considered when the reservation economy improved and tended to attract families back to the reservation.

CHAPTER 4PROBLEMS IN DEVELOPING AND OPERATING HOUSING PROJECTS

Developmental and operational shortcomings in the Indian housing program have impeded the elimination of substandard housing and have resulted in Indian families' continuing to live in substandard housing. Force account mutual-help projects generally have been plagued by lengthy construction periods, which resulted in additional costs and in delays in the construction of follow-on projects. In housing considered to have been completed, numerous design and construction defects and incomplete construction items existed, which resulted in additional costs and in more rapid deterioration of the houses. After houses are occupied many deteriorate rapidly due to a lack of maintenance.

NEED FOR AN EFFECTIVE
HOME MAINTENANCE PROGRAM

Large numbers of recently completed Indian homes are rapidly deteriorating due to a lack of maintenance and to poor housekeeping. Although the new or renovated housing initially improved the living conditions of the Indian families, some families are having problems adjusting to their new living environment. There has been little activity on the part of the housing authorities, HUD, or the Bureau to identify and provide assistance to these families. As a result, in about one third of the houses which we inspected, deferred maintenance and poor housekeeping had contributed to the deterioration of the home environment to such an extent that the planned safe, sanitary, and decent living environment that the houses were designed to provide was being lost. Some houses had improperly operating heating, electrical, water, and sanitation systems, and some families were living in filth and around garbage, debris, and vermin.

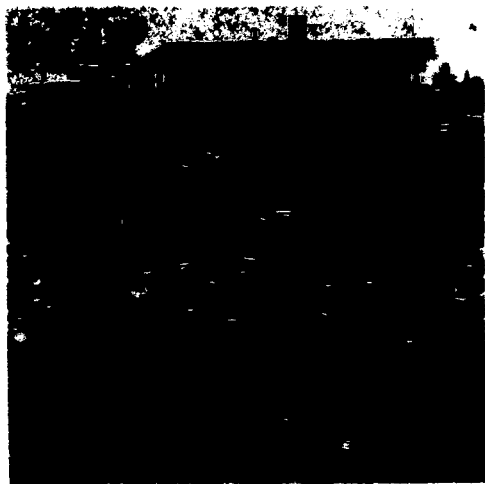
Accompanied by housing authority or Bureau representatives, we inspected 232 new or renovated houses on 22 reservations. For each of these houses, the occupant, as a potential homeowner, was primarily responsible for maintenance. Using a checklist developed from HUD maintenance and safety standards, we identified houses having maintenance

deficiencies. The housing authority or Bureau representatives estimated the costs to correct the identified maintenance deficiencies for 187 of the houses. The estimated repair costs for the 187 houses averaged \$468 a house and ran as high as \$3,500.

The inspections revealed numerous deficiencies, both of a major and of a minor nature. Many of the deficiencies were minor when considered alone but collectively indicated a need for maintenance assistance. We found deficiencies of the following types.

- Heating or ventilation facilities in 100 houses needed repair or adjustment.
- Water or plumbing facilities in 90 houses needed repair.
- Electrical facilities in 90 houses needed repair.
- Sanitation facilities in 30 houses needed repair.
- The exterior walls of 140 houses needed paint or stain to prevent deterioration.
- The roofs of 50 houses needed repair.
- The interior floors, walls, or ceilings of 170 houses needed repair or paint.
- The debris and garbage and other conditions in and around 130 houses were health or safety hazards.

The following photographs illustrate some of the maintenance and housekeeping conditions we observed.



Debris and garbage around a mutual-help house on the Gila River Reservation, Arizona.



Mutual-help houses neat in appearance and upkeep on the Coeur d'Alene Reservation



Mutual help house in need of exterior paint on the Yakima Reservation



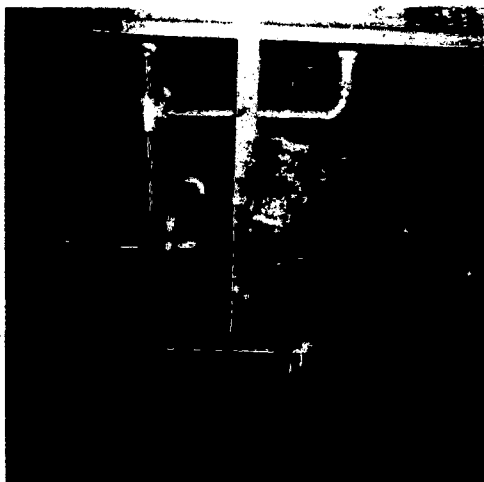
Stagnant sewage overflow from septic system within close proximity of a mutual-help house on the San Carlos Reservation.



Part of toilet missing in mutual-help house on the Salt River Reservation in Arizona.



Unclean bathroom of a house renovated under the Bureau's housing improvement program at the Muckleshoot Reservation.



Kitchen plumbing leak in a mutual-help house on the Salt River Reservation.

Under the interagency agreements with HUD, the Bureau is to provide assistance, as necessary, to the housing authorities in conducting maintenance inspections, to determine whether housekeeping and maintenance are adequate. In addition, the agreement for the mutual-help program provides that the Bureau endeavor to formulate training programs for mutual-help program participants, to obtain the highest level of competence in the construction and maintenance of their homes. According to the agreements the Bureau is to provide assistance to the housing authorities through its maintenance-engineering surveys, occupancy audits, and management reviews. HUD subsequently agreed to provide this assistance on a reimbursable basis.

We found a wide variance in the level of home maintenance assistance provided by the housing authorities and the Bureau. For example, on two projects at the Nez Perce Reservation in Idaho, the housing authority, with the Bureau's assistance, had an active maintenance assistance program which provided for (1) joint semiannual inspections, (2) verbal and written communications of problems identified, (3) follow-up inspections, and (4) advice and instructions on making repairs. The results of these assistance efforts were apparent during our inspections of five houses in the two projects. The estimated average cost to correct the maintenance deficiencies on this reservation was only \$268 compared with the overall average cost of \$468. (See p. 32.)

At most reservations visited, however, we found that home maintenance assistance was quite limited or nonexistent. For example, at the Salt River Reservation, the housing authority, assisted by the Bureau, inspected a 15-unit mutual-help housing project in 1967 and identified several deficiencies. Little follow-up action was taken, however, and, consequently, at the time of our visit to the reservation, many of these earlier deficiencies still existed and some had intensified. The estimated average cost to repair these units was \$734.

At the Pine Ridge and Rosebud Reservations, home maintenance problems generally were not routinely identified on HUD-financed projects because maintenance inspections were not being made by the housing authorities or by the Bureau.

Our inspection of 23 houses in one project on the Rosebud Reservation revealed 19 houses where defective stovepipes had caused severe interior smoke and soot damage. In addition, defective stovepipes created a health and safety hazard. The photograph on page 43 shows the smoke damage to one house.

Reasons generally cited by housing authority and Bureau officials for the Indian families' maintenance and housekeeping problems were (1) low or inadequate incomes, (2) unawareness and lack of exposure to modern home living, and (3) low priority given to home maintenance in relation to the families' other needs. During our home inspections we asked the families for information on their annual incomes. For the 101 families which provided us with the information, the annual income ranged from none to \$12,000 and averaged \$3,923.

HUD has been unable to provide the necessary management assistance to the housing authorities. Officials at HUD's Chicago Regional Office informed us that no maintenance inspections and very little training of housing authority employees could be accomplished because of the shortage of staff. Officials of HUD's San Francisco Regional Office also cited shortage of staff as a reason for their limited management reviews of housing authorities.

The housing authorities' and the Bureau's efforts to provide home maintenance and housekeeping training to Indian families have been limited and sporadic. The Bureau has contracted with the Cooperative State Extension Services in various States to provide homemaking and housekeeping training for Indian families. We found, however, that such home extension services were limited. For example, only nine of 20 reservations in the Bureau's Portland area which have Bureau- or HUD-assisted housing projects have home extension service. In addition, our inquiries of 59 families in new or renovated housing on eight reservations indicated that only 26 families had received training from anyone, including the Extension Service agents.

Both the Bureau and HUD, however, recently have taken initial steps to provide home maintenance training to Indian families. The Bureau's Portland and Aberdeen Area

Offices recently have developed plans, and each has designated an official to establish home environmental training programs on various reservations. As planned in the Aberdeen area, the training programs will use local home leadership aides to provide preoccupancy and postoccupancy training and assistance to Indian families. According to officials of the Aberdeen area, home visits, rather than classroom training, will be emphasized due to poor attendance at training classes. In June 1970 HUD agreed to finance a homeownership training program for a 400-unit project on the Rosebud Reservation. This was the first homeownership training program on Indian reservations financed by HUD. These plans and programs, if adequately implemented, should be a positive step toward improving home maintenance.

Conclusions

Many Indian families are living in recently completed houses that are rapidly deteriorating due to a lack of maintenance and to poor housekeeping. Although the housing initially improved the families' living conditions, little training was provided to the families on how to care for and maintain their houses to keep them safe, sanitary, and decent. Due to the absence of adequate home inspections and management reviews, HUD and Bureau officials were unaware of the need for strong maintenance training programs. Many families move into new modern houses from primitive dwellings without an increase in their homemaking skills or maintenance knowledge. For many it is their first experience with modern electrical and gas utilities and indoor plumbing in their houses.

In the future the Bureau and HUD, in selecting Indian families for the various types of housing, should consider both the families' basic needs and the families' capability to maintain the houses.

Recommendations to the Secretary of HUD and the Secretary of the Interior

We recommend that the Secretary of HUD and the Secretary of the Interior take steps to ensure (1) that maintenance inspections of federally assisted housing on all reservations are made periodically and that deficiencies identified are corrected on a timely basis and (2) that families experiencing difficulties in adjusting to their new living environment are provided with necessary training in the care and maintenance of their houses.

Agency comments

In commenting on our draft report, HUD indicated that it believed that management training grants, authorized by section 904 of the Housing and Urban Development Act of 1970, might be useful to tribal housing authorities in carrying out their responsibilities. The Secretary's Homeownership Task Force also is considering the need to provide family training on home maintenance. The Department of the Interior, in commenting on our draft report, indicated that it felt strongly that inspections and follow-ups were essential to maintaining decent housing. The Department of the Interior agreed to cooperate with the

tribal housing authorities and with HUD in identifying maintenance problems and providing training programs.

NEED FOR IMPROVEMENTS IN
DESIGN AND CONSTRUCTION OF HOUSES

Indian housing financed by the Bureau and HUD should be designed and constructed to provide decent, safe, and sanitary housing. Poorly constructed or renovated houses exist, however, due to inadequate design, faulty construction, and incomplete construction. As a result (1) substantial funds have been or will be required to repair and complete construction of the houses and (2) some Indians are living in new or renovated houses which do not meet housing standards.

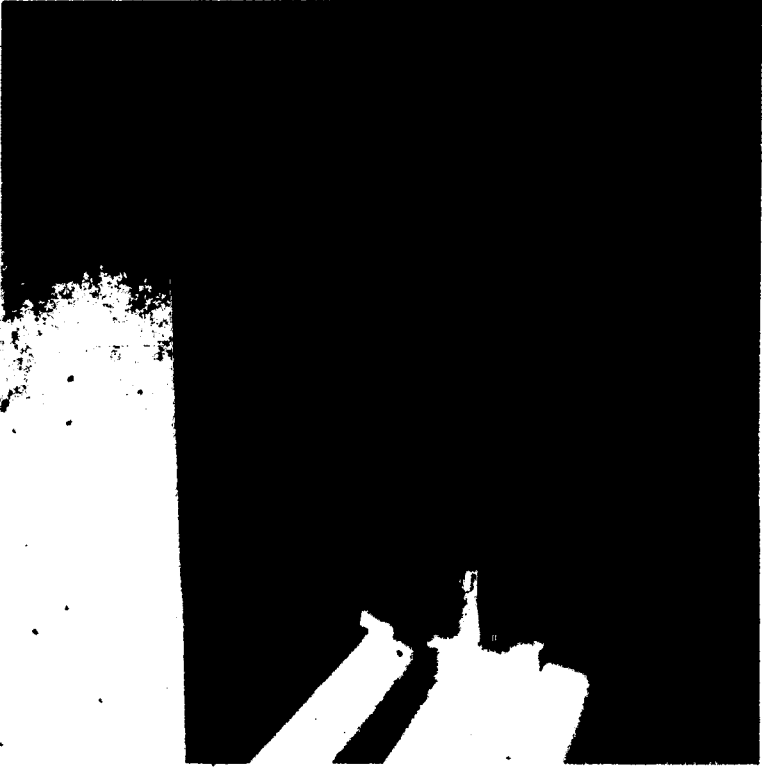
Accompanied by housing authority or Bureau representatives, we inspected 232 new and renovated housing units on 22 reservations. (See p. 31.) Appendix I lists various design and construction deficiencies which were identified during these inspections, such as settling foundations, unstable floors, insufficient insulation, faulty wall construction, undersized heating units, inadequate roofs, and the lack of water and sanitation facilities. Some houses were located in projects which lacked roads and streets and for which site preparation and drainage were incomplete. The following photographs show some of the design and construction deficiencies that were identified.



Dilaminating, deteriorating exterior door due to inadequate gutters and canopy on porch on a Bureau housing improvement house on the Quinault Reservation in Washington.



Rotting fascia board under the roof due to faulty design or materials on a mutual-help house on the Salt River Reservation.



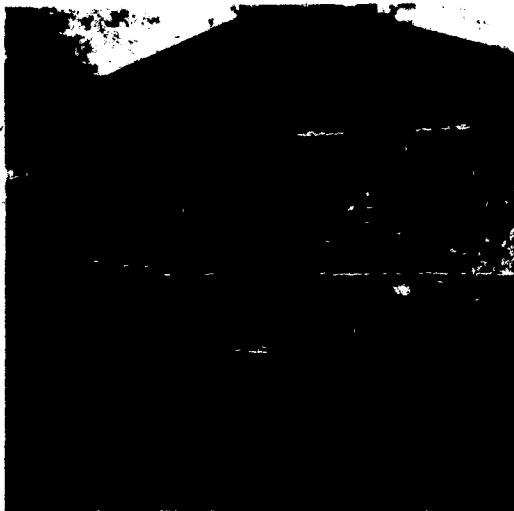
Interior smoke and soot damage due to the stovepipe's being installed improperly in a transitional house on the Rosebud Reservation.



Milk cans used to carry water because the indoor water system was inadequate at a transitional home on the Rosebud Reservation. Typical of 59 homes without water on Rosebud Reservation as of August 1970.



No roads or streets provided to 400 turnkey houses on the Rosebud Reservation. Photo at top taken in November 1968. Photo at bottom taken in April 1970 when many of the unimproved roads were impassable.



Incomplete site preparation and drainage at the mutual-help project on the Swinomish Reservation.



Drainage tile not installed on job of a mutual-help house on the Swinomish Reservation.



Location where drainage tile shown at left should have been installed. This ditch is within close proximity of the house.

Responsibilities for proper design
and construction

Both HUD and the Bureau have responsibilities under interagency agreements for ensuring proper design, construction, and completion of the housing projects. The Bureau and HUD developed standard house plans for the force account mutual-help program. For low-rent and turnkey projects, an architect or developer designs the houses; the Bureau assists the housing authority and the architect in the design, as necessary. Final review and approval of the designs are made by HUD. For the housing improvement program, the Bureau is responsible for proper design and construction of units.

Both HUD and the Bureau have responsibilities for ensuring also that housing is constructed in accordance with designs and specifications. The interagency agreements for low-rent and mutual-help housing state that, if adequate construction services, including overall superintendence and inspection for quality of materials and construction and for adherence to specifications, are not furnished by the housing authority, the Bureau will furnish them. The agreements state also that a HUD construction representative shall conduct periodic inspections of the projects to ensure proper construction.

Providing the supporting facilities for housing projects is a joint responsibility of the Bureau, HUD, and the Indian Health Service. For low-rent and turnkey projects, roads are financed by HUD as part of the project cost. For mutual-help projects the Bureau usually agreed to provide streets and roads. Providing water and sanitation facilities on both HUD-assisted and Bureau housing improvement projects is generally the responsibility of the Indian Health Service. The low-rent and mutual-help program guidelines provide that the Bureau coordinate the planning of housing projects with the installation of water and sanitation facilities provided by the Indian Health Service. With regard to construction of the houses, guidelines under the mutual-help program do not specify which Federal agency is operationally responsible for ensuring that all construction items are completed.

HUD, in commenting on a draft of this report, pointed out that both the Bureau and HUD had some construction responsibilities but that, in the final analysis, the Secretary of HUD was responsible for the acts of his agents whether they be Bureau or HUD employees.

Inadequately designed and constructed projects

Many of the projects included in our review had design and construction defects. Some of the more serious design defects resulted from inadequate consideration of local climatic conditions in the development of housing plans and specifications. Some of the more serious construction defects were not detected because of inadequate construction inspections.

The 50-unit low-rent project on the Blackfeet Reservation, completed in January, 1966, needs to be renovated to correct design and construction defects. A March 1969 HUD report describing this project pointed out that 1- to 2-inch-thick ice had accumulated in the corners of the inside walls. One tenant described how she could watch the sunset through the cracks in the walls when it was 40° below zero. This situation is attributable, in part, to the plans' lack of provision for design features that would ensure protection against the extremes of the Montana climate. As designed, the wall insulation, the attic vapor barrier, the wind barrier, and the heating systems all were inadequate.

The project also had many construction defects that had not been detected because inspections had been inadequate. Inadequate construction inspections were evidenced by the 45 postconstruction defects, requiring 104 corrective measures, reported by HUD field officials to their regional office in February, 1966.

According to the housing authority legal counsel, inadequate inspections by the housing authority and by HUD contributed to the problem. In 1967 the housing authority withheld from the contractor \$58,000 to correct defects resulting from incomplete or faulty construction. After spending most of these funds, the housing authority estimated that \$229,000 more would be required to repair the houses. In commenting on a draft of this report, HUD informed us that

funds now were being devoted to make these units standard and adequate.

In two low-rent projects on the Pine Ridge Reservation, the basement walls were bowed or cracked in many of the units. According to housing authority and Bureau officials, the units may have to be condemned and other housing may have to be found for the occupants unless repairs are made. A housing authority construction inspector told us that this problem had been caused by the following design and construction defects: (1) the house design did not provide for gutters or downspouts, (2) either the house design did not provide for reinforcement of the block foundations with concrete columns or steel rods or this work was not accomplished during construction, (3) the foundations were not backfilled properly, (4) the exterior basement walls were not waterproofed adequately, and (5) the quantities of Portland cement used in the mortar were not sufficient.

According to the Bureau's Agency Superintendent at Pine Ridge, shortcuts and improper construction methods were used on these projects and adequate supervision was not provided by the HUD construction representative. The HUD construction representative acted as contracting officer, supervisor, and inspector. The tribal housing authority estimates that \$91,000 will be required to correct these defects in about 50 units. At the time of our visit to the site in May 1970, the deficiencies had not been corrected although the problem had existed from at least 1966.

On the Navajo Reservation 320 low-rent houses constructed of cinder block were not insulated because the plans and specifications did not call for insulation. These houses, constructed from December 1964 to May 1968, have had heatloss problems. The housing authority has requested HUD to finance an engineering-feasibility study to determine the most reasonable solution to the problems.

Architects designed the homes at the Blackfeet, Pine Ridge, and Navajo Reservations. The designs were reviewed and approved both by the housing authority and by HUD. The housing projects on the Blackfeet and Pine Ridge Reservations were started before HUD and the Bureau entered into the interagency agreement for low-rent housing, under which

the Bureau has certain responsibilities for design and construction. Some of the projects at the Navajo Reservation were started after the interagency agreement became effective.

The lack of design modifications also has adversely affected the quality of some houses. We found instances in which the standard design for mutual-help houses had been used without modifications for local climatic conditions. For example, for three mutual-help projects at reservations in Nevada and Arizona, the standard heating plan was followed and, as a result, undersized heating units were installed. The Bureau's Phoenix area housing officer stated that this problem had resulted from not modifying the standard plans to provide for local climatic conditions.

We also found instances in which, because of defects in the design, the same construction defects had been built into different projects. The design of turnkey and mutual-help housing on the Rosebud Reservation, low-rent housing on the Cheyenne River Reservation, and low-rent housing on the Fort Peck Reservation in Montana allowed the snow to blow in through the exterior air vents and to accumulate in the attics. HUD's Chicago Regional Office estimated that the blowing snow had caused damage of about \$7,000 to the housing at the Cheyenne River Reservation in 1965.

Although in 1965 HUD was aware of this attic-vent defect on the Cheyenne River Reservation, in 1966 and 1968 it authorized the design and construction of housing at the Rosebud Reservation which had the same defect. These defects indicate that there is not an adequate system for modifying designs to ensure that defects do not recur.

Incomplete housing projects

Some Indian families are living in new houses in projects which are incomplete or which lack water and sanitation facilities, and some new houses are located in projects which lack roads and streets. Other families have declined to move into the new houses without such supporting facilities. Incomplete housing projects resulted from (1) inadequate planning by, and coordination among, the agencies responsible for ensuring that all facets of the housing projects were completed within the same time frame and (2) a lack of follow-through by the Bureau and HUD to ensure that projects were completed.

At the Rosebud Reservation in April 1970, 10 force account mutual-help houses and 49 turnkey houses did not have water and sanitation facilities. The turnkey houses were occupied initially from November 1968 to April 1970. Of these 49 turnkey houses, 26 had been occupied and 23 had not. According to the Bureau's Area Housing Assistance Officer, delays in providing water and sanitation facilities were due largely to funding problems and difficulties in coordinating an acceptable overall plan whereby the tribe could participate in the funding through a loan from the Economic Development Administration, Department of Commerce. He said that, when this plan did not materialize, other plans had to be made for funding and completing the project through the Indian Health Service. The Indian Health Service stated that the needed sanitation facilities would be provided by the spring or summer of 1971.

HUD, in commenting on a draft of this report, stated that regional-level coordination between HUD and other Federal agencies probably was minimal since the commitment to build the houses had been made in its central office rather than in the field. According to HUD this was not a typical situation but was a result of special efforts to provide immediate housing on the Rosebud Reservation.

The lack of roads and streets for housing projects generally resulted from a lack of coordination either within the Bureau or between the Bureau and other agencies involved. To determine the need for roads and streets for housing projects, the Bureau's roads branch has to coordinate with

the housing branch. In addition, the roads branch has to coordinate with the Federal Highway Administration, Department of Transportation, to obtain approval and funds.

At the Navajo Reservation and at various reservations within the Phoenix area, the Bureau's roads branch has not provided roads or streets in mutual-help projects due to delays in obtaining housing project plans and funds because of the lack of timely coordination with the Federal Highway Administration. The Chief, Branch of Roads, Portland area, told us that improved streets had not been provided in the mutual-help projects at the Swinomish and Yakima Reservations because of inadequate communication and coordination among the Bureau's roads branch, its housing branch, and other Federal agencies.

Also at the Rosebud Reservation, the lack of adequate coordination seemed to be the cause for delays in providing adequate roads and streets for the 400-unit turnkey project. According to a HUD regional official, the tribe initially had agreed to provide roads and streets but later had reneged on its commitment. The Bureau's Area Housing Assistance Officer told us that the Bureau was to assist the tribe in providing adequate access roads or streets to and within the project. In the fall of 1969, we observed that adequate roads and streets had not been provided. According to Bureau field officials, the roads and streets become impassable in the spring. (See photographs on p. 45.) In June 1970 HUD agreed to finance streets for this project.

Houses in several force account mutual-help projects were not finished because the Bureau and/or HUD did not follow through to ensure that all construction had been completed. When the housing authority considers a mutual-help project to be complete and ready for occupancy, the HUD construction representative, accompanied by Bureau and housing authority representatives, makes a final inspection. When the HUD representative considers the units to be safe and livable, HUD issues an inspection memorandum which identifies any incomplete or unsatisfactory items of work. Existing guidelines are not clear, however, as to which agency is responsible for ensuring completion of these items, and, in many cases, the homes are not finished. The Director, Production Division, HUD, informed us that both the Bureau and

HUD felt that it was the other's responsibility. The Bureau's Chief, Division of Housing Assistance, informed us that a joint Bureau-HUD plan or agreement on responsibility was needed.

Conclusions

Design and construction deficiencies and incomplete construction items have resulted in additional costs and accelerating deterioration of houses and have contributed to the lessened possibility of eliminating substandard housing in the 1970's. Further, some Indians, although living in new housing, continue to live in substandard houses.

The design and construction problems identified during our review point out a need to strengthen reviews of housing designs and inspections of construction. Also a need exists to improve coordination among the agencies involved to ensure that all aspects of housing projects are completed.

Recommendations to the Secretary of HUD
and the Secretary of the Interior

We recommend that the Secretary of HUD and the Secretary of the Interior

- strengthen the reviews of housing designs to ensure that housing plans adequately consider local climatic conditions,
- place increased emphasis on inspections during construction to reduce construction problems, and
- clearly establish which agency will be responsible for ensuring that known construction defects and incomplete items of construction are corrected on a timely basis.

We recommend also that the Secretary of the Interior coordinate the activities of the various agencies to ensure that roads and water and sanitation facilities are available as soon as the houses are constructed.

Agency comments

In commenting on a draft of this report, the Department of the Interior agreed that there was a need to strengthen reviews of housing design and construction inspections and to improve interagency coordination. HUD stated that it was aware that certain breakdowns in the design and construction process had occurred and that in the past its regional offices had been advised to be alert for such breakdowns. HUD anticipates that its newly established area and regional offices will be more effective because of their relative proximity to, and knowledge of, projects within their jurisdictions.

LENGTHY CONSTRUCTION PERIOD

In terms of the construction time and the number of houses built, the force account mutual-help program has not been as successful as other HUD-assisted programs. We compared projects on reservations within three Bureau areas. The force account mutual-help projects, normally consisting

of 10 to 20 units each, took an average 19 months to construct. In contrast the HUD-assisted low-rent and turnkey projects (including turnkey mutual-help projects), each consisting of many more units, took an average 10 months to construct.

Our analysis of construction starts showed that a new force account mutual-help project generally was not started until the previous project was near completion. This practice is in accordance with HUD guidelines which point out that generally only 10 to 15 units should be constructed concurrently. Therefore an extended construction period results in delays not only in a current project but also in any planned follow-on-projects. It results also in additional costs for supervising construction and for replacing building materials that have been damaged by exposure to the weather or that have been lost due to theft and vandalism.

HUD guidelines suggest that force account mutual-help projects be constructed within 1 year. Bureau officials in the Portland area believe that the 1-year period is unreasonable because, under the existing program framework, the participants have to provide the majority of the labor. They indicated, however, that a 1-year period would be reasonable if professional labor and prefabrication were used.

In the three Bureau areas included in our review, the reported construction period for the 40 force account mutual-help projects, involving 686 houses, ranged from 6 months to 44 months and averaged 19 months. Most of these projects involved 10 to 20 units. In contrast the average construction period for the 27 HUD low-rent, turnkey, and turnkey mutual-help projects included in our review was 10 months. The number of units in these 27 projects averaged 44. On the Yakima Reservation, a 30-unit low-rent project was completed in 13 months but the 10-unit force account mutual-help project took 32 months to complete. On the Navajo Reservation the period of construction for 750 units--six turnkey mutual-help, one turnkey low-rent, and 10 conventional low-rent projects--averaged 9.5 months.

As a result of the lengthy construction periods under the force account mutual-help program, program benefits were deferred and costs increased. For example, at the Quinalt Reservation, a 20-unit project took 31 months to complete, which delayed the start of a 20-unit follow-on project. Under the mutual-help program, the Bureau provides a project construction superintendent who is responsible for supervising and coordinating construction of the project from the time construction starts until it is completed. Using HUD's guideline of a 1-year construction period, we estimated that, for the mutual-help projects included in our review, construction supervision costs of \$235,000 were incurred after the 1-year period.

At several projects, other building materials deteriorated as a result of exposure to the weather over the long construction period and partially completed houses were vandalized and materials were stolen. At the Rosebud Reservation nearly all the materials for a force account mutual-help house were stolen over a 2-year period. All that remained at the time of our inspection in November 1969 was the foundation, some weather-ruined plywood, and several rafters.

In February 1970 HUD approved the housing authority's request for supplemental funds of \$19,000 to complete the 50-unit force account mutual-help project on the Rosebud Reservation. These additional funds were needed primarily for replacing materials lost through theft, vandalism, and damage from the elements during the extended construction period.

The exterior siding on the 10 force account mutual-help houses at the Swinomish Reservation was deteriorating at the time of our inspection due, in part, to exposure to the weather during the lengthy construction period. It was exposed both while awaiting installation and while awaiting painting. HUD estimated that it would cost \$10,000 to replace the siding. Also several projects on reservations in the Northwest had been damaged or had lost materials due to theft and vandalism.

According to Bureau and HUD officials, the extended construction periods resulted primarily from the lack of

Indian participation in construction. In our opinion an inherent weakness in the force account mutual-help program is the assumption that the participants will work continually on the housing project until it is complete and that they have the technical competency to do the work assigned to them. The future owners--the participants--are expected to contribute about 20 hours of labor a week over a 52-week period or until the houses are completed. Many participants, however, have not worked regularly on the housing project through its completion.

Factors cited by Bureau and HUD officials as contributing to the poor participation include (1) inadequate orientation of participants as to their responsibilities, (2) lack of leadership by the Bureau construction superintendents in motivating the participants, (3) conflicts between the construction schedule and the Indians' regular hours of employment, and (4) inability of participants to do the skilled work assigned to them. Another reason cited for the lengthy construction period was the reluctance of the housing authorities to remove from the program on a timely basis those participants who were not actively assisting in the construction of their houses.

We believe that the Bureau could help to alleviate some of these causes for poor participation by more diligently carrying out its responsibilities under the force account mutual-help program. Bureau and HUD guidelines for mutual-help housing indicate that the Bureau is to inform program participants of their duties and responsibilities, provide adequate construction leadership and supervision, organize and coordinate work crews, and ensure that each participant contributes approximately the same number of hours. The Bureau construction superintendent is responsible for construction schedules based on the manpower available for each particular day. He is responsible also for all phases of the work, including supervision and management of the labor force. In addition, the Bureau is to endeavor to formulate training programs to assist the participants in the construction of their houses.

Conclusions

The force account mutual-help program has not been successful in providing large quantities of new housing for Indians on a timely basis. The program has worked well on only a few reservations. On the basis of experience, it does not seem practicable to expect that all the conditions contributing to the lengthy construction period for mutual-help projects can be eliminated in most Indian communities. Therefore we believe that the force account mutual-help program should be limited to those reservations where it is strongly desired and where there is reasonable assurance that the problems associated with the program can be overcome.

Recommendations to the Secretary of HUD and the Secretary of the Interior

We recommend that the Secretary of HUD and the Secretary of the Interior use the force account mutual-help program only when it is desired strongly by the Indians, because it has the least potential for timely construction and usually has fewer houses in a project. We recommend also that the Secretary of the Interior ensure that, where houses are constructed under the mutual-help program, the participants are informed adequately of their duties and responsibilities and are provided with sufficient training, supervision, and leadership.

Agency comments

Both HUD and the Department of the Interior, in commenting on the draft of this report, concurred with our recommendations and informed us that field officials would be advised to deemphasize force account mutual-help projects. HUD informed us that it planned to emphasize using turnkey or competitively bid projects.

APPENDIX I

DESIGN AND CONSTRUCTION DEFECTS AND INCOMPLETE
CONSTRUCTION ITEMS AT SELECTED RESERVATIONS

<u>Reservation</u>	<u>Type of project</u>	<u>Number of units in project (note a)</u>	<u>Brief description (note a)</u>
DESIGN DEFECTS:			
Pine Ridge	Low rent	127	Basement walls were either cracked or bowed in several units. Estimated cost to repair basements in about 50 units and to correct causes was \$91,000.
Pine Ridge	Housing for elderly	44 (beds)	Ceiling in boiler room collapsed under weight of fuel tank suspended from ceiling, and undersized sewer lines caused sewer to back up in the kitchen drain. Estimated cost to repair boiler room and sewer lines was \$2,850.
Resbud	Mutual help	50	Exterior air vents allow snow to enter and accumulate in attic.
Turnkey		400	
Cheyenne River	Homes for elderly	-	Exterior vent permits snow to enter attic and accumulate and thus cause water damage. Rain gutters were not installed on the building.
Cheyenne River	Low rent	54	Snow blowing into the houses through the attic vents caused damage of \$7,000.
Navajo	Low rent	320	Cinder block walls which had not been insulated caused heat-loss problems.
Navajo	Low rent	130	Exterior stucco walls were cracked. Estimated cost to correct was \$19,500.
Salt River	Mutual help	15	Glass panes in french doors starting about 6 inches above the floor, were broken out. Indications of rot in the four corners where the fascia boards join under the roof show poor design or faulty material.
Manlapai, Arizona	Mutual help	10	Inadequate or undersized heating units had to be replaced. About \$6,000 was spent to replace the heating units on the Manlapai Reservation.
Deek Valley,	do.	15	
Navaho-Idaho Fort Apache	do.	16	
Blackfoot	Low rent	50	Absence of design details and inadequate construction resulted in: cracks in the outside walls; failure to install an adequate vapor barrier in the attic to prevent condensation from forming in the space above the ceiling; inadequate insulation which allowed ice and frost to form on the inside walls; installation of inadequate heating system in the houses; unstable wind barriers on the front porches; and poor landscaping. Estimated cost to make units habitable amounted to \$229,000.
Fort Peck	Low rent	56	There were design and construction defects, including inadequate insulation, lack of protective hoods over the levers, and installation of the kitchen vents in the ceiling instead of in the walls. Correcting these defects and installing an adequate drainage system will cost about \$43,000.

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<u>Reservation</u>	<u>Type of project</u>	<u>Number of units in project (note a)</u>	<u>Brief description (note a)</u>
Yakima	Mutual help	10	Sheetrock window casing was deteriorating. Corrective work was estimated at \$1,250.
Yakima	Mutual help	10	Lightweight composition roofing was not adequate. Estimated cost to install heavier roofing was \$800 a unit, or \$8,000.
Swinemish	Mutual help	10	There were no gutters, no downspouts, and no vent hookup designed for dryers. Kitchen range placed in front of a window caused a potential fire hazard because of the curtains.
Quinalt	Housing improvement	21	There were insufficient gutters or downspouts, no porch or canopy roof over front and rear doors, and a lack of interior doors. Estimated cost to provide these items at time of construction was \$6,200.
CONSTRUCTION DEFECTS:			
Pine Ridge	Low rent	127	Siding was loose, corner trim was missing, walls or ceilings were stained due to water leaks, and bathroom basins were not secured in place. Estimated cost to repair was \$2,000.
Pine Ridge	Homes for elderly	44 (beds)	The cornices were loose and the roof leaked. Estimated cost to repair was \$1,900.
Pine Ridge	Housing improvement	124	Some foundations were not level.
Rosebud	Transitional	375	In 22 of the 23 transitional homes inspected, the exterior walls were stained improperly.
Rosebud	Transitional	375	Improperly installed stove pipes caused smoke damage to interior walls. Estimated cost to repair was \$25 a unit, or \$9,375.
Rosebud	Turnkey	400	Sewer lines for 14 of the units were installed at back of houses rather than in front where the main sewer is planned. This necessitates reversing the line for each house to hook into the main sewer.
Cheyenne River Do.	Mutual help	40	In seven of 17 houses inspected, settling of the foundations due to inadequate compaction of the backfill caused cracks in the walls and separation of the sills and door frames from the floor.
	Low rent	54	
Nasajo	Low rent	50	Since water pipes had not been installed in accordance with plans and specifications, water pipes froze and broke.
Fort Peck	Low rent	56	In three of the units, inadequate drainage system and improper backfilling of the foundations caused the foundations and floors to settle and crack.

APPENDIX I

<u>Reservation</u>	<u>Type of project</u>	<u>Number of units in project (note a)</u>	<u>Brief description (note a)</u>
Swinomish	Mutual help	10	Cabinets did not fit shell or frame of house, closet doors were not hung properly, and floorings were of different thicknesses.
Fert Hall, Idaho	Housing improvement	65	Floors were spongy because house footings had been set during winter when ground was frozen.
INCOMPLETE CONSTRUCTION:			
Pine Ridge	Low rent	127	Paved streets were not provided. Some roads became impassable during the winter. Estimated cost to complete streets, driveways, and drainage on the 400-unit turnkey project at Rosebud was \$1,611,000.
Rosebud	Mutual help	50	
Do.	Turnkey	400	Estimated cost to provide streets and curbing on the 10-unit Yakima project was \$27,000.
Do.	Transitional	375	
Cheyenne River	Mutual help	40	As of April 1970, 49 of the turnkey units and 10 of the mutual help units had no water or sanitary facilities.
Do.	Low rent	54	
Navajo	Turnkey-	230	Landscaping and backfill were not complete. Estimated cost to complete was \$176,000.
	Mutual help		
Yakima	de.	10	Floors were spongy because the floor braces had not been nailed in place on the basement ceilings.
Swinomish	de.	10	
Rosebud	Turnkey	400	Foundations had inadequate backfill. In 10 turnkey units inspected, the floors were spongy because of a failure to backfill the foundation, which, in turn, had caused the foundation to settle. For the transitional units it is estimated that \$112,500 will be required to finish backfilling and grading.
Do.	Mutual help	50	
Pine Ridge	Low rent	127	Several construction items, including interior light fixtures, exterior painting, and window casings and moldings, were still incomplete 18 months after occupancy.
Rosebud	Turnkey	400	
Do.	Transitional	375	There were several incomplete construction items, including finishing of interior woodwork and drainage.
Do.	Mutual help	50	
Yakima	Mutual help	10	
Swinomish	Mutual help	10	

^aThe problems explained under the brief description do not always pertain to all the units in the project.

APPENDIX II



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

FEB 18 1971

Mr. Joseph P. Rother, Jr.
Assistant Director, Civil Division
United States General Accounting Office
Washington, D.C. 20548

Dear Mr. Rother:

The Department has reviewed with interest the CAO Draft Report, "Review of Progress in Meeting the Objectives of the Indian Housing Program, Department of the Interior, Department of Housing and Urban Development." The report lists certain examples of deficiencies in funding and occupancy experiences. Although important in the overall evaluation, we do not feel these examples alone are evidence that the program is misdirected in its objectives to improve Indian Housing. We believe the solutions and use of subsidized housing program of HUD constitute the most suitable national housing program. Most of the Indian people are poor. To house poor people decently the housing program subsidy was established on a national basis.

We agree with your conclusion concerning the schedule of elimination of substandard housing on Indian reservations will not be achieved without substantial acceleration of the program. Because of our reliance on the national housing program goals and priorities of HUD and its funding, we share in having to defer some of our programs for future accomplishment with other housing needs.

We feel the inclusion of adjacent off-reservation population is not an important factor in determining housing needs. It indicates that many Indians would return to the reservation if decent housing existed. We feel that jobs and reasonable income sufficient to support the home and family are the prime movers of the Indian people in most cases. It has been our experience that migration back to the reservations occurs generally in direct proportion to the availability of jobs. It would be important if jobs and housing could be complementary and occur simultaneously. Should the economy of a reservation improve considerably, the housing inventory would recognize and reflect this need. The present inventory form (copy attached) has recognized all the remaining factors cited by the CAO and provides columns for their inclusion. Certainly, home deterioration is an important factor. Although it has been considered in the past, it has not had the careful consideration it should. We will emphasize this factor when requesting our next inventory.

APPENDIX II

An annual inventory will be taken using the guidelines established in May 1970. Provided funds are available, we intend to contract with qualified companies or individuals to obtain inventories of housing conditions when necessary. "In-house" capabilities will be used where available and the housing officers will be directed to develop, obtain and maintain accurate data. We have also requested that the Indian Health Service (IHS) survey, HUD 701, Planning statistics and the Bureau of Indian Affairs population figures be obtained and utilized for the annual housing inventory.

We also feel strongly that proper maintenance inspection and followup are necessary and essential to maintaining standard and decent housing. As the report recognizes, many of the occupants are of low or inadequate income. The heavy investment of Federal monies should be protected by adequate maintenance. The 1970 Housing Act recognized this need and authorizes funds for this effort. The BIA field staff in cooperation with the housing authorities can supplement the HUD staff when necessary in making inspection and identifying deficiencies. The responsibility for providing funds rests with HUD. Within the availability of funds, we will continue to supplement training programs of the local housing authorities.

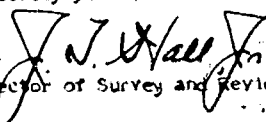
The Bureau of Indian Affairs will be responsible for inspecting and identifying deficiencies in those houses constructed and renovated under the Housing Improvement Program. This will be balanced by continued support for home maintenance and training programs as well as monetary support in those cases where required.

We believe that the design and construction problems identified during your review point out a need to strengthen reviews of housing design and inspections of construction. We also believe that a need exists to improve coordination among the agencies involved to assure that all aspects of housing projects are completed.

We concur in the GAO's recommendation for the force account mutual-help housing projects and will issue instructions to the BIA's Area and Agency Offices that further force account mutual-help projects be discouraged except where there is a strong desire on the part of the local housing authorities for this program and where the local housing authorities will indicate assurance that they will make every effort to see that housing is constructed in a timely manner.

We appreciate the opportunity to have commented on this draft report.

Sincerely yours,


 Director of Survey and Review

GAO note: The inventory form cited is not reproduced herein.

APPENDIX III



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL HOUSING ADMINISTRATION
WASHINGTON, D. C. 20411

ASSISTANT SECRETARY-COMMISSIONER

FEB 26 1971

Mr. Victor L. Lowe
Associate Director
United States General Accounting Office
Washington, D. C. 20548

Dear Mr. Lowe:

On behalf of the Secretary, this is in response to your letter of November 19, 1970, which transmitted copies of a proposed report to the Congress on progress in meeting the objective of the Indian housing program.

We have reviewed the proposed report and are attaching this Department's comments for your use in the preparation of the final report.

We appreciate the opportunity to comment on this important subject.

Sincerely yours,

Woodward Kingman
for Eugene A. Gullledge
Assistant Secretary-Commissioner

Attachment

GAO note: HUD's comments have been considered and incorporated in the body of the report.

PRINCIPAL OFFICIALS OF THE
DEPARTMENTS OF THE INTERIOR AND
HOUSING AND URBAN DEVELOPMENT
RESPONSIBLE FOR THE ADMINISTRATION OF
ACTIVITIES DISCUSSED IN THIS REPORT

Tenure of office

From

To

DEPARTMENT OF THE INTERIOR

SECRETARY OF THE INTERIOR:

Rogers C.B. Morton	Jan. 1971	Present
Fred J. Russell (acting)	Nov. 1970	Dec. 1970
Walter J. Hickel	Jan. 1969	Nov. 1970
Stewart L. Udall	Jan. 1961	Jan. 1969

ASSISTANT SECRETARY OF THE INTERIOR
(PUBLIC LAND MANAGEMENT):

Harrison Loesch	Apr. 1969	Present
Vacant	Jan. 1969	Apr. 1969
Harry R. Anderson	July 1965	Jan. 1969

COMMISSIONER OF INDIAN AFFAIRS:

Louis R. Bruce	Aug. 1969	Present
T.W. Taylor (acting)	June 1969	Aug. 1969
Robert L. Bennett	Apr. 1966	May 1969
Phillip Nash	Sept. 1961	Mar. 1966

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SECRETARY OF HOUSING AND URBAN DEVELOPMENT (formerly Administrator, Housing and Home Finance Agency):

George W. Romney	Jan. 1969	Present
Robert C. Wood	Jan. 1969	Jan. 1969
Robert C. Weaver	Feb. 1961	Dec. 1968

APPENDIX IV

Tenure of office

From To

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (continued)ASSISTANT SECRETARY FOR RENEWAL
AND HOUSING MANAGEMENT:

Norman V. Watson (acting)	July 1970	Present
Lawrence M. Cox	Mar. 1969	July 1970
Howard J. Wharton (acting)	Feb. 1969	July 1970
Don Hummel	July 1966	Feb. 1969

ASSISTANT SECRETARY FOR HOUSING
PRODUCTION AND MORTGAGE CREDIT
AND FEDERAL HOUSING COMMISSIONER:

Eugene A. Gylledge	Nov. 1969.	Present
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U.S. GENERAL ACCOUNTING OFFICE,
RESOURCES AND ECONOMIC DEVELOPMENT DIVISION,
Washington, D.C., September 24, 1974.

B-118718.

The Honorable the SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

DEAR MR. SECRETARY: GAO has completed a survey of the Federal efforts in Alaska to meet the national housing objectives of providing "a decent home and a suitable living environment for every American family," as expressed in the United States Housing Act of 1949 (42 U.S.C. 1441).

Our work indicates that:

More and better quality housing is needed in rural Alaska villages.

Existing Federal and State housing programs are making slow progress toward meeting this need.

Certain Department of Housing and Urban Development (HUD) regulations for public housing inhibit, rather than encourage, achieving the national housing goal in Alaska.

Opportunities exist for greatly reducing the cost of housing constructed under HUD-subsidized programs in Alaska.

Rural Alaska has many unique problems that limit the progress of current housing programs. Therefore, we are recommending—for use in Alaska only—several alternate approaches for your consideration which might accelerate progress under HUD programs in meeting housing needs in rural Alaska.

Our review included obtaining information on housing needs and housing produced by Federal and State programs in rural Alaska. We made our review at the HUD regional and area offices in Seattle, Washington; at HUD headquarters in Washington, D.C.; at the Alaska State Housing Authority (ASHA) in Anchorage, Alaska; and at various villages in Alaska.

We also obtained information at three other Federal agencies—the Veterans Administration (VA); Bureau of Indian Affairs (BIA), Department of the Interior; and Farmers Home Administration, Department of Agriculture. We examined pertinent legislation, policies, and procedures of the four Federal agencies. We also interviewed Federal agency and ASHA officials.

ALASKA HOUSING NEEDS

ASHA studies show that the average quality of Alaska housing ranks among the poorest in the Nation. Although deficient housing may be found in all parts of Alaska, extremely poor housing is found primarily in rural villages.

In 1971 ASHA conducted a study of Alaska housing needs, which was partially financed with HUD comprehensive planning grant funds.

This study showed that the immediate need was for existing sub-standard housing in rural and semiurban areas to be replaced or renovated. Additional housing needed to accommodate estimated population growth to 1976 was projected principally to the State's urban census divisions, as shown in the following schedule.

Census divisions	Existing units	Replacement units needed	Percent of existing units	Additional units needed, to 1976	Total new units needed to 1976
Urban.....	57,883	8,506	14.7	11,510	20,016
Semiurban.....	17,169	3,925	22.9	1,630	5,555
Rural.....	13,291	7,077	53.2	1,530	8,607
Total.....	88,343	19,508	22.1	14,670	34,178

The 1971 study showed that housing conditions in Alaska were worse than in other States because, among other factors, housing in Alaska was more crowded and houses had fewer rooms in each unit. The percentage of housing units lacking some or all plumbing facilities is 2.4 times greater than that of other States. Although various U.S. Census Bureau indexes show that housing is of lower quality in Alaska than in the rest of the Nation, the median value of Alaskan housing units is 34 percent greater than the national median and the median cost of Alaskan rental housing is nearly twice the national median.

Housing conditions for about 58,000 Alaskans living in remote villages are much poorer than for those living in urban areas. For example, 41 percent of the rural units have more than one person per room compared to 13 percent of the urban units. The percent of rural units lacking some or all plumbing facilities is 14 times greater than that of urban units. About 53 percent of the rural units needed to be replaced or renovated compared with about 15 percent of the urban units. In one rural census division, 635 (93 percent) of 683 units needed to be replaced or renovated. The median value of housing units in 12 of 17 rural census divisions was less than \$5,000 a unit compared with \$31,900 for homes in the urban Anchorage census division.

PROGRESS BY FEDERAL AND STATE HOUSING PROGRAMS IN ALASKA

HUD has primary responsibility for administering the Housing Act of 1949 which declares a national goal of a decent home and a suitable living environment for every American family. In September 1973 the President reaffirmed to the Congress his intent of pursuing this national goal.

The 1971 study said that 6,000 units of new Federal housing had been committed for remote villages over a 5-year period. A HUD official told us, however, that the only specific commitment HUD had made to Alaska was for 1,200 units for 1972. During fiscal years 1972 and 1973, HUD-subsidized programs produced only 25 housing units in rural Alaska. For the same period, all other Federal and State housing programs produced 91 additional housing units in rural Alaska.

HUD officials told us that, to meet rural Alaskan family customs and lifestyles, housing programs in rural areas must provide (1) single-family units and (2) homeownership opportunities.

In addition to HUD's subsidizing and insuring housing in Alaska, the VA, BIA, the Farmers Home Administration, and ASHA provide and insure housing in Alaska.

Although federally insured and direct home loan programs appear adequate to meet the needs of middle- and upper-income groups in Alaska's urban areas, these programs and federally subsidized housing programs have had limited impact in meeting the housing needs in rural Alaska, as discussed below.

Insured and direct home loan programs

Federal efforts to meet additional housing needs for middle- and upper-income groups in urban Alaska census divisions have been primarily through federally insured and direct loan programs of HUD's Federal Housing Administration (FHA) and the VA. During calendar years 1969 through 1973, FHA and VA insured a combined average of 1,879 home loans a year for new and used houses in Alaska. Officials of these agencies said about 90 percent of these insured loans were made in urban areas and that very few loans were made in rural areas. The officials said also that more home-financing funds were becoming available in the urban areas and that additional housing to meet population growth requirements in the urban areas could be met by existing commercial or federally insured financing programs. They said that the lack of financial institutions in rural Alaskan communities restricted using these programs for otherwise eligible rural residents.

Subsidized housing programs

Federally subsidized housing programs for low-income families in Alaska have been available through HUD, BIA, and the Farmers Home Administration. In addition, ASHA has provided partially subsidized housing units in remote areas. The various Federal and State programs produced a total of 2,520 subsidized units from 1969 through 1973. However, as the 1971 ASHA study shows this level of production was far below that required to meet the need for replacement and additional housing units in Alaska.

The following table shows the general location of subsidized housing produced in Alaska during the 5-year period 1969-73.

	Fiscal year—					Total	Average
	1969	1970	1971	1972	1973		
Urban.....	127	139	247	317	492	1,322	264
Semiurban.....		37	13	28	10	88	18
Rural.....	177	400	417	48	68	1,110	222
Total.....	304	576	677	393	570	2,520	504

- ¹ Census divisions with communities over 5,000 population.
- ² Census divisions with communities over 1,000 population.
- ³ Census divisions with a community of 1,000 or less.

As shown in the schedule on page 98, the estimated total new housing needed in Alaska by 1976 for urban, semiurban, and rural areas is 20,016, 5,555, and 8,607 units, respectively. Of the 1,322 subsidized housing units produced in urban areas from 1969 through 1973, 1,210, or 92 percent, were provided under HUD's section 235 and 236 programs. HUD's public housing program provided the rest.

The public housing program provided 36 housing units (all in 1970) of the 88 produced in semiurban areas. The remaining 52 were provided through the Farmers Home Administration home loans with partially subsidized interest under section 502 of the Housing Act.

Of the 1,110 units produced in rural areas, 798 were provided under HUD's homeownership programs, 201 were provided under BIA's Housing Improvement Program, and 111 were provided under ASHA's Remote Housing Program. A brief description of the various housing programs in rural Alaska follows.

In rural Alaska HUD has used both the mutual-help¹ and Turnkey III² programs for providing public housing units. In 1966 the Congress authorized \$10 million for the Remote Housing Program, to permit HUD to make loans and grants to Alaska for providing housing and homeownership opportunities in rural Alaska. The Congress appropriated \$1 million for each of two fiscal years, 1968 and 1969, and 335 new homes were constructed.

Alaska provided additional funds to continue the Remote Housing Program and supported the construction of 111 units in fiscal year 1971 and 101 units in fiscal year 1974. An ASHA official told us that continuation of the program was contingent on voter passage of additional bonding authority or a State legislative appropriation.

In 1970 HUD administratively established the Village Housing Program to replace the federally supported Remote Housing Program. The Village Housing Program also used the mutual-help method for providing housing units.

HUD officials told us that the mutual-help program has not been used recently in Alaska, since construction of some projects under this program have taken 2 or 3 years. The mutual-help program was last used by HUD for providing units in 1971. Using the Turnkey III program resulted in the construction of only 25 units during 1972 and 1973. Subsequently, public housing units have not been constructed in rural Alaska because proposed projects cannot meet HUD's financial feasibility requirements.

BIA's Housing Improvement Program is a mutual-help program that provides for direct grants to Indian and Alaska Native families for both new and renovated housing. New construction is usually provided only in isolated or remote areas, such as Alaska. During fiscal years 1969-73, 201 units were completed in rural Alaska and BIA had 38 additional units under construction as of July 1, 1973.

The following table shows the production of subsidized housing units in Alaska under each agency's program(s) for the 5-year period 1969-73.

¹ Homeownership program for use on Indian reservations and in remote areas in which a participant earns equity credit toward homeownership through equity earned by providing labor in constructing the unit, self-maintenance, and monthly payments.

² A program that enables low-income families to acquire homes under a lease-purchase agreement with a local housing authority if they maintain their homes, make the required monthly payments, and remain in the homes for about 25 years. Participants in this program do not help construct the housing unit.

Agency and program	Fiscal year—					Total
	1960	1970	1971	1972	1973	
HUD:						
Public housing:						
Conventional rental.....	88	60				148
Homeownership:						
Village housing.....			200			200
Turnkey III.....		188	50	25		263
Remote housing.....	150	176				326
FHA:						
Sec. 235.....	30	115	247	264	88	783
Sec. 236.....				58	404	462
BIA: Housing improvement.....	18	36	56	23	64	201
Farmers Home Administration: Sec. 502 (interest credit).....		1	13	28	10	52
ASHA: Remote housing.....			-111			111
Total.....	304	876	677	383	570	2,520

The Housing and Community Development Act of 1974, dated August 22, 1974, provides that at least \$15 million of authorized funds for fiscal year 1975 must be set aside for housing Indian families and Alaska Natives. During fiscal year 1975 HUD plans to allocate, nationwide, 7,500 units for Indian and Alaska Native communities. A HUD headquarters official told us, however, that these housing units would be subject to the financial feasibility requirements that are discussed below.

FINANCIAL FEASIBILITY REQUIREMENTS LIMIT CONSTRUCTION OF HOUSING IN RURAL ALASKA

HUD's public housing program has had a limited impact in providing new housing in rural Alaska because of HUD's financial feasibility requirements. HUD requires that, to be approved for development, proposed projects meet its financial feasibility requirements. For a project to be financially feasible, the project application must demonstrate that the selected home-buyer families can make payments which will average at least 10 percent over the sum of monthly operating expenses and amounts credited to home-buyers' equity accounts. The project application provides income data for those families living within the community that currently qualify for public housing. Generally, the extremely high costs of operating homes in remote Alaskan communities, due primarily to high utility costs, have resulted in most proposed projects being unable to meet the financial feasibility requirements. Monthly operating costs for some projects in rural Alaska average about \$120 compared with \$60, nationwide.

As of January 5, 1973, HUD had received requests to provide 1,507 units of public housing in remote villages. Program reservations³ and preliminary loans had been issued for 1,031 units, however, application processing for these units was suspended because the units could not meet the financial feasibility requirements. HUD deferred processing the request for the other 476 units pending settlement of the operational solvency problem. HUD regulations requiring new housing projects to have the potential to be operationally solvent have prevented, and in our opinion, unless waived or modified, will

³ HUD's agreements to enter into a new or amended preliminary loan contract or annual contributions contract to permit a local housing authority to acquire housing units.

continue to prevent, HUD's developing adequate housing in rural Alaska.

Before May 1974, monthly payments (including utilities) paid by families in HUD-supported public housing could not exceed 25 percent of the families' adjusted income. In May 1974, HUD's Office of General Counsel issued an opinion relating to the 25-percent limitation that may lead to many of the proposed mutual-help project's being considered financially feasible. This decision provided that utilities and certain other expenses could be excluded in determining whether mutual-help program participants' monthly payments exceeded the 25-percent limitation. Subsequently, the Housing and Community Development Act of 1974 made it clear that the 25-percent limitation is not applicable to mutual-help housing. Although this change may allow some mutual-help program projects to meet HUD's financial feasibility requirements, it will require the mutual-help program participants to pay more than 25 percent of their adjusted family income for housing.

One factor which directly influences financial feasibility of a proposed project is the established maximum income limits. The Housing Act provides that each local housing authority, such as ASHA, establish, subject to HUD approval, maximum income limits for families seeking admission to public housing. Families whose incomes exceed these limits must seek adequate housing through other means, such as conventional bank financing, or through other programs using bank financing, such as the VA- or FHA-insured loan programs. In most rural Alaskan villages, however, bank sources of financing are virtually nonexistent. As a result, those families with incomes too high to qualify for the limited public housing remain in substandard housing.

On the other hand families with incomes low enough to qualify for public housing also remain in substandard housing because public housing is not being provided, primarily because of HUD's financial feasibility requirements.

For example, in 1972 the village of Kotzebue applied through ASHA for 100 units under HUD's Turnkey III program. HUD denied the application because the proposed project would not meet the operational solvency requirement; that is, the average monthly payment the project families could afford to pay was not even enough to cover monthly operational costs. The estimated monthly operational cost for each Kotzebue unit was \$128. The average monthly payment which all eligible families could pay was about \$50. Thus a monthly operating subsidy averaging \$78 a unit would have been required to support the project.

We found that about 140 of the 302 families in Kotzebue had incomes too high to qualify for public housing, although they were currently living in substandard housing. About 87 of these families had expressed a willingness to live in public housing.

By raising maximum income limits, local housing authorities in Alaska could provide a chance for an increased number of families to live in safe, sanitary, and decent housing. Also this could assist local housing authorities in meeting HUD's financial feasibility requirements. We recognize, however, that this approach may still require Federal subsidies in order for a housing project to be financially solvent. An additional factor to consider is that, if a limited number of

units were to be constructed, families with the lowest incomes could be denied housing in order to house families which could pay higher rents.

HIGH CONSTRUCTION COSTS IN ALASKA

High construction costs are another factor limiting housing production in remote villages. Housing unit costs in Alaska varied greatly between projects, depending on the method of construction used and the specifications of the individual units. Although construction conditions in Alaska are unique and difficult because of climate and transportation problems, it appears that construction costs can be reduced.

Unlike other areas of the United States, Alaskan rural areas are faced with certain construction conditions, such as (1) a 3-month-long construction season in certain northern climates, (2) a lack of skilled construction workers and developers, and (3) a production system used in other parts of the United States that is inappropriate in Alaska because villages are isolated. The geographic and climatic settings of rural Alaskan villages are unique because many villages are on flood plains, permafrost, muskeg, steep terrains, or rocky hillsides. All the northern and western villages face extremely severe winters and chill factors as low as minus 95°. Construction materials for most remote villages must be transported by air or barge during limited seasonal periods.

The following schedule shows some of the wide variations in reported housing unit construction costs in rural Alaska noted during our survey.

Project location	Number of units	Year completed	Construction method	Total development cost per unit
Bethel.....	188	1970	Turnkey III.....	\$29,277
Nome.....	50	1971	do.....	28,679
Metlakatla.....	25	1973	do.....	28,599
Saxman.....	20*	1974	do.....	55,353
Hoonah.....	35	1974	do.....	51,658
Kwethiuk.....	30	1973	Mutual-help (HUD).....	12,475
Dot Lake.....	7	1971	Mutual-help (BIA).....	13,407
Diomedes.....	18	1974	do.....	16,500

Construction method

Construction costs in rural Alaska have been much lower under the mutual-help program approach than under the Turnkey III program approach. Housing units completed under HUD's mutual-help program generally cost less than \$18,000, and units constructed under the BIA housing improvement program (also a mutual-help program) cost less than \$16,500.

According to HUD area office officials, Turnkey III projects in rural Alaska have been delayed or not approved because of high construction costs. One project to construct 200 units in southeast Alaska at an estimated unit cost of \$67,000 had been delayed while HUD negotiated a lower production cost. HUD did not approve another project because the lowest bid exceeded \$80,000 a unit.

About 847 of the 1,110 units of low-income housing produced in Alaskan rural areas during the 5-year period 1969-73 were produced by the mutual-help program construction method and cost much less than units produced under the Turnkey III program.

Specification of units

All the Federal and State programs have the objective of constructing safe, sanitary, and decent housing. However, what constitutes safe, sanitary, and decent housing varies somewhat among agencies and is reflected in the unit construction cost. For example, in 1972 HUD approved construction of 160 housing units in southeast Alaska under the Turnkey III program at an estimated unit cost of \$55,000. ASHA officials told us they had recently constructed 101 units in 13 rural villages for an average unit cost of about \$28,000.

The high cost of housing produced under HUD's Turnkey III program can be attributed, in part, to the size of units needed to comply with HUD minimum property standards. Turnkey III program housing units average about 1,050 square feet compared with about 670 square feet for BIA housing units. Various HUD officials told us that BIA units provided adequate housing and, because of their smaller size, cost less to operate. These officials also told us that they believed HUD's minimum property standards relating to unit size should be waived for housing units in rural Alaska.

In July 1974, HUD and BIA jointly submitted a proposal to the Office of Management and Budget whereby HUD would provide funds for BIA to construct 500 housing units in rural Alaska. This proposal provided for constructing the BIA type housing units. Both HUD and BIA considered the BIA units to be acceptable and appropriate for rural Alaska. The Office of Management and Budget approved this proposal in July 1974.

CONCLUSIONS

Housing production in rural Alaska in recent years has been limited even though many families continue to live in substandard housing. Various factors have contributed to the limited production in rural Alaska, including (1) severe climatic conditions, (2) transportation problems, (3) isolated village locations, (4) high construction costs, and (5) certain program requirements.

HUD's public housing program, under the current project financial feasibility requirements, will not be able to serve additional low-income families in rural Alaska. To achieve any meaningful production under the current program, HUD will have to either waive or modify its financial feasibility requirements. As pointed out, certain program changes have been made affecting this requirement as it relates to the mutual-help program.

HUD could also have ASHA and other local housing authorities raise income eligibility limits to allow more rural villagers the opportunity to live in adequate housing. If HUD does not waive its financial feasibility requirements, raising the income eligibility limits could increase the chances of a project's meeting the requirements and could reduce a project's dependence on operating subsidies for financial solvency.

We noted wide variations in the housing unit construction costs under the various methods and programs. We believe opportunities exist to greatly reduce housing construction costs in Alaska, but these may require (1) waiver of HUD minimum property standards or (2) greater use of the mutual-help program.

RECOMMENDATIONS

We believe that, because of the many barriers to producing housing under the current programs in rural Alaska, certain administrative changes must be made if families in rural Alaska are to be provided with safe, sanitary, and decent housing. Listed below are several alternatives for your consideration which, individually or collectively, may accelerate the progress made in meeting the housing needs of families in rural Alaska.

We recommend that you consider the following alternatives in developing a viable program for meeting housing needs in rural Alaska:

1. Eliminate financial feasibility criteria as a basis for HUD's supporting the development of public housing projects in rural Alaska. This would probably result in a requirement for operating subsidies for the units.

2. Have ASHA or the appropriate local housing authority increase the income eligibility requirements to permit more families to enter public housing projects. This could increase rental income and reduce the local housing authority's dependence on operating subsidies. It could also create a situation where families with higher incomes could be housed instead of those with lower incomes.

3. Under current programs, such as mutual-help programs, develop a housing unit specifically suited to rural Alaska, which could be constructed at a reasonable cost. This may require waiving HUD's minimum property standards and providing operating subsidies for financial solvency.

We shall appreciate your views on these alternatives and being advised of any action you take, or plan to take, and on any alternative that HUD is considering for providing housing in rural Alaska. We appreciate the cooperation given our representatives during this survey and shall be pleased to discuss any of the above matters with you or members of your staff.

As you know, section 236 of the Legislative Reorganization Act of 1970 requires the head of a Federal agency to submit a written statement on actions he has taken on our recommendations to the House and Senate Committees on Government Operations not later than 60 days after the date of the report and the House and Senate Committees on Appropriations with the agency's first request for appropriations made more than 60 days after the date of the report.

We are sending copies of this report to your Inspector General, Assistant Secretary for Housing Management, and Assistant Secretary for Housing Production and Mortgage Credit. We are also sending copies to the Director, Office of Management and Budget; the Secretary of Agriculture; the Secretary of the Interior; the Chairmen of the House and Senate Committees on Appropriations and Government Operations; the Chairman of the House Committee on Banking and Currency; and the Chairman of the Senate Committee on Banking, Housing, and Urban Affairs.

Sincerely yours,

HENRY ESCHWEGE,
Director.

0109

Hon. CHET HOLIFIELD,
 Chairman, Committee on Government Operations,
 House of Representatives,
 Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 236 of the Legislation Reorganization Act of 1970, I am hereby providing our comments on the report (B-118718) of the Comptroller General of the United States concerning HUD housing assistance in rural areas of Alaska.

At the outset it should be stated that the Office of Management and Budget has charged the Bureau of Indian Affairs (BIA) in the Department of Interior with the responsibility for formulating recommendations concerning the best way for the Federal Government to provide housing assistance in Indian areas, including Alaska. The BIA's study is underway. Meanwhile, the special program for the construction of 500 homes in Alaskan Native Villages, as noted in the GAO report, is now being implemented. This special program was devised because of problems connected with use of the regular public housing program in rural Alaska: extremely high development costs and financial feasibility and operating subsidy problems resulting from the very low incomes of the Native families and the very high cost of operations, particularly utilities.

The special program, devised and approved prior to passage of the Housing and Community Development Act of 1974 (HCD Act), is considered an experimental program and hopefully will provide us with valuable information on better means of providing housing assistance in rural Alaska. It is a cooperative effort among HUD, BIA, and the Indian Health Services (IHS) of HEW with the following basic features:

(1) It is a mutual-help homeownership program, with the mutual-help component being the land contribution of the Natives.

(2) HUD under the public housing program provides construction funds to the Native housing authorities; BIA provides technical management for construction to be done by paid Native laborers; IHS will provide water and sanitation systems.

(3) A 672 square foot house plan, adapted from the single-family house plan used by the BIA in rural Alaska under its Housing Improvement Program, will be used. While the house plan is below HUD Minimum Property Standards, it is apparently, based on BIA experience, quite acceptable to the Native families; it is of a considerably higher standard than the housing occupied at present; it has been adapted to the climactic, cultural and economic situation of the villages; and the HUD-assisted total development cost per unit is expected to range between \$25,000 and \$30,000, approximately half of the \$60,000 HUD-assisted average total development cost per unit which we recently reluctantly approved under the public housing program for projects in the Tlingit-Haida region of southeast Asia.

(4) Since BIA will be performing most of the administrative duties of the Native housing authorities, operating subsidies will be minimized.

In its report, the GAO made three recommendations for developing a viable program for meeting housing needs in rural Alaska: (1) eliminate the financial feasibility test for proposed public housing projects,

(2) increase the income eligibility limits for admission, and (3) develop a housing unit specifically suited to the locale which could be constructed at a reasonable cost and which would necessitate waiving the Minimum Property Standards.

Determination of financial feasibility is no longer a problem in view of provisions of the recently enacted HCD Act. Section 5(c) of the United States Housing Act of 1973 (USH Act), as amended by section 201(a) of the HCD Act, reserves at least \$15,000,000 per year for fiscal 1975 and 1976 in annual contributions contract authority for housing in Indian areas, including Alaska, and specifically provides that the annual contributions "shall, notwithstanding any other provision of this Act, be equal to the difference between the sum of the total debt service payment plus approved operating costs, and the rental payments that tenants are required to make under section 3(1) of this Act." This, of course, will require the payment of operating subsidies, but other new statutory provisions will lessen the amount: the minimum rent provision of section 3(1) of the USH Act, as amended by section 201(a) of the HCD Act, and Section 203 of the HCD Act which exempts mutual-help projects from the provisions of section 3(1) of the USH Act, thereby allowing establishment of special schedules of required payments without adherence to the maximum specified for other public housing projects.

We agree with the recommendation that local housing authorities operating in rural Alaska increase their maximum income limits for admission. Procedures were sent to our field offices in December 1973, for their use in assisting housing authorities in Indian areas to establish higher maximum admission limits. The HCD Act further buttressed this position.

With regard to the third recommendation, a modest house specifically designed for rural Alaska which can be constructed at a reasonable cost is being utilized as discussed above in the special program now underway.

An identical letter has been sent to Senator Sam Ervin, Jr., Chairman of the Senate Committee on Government Operations.

Sincerely yours,

JAMES L. MITCHELL.

U.S. GENERAL ACCOUNTING OFFICE,
RESOURCES AND ECONOMIC DEVELOPMENT DIVISION;
Washington, D.C., October 4, 1974.

B-114868.

The Honorable the SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

DEAR MR. SECRETARY: GAO has completed a survey of the Department of Housing and Urban Development's (HUD) low-rent public housing program at two Indian housing authorities (IHAs) and at HUD's Los Angeles, California, area office. The survey was made to determine the effectiveness of these IHAs in managing their low-rent housing projects and the effectiveness of the area office's monitoring of the IHAs' activities.

We made our survey at the Navajo Housing Authority (NHA), Window Rock, Arizona; Gila River Housing Authority (GRHA), Sacaton, Arizona; and the Los Angeles area office. We examined financial and statistical records at these locations and interviewed IHA and HUD area office officials. In addition, we reviewed financial audit reports that the Department of the Interior issued relating to IHAs during the period July 1, 1972, to June 20, 1974.

The two IHAs had not properly followed Federal legislation requiring that (1) tenants' rents be limited to 25 percent of their adjusted incomes, (2) IHAs admit into low-rent projects only families whose incomes were within approved limits, and (3) families whose incomes exceed the income limit for continued occupancy be charged increased rents consistent with their increased incomes. We identified other management weaknesses which included (1) accounting records were improperly maintained, (2) NHA employees were occupying housing units, contrary to HUD regulations, and (3) NHA had spent modernization funds for ineligible items despite HUD's advising that the items were ineligible.

HUD has not adequately monitored IHAs' operations to insure efficient management. Furthermore, even when HUD's Los Angeles area office officials were aware of statutory violations and management weaknesses at the two IHAs, they did little to correct the problems. Many of the deficiencies at NHA and GRHA discussed in this report were also identified in Interior audit reports on other IHAs.

We believe that IHAs' management problems require HUD's and IHAs' increased attention if the low-rent public housing programs are to be administered effectively and efficiently and according to Federal law.

BACKGROUND

The United States Housing Act of 1937, as amended (42 U.S.C. 1401), authorizes HUD to conduct a low-rent public housing program on Indian reservations. Under this program decent, safe, and sanitary houses are to be made available to low-income families at rents within their financial reach. IHAs own and operate the housing projects and are primarily responsible for administering the projects.

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HUD programs used on Indian reservations include conventional low-rent, mutual-help (homeownership), Turnkey III (homeownership), and modernization of low-rent housing units. A description of these programs is included as the enclosure.

HUD is responsible for all aspects of planning and developing low-rent housing on Indian reservations. HUD regional and area offices are responsible for reviewing the administration of housing projects to determine whether they are being operated and maintained in conformance with statutory requirements and in a manner which promotes efficiency, economy, and serviceability.

HUD gives IHAs financial assistance by making loans for developing new housing projects and by making annual contributions pursuant to contracts with IHAs. Annual contributions are for (1) paying the principal and interest on bonds and notes IHAs sold to the public or, in some cases, to HUD to obtain funds for developing the projects and (2) paying operating subsidies.

As of June 30, 1973, there were about 15,500 housing units being managed by 128 IHAs. NHA and GRHA were managing the following units:

Housing authority	Number of units			Total
	Conventional low rent	Homeownership		
		Mutual help	Turnkey III	
NHA.....	780	365	50	1,145
GRHA.....	20	53		123
Total.....	800	418	50	1,268

As of June 30, 1973, the two IHAs had a total of 832 additional units in the planning or construction stage.

Housing authority	Conventional low rent	Mutual help homeownership	Total
Planning.....	40	580	620
Construction.....		110	110
GRHA:			
Planning.....	22		22
Construction.....	80		80
Total.....	142	690	832

RENTS CHARGED PUBLIC HOUSING TENANTS EXCEEDED STATUTORY LIMITATION

Beginning in December 1969, a series of amendments to the Housing Act of 1937 were enacted that are commonly referred to as the Brooke amendments. Brooke amendment I, enacted in December 1969 (83 Stat. 379, 389), provided that tenants in low-rent public housing not pay rent of more than 25 percent of their net incomes, as defined by the Secretary of HUD. The statute was to become effective within 90 days after its passage.

Brooke amendment II, enacted in December 1970 (84 Stat. 1770, 1778), legislatively defined income for rent purposes and continued the

25-percent limitation. Brooke amendment II was to become effective on the first reexamination of family income after March 24, 1971.

Brooke amendment III, enacted in December 1971 (85 Stat. 775, 776), required housing authorities to apply the 25-percent limitation to welfare tenants. Brooke amendment III became effective on December 22, 1971.

The Housing and Community Development Act of 1974, dated August 22, 1974, revised the definition of income for rent purposes and continued the 25-percent limitation.

Nanajo Housing Authority

When we visited the NHA in August 1973, it had not followed the Brooke amendments. We examined rent records for 50 tenants occupying NHA low-rent public housing units during 1973. Rent records for 8 of the 50 tenants did not show family incomes needed to determine compliance with the Brooke amendments. Of the remaining 42 tenants, 9 were paying rents higher than allowed under the Brooke amendments. The excess rent being paid by these tenants totaled \$134 monthly and ranged from \$2 to \$38.

NHA used a fixed-rent schedule based on unit size to determine rental payments rather than computed rents for each tenant to insure compliance with the Brooke amendments. NHA project managers cited various reasons for not following the Brooke amendments, including:

1. Lack of information and training on how to follow the Brooke amendments.
2. Following the amendments could result in some tenants paying no rent, and no Federal subsidies were available to offset rental loss.

We told the NHA executive director that the Brooke amendments should be followed. On September 10, 1973, the NHA Board of Commissioners adopted a resolution to insure that no tenants would pay more than required under the Brooke amendments. The NHA executive director told us in September 1973 that the rents of all tenants would be set to comply with the 25-percent limitation by November 30, 1973. A HUD area office official visited NHA in February 1974 and reported, in a trip report dated February 28, 1974, that NHA had adopted procedures to comply with the 25-percent limitation. This official told us in August 1974 that NHA had properly applied the 25-percent limitation to rents being paid by all tenants.

Gila River Housing Authority

HUD officials visited GRHA in April 1973 and instructed it to establish rents to comply with the Brooke amendments. GRHA officials agreed to follow the amendments after May 1, 1973.

The rent records of the 104 tenants occupying GRHA housing units as of August 28, 1973, showed that (1) GRHA had properly applied the 25-percent limitation in setting rents for the 16 tenants admitted after May 1, 1973, and (2) GRHA had failed to apply the 25-percent limitation for tenants in occupancy before May 1, 1973. Of the 104 tenants, 46 were paying rents in excess of the statutory limitation. The excess rents being paid by these tenants totaled about \$1,450-monthly and ranged from \$1 to \$94.

When we visited GHRA in September 1973, it was selecting an executive director to replace the acting executive director who had served in that capacity since May 1, 1973. The acting executive director told us that GRHA planned to establish rents for all tenants in compliance with the 25-percent statutory limitation.

IMPROVEMENT NEEDED IN DETERMINING ELIGIBILITY OF TENANTS IN PUBLIC HOUSING

The Housing Act of 1937, as amended, requires local housing authorities, such as NHA and GRHA, to admit families into low-rent projects only after certifying that each family was admitted according to the authorities' regulations and approved income limits. The act also provides that, once admitted, a family whose income increases beyond the continued-occupancy levels established by the local housing authority may remain in public housing if (1) the local housing authority determines that the family is unable to find housing within its financial reach and (2) the family pays an increased rent consistent with its increased income.¹

Navajo Housing Authority

NHA had no written guidelines for selecting tenants but, according to various NHA officials, selected tenants on a first-come-first-served basis and gave major consideration to the size of the family and little or no consideration to income. Various NHA officials told us that families whose incomes had exceeded NHA's admission income limits had been given housing. A HUD area office official visited NHA in February 1973 and reported that overincome families were being admitted to low-rent units. NHA officials told us that certain overincome families would probably continue to be admitted and cited NHA's need for additional revenue as one reason.

NHA did not verify, before January 1, 1973, tenants' incomes because it did not consider any of its tenants to be overincome, regardless of family income. Therefore, these overincome tenants were not being charged increased rents, contrary to statutory requirements in effect at the time.

Effective January 1973, NHA revised its policy to require verifications of tenants' incomes and require overincome tenants to pay increased rents. Our review of tenant records showed that NHA had started to verify income for all tenants. As of February 5, 1973, 65 of NHA's 780 tenants were overincome tenants. NHA later increased the rents for these tenants and by May 10, 1973, had reduced the number of overincome tenants in occupancy to 45.

The Housing Act and HUD regulations require that local housing authorities make periodic reexaminations of family incomes. HUD procedures require annual reexaminations (biennially for the elderly). The incomes of 14 of the 50 tenants whose records we reviewed in August 1973 had not been reexamined in over 2 years. In discussions with NHA project managers, we found that three of the eight managers were unaware of the income reexamination requirement. Various NHA officials told us that certain HUD regulations were not being applied because NHA has no written guidelines or procedures for project managers to follow. NHA issued procedures in June 1973 calling for an annual reexamination of each tenant's income.

¹ The Housing and Community Development Act of 1974 deleted the requirement for local housing authorities to establish income limits for continued occupancy.

Gila River Housing Authority

Tenant records at GRHA showed that, as of August 28, 1973, 21 of the 232 tenants had incomes exceeding the continued-occupancy limits GRHA established. The acting executive director of GRHA told us that before January 1973 GRHA admitted many overincome tenants and did not charge increased rents because it did not verify the incomes of new tenants to certify their eligibility for public housing. In March 1973 GRHA began charging overincome tenants increased rents.

GRHA had made income verifications for all new tenants occupying units between May 1 through August 28, 1973. GRHA did not admit any overincome tenants during that period. GRHA had generally been periodically reexamining tenant incomes, as HUD regulations required.

ACCOUNTING RECORDS IMPROPERLY MAINTAINED

Accounting records at both housing authorities were improperly kept and/or were incomplete. As of August 1973 at NHA, for example, the most recent postings to general ledgers for its mutual-help and conventional low-rent housing projects were made as of September 30, 1970, and September 30, 1971, respectively. Also, available operating statements pertaining to these projects had many errors and/or were inconsistent with the general ledger.

HUD's mutual-help program gives homeownership opportunities for low-income families on Indian reservations. Under this program, participating families are given equity credit toward homeownership for the labor they contribute toward constructing their homes and also make monthly payments (usually 20 to 30 years) until full homeownership is earned.

HUD procedures require that IHAs keep separate records on each participant to show at any time the amount of the participant's equity. As of August 1973, the most recent entries to the mutual-help program records at NHA were for September 1970.

NHA officials said that a contract for about \$84,000 had recently been awarded to an accounting firm for computerizing NHA's accounting system and bringing up-to-date the postings for the mutual-help and conventional housing programs. HUD approved and provided funds for the contract.

The Controller of NHA gave the following reasons for the inadequate accounting records:

Lack of personnel.

Inadequate training program for accounting personnel.

Lack of assistance from HUD area office.

Rapid turnover of personnel.

Low salaries, which made it difficult to hire trained personnel.

HUD procedures require local housing authorities to keep separate accounting records for housing development costs and the housing projects' operating costs. GRHA had incorrectly recorded all costs incurred during fiscal years 1968 through 1972 as development costs. As of August 1973 GRHA had a contract with an accounting firm for analyzing and allocating accounting data for fiscal years 1968 through 1972. The accounting firm was also converting GRHA's accounting system to a computerized system.

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NHA EMPLOYEES OCCUPYING LOW-RENT HOUSING UNITS

In August 1973, 23 of NHA's 76 employees, contrary to HUD regulations, were living in NHA public housing units. The annual salaries of these employees ranged from \$5,491 to \$13,499.

HUD's regulations prohibit housing authority employees, not otherwise eligible, from living in public housing units unless they get HUD's prior approval. In April 1973 NHA's Board of Commissioners adopted a resolution allowing NHA employees to live in its public housing units. NHA asked HUD to approve the resolution. As of August 1, 1974, HUD had made no decision on this matter.

NHA officials said NHA employees had been allowed to live in the housing units because there was no other suitable housing in the area.

QUESTIONABLE EXPENDITURES OF MODERNIZATION FUNDS

HUD's modernization program, started in fiscal year 1968, was primarily to finance capital improvements, additions, or replacements to public housing property that appreciably extended the useful life of the property (site, structures, or nonexpendable equipment), increased its value or utility, or made it more suitable for its intended use.

In May 1972 HUD approved \$1.2 million for phase 1 of a \$12 million modernization program at NHA. Included in the modernization program budget submitted by NHA and approved by HUD were the following items: Purchase of garbage trucks, four back hoes, and an airplane; construction of a garbage station, a building for management activities, and a building for community social activities; and payment of consultant fees. Before NHA bought the airplane, however, HUD officials told NHA that HUD would not approve the purchase. They also told NHA that \$200,000 for a modernization survey (consultant fees) was not an allowable expense under the modernization program.

NHA, without HUD's approval, purchased a warehouse as a substitute for the management and community buildings and the central office expansion and purchased six front end loaders as substitutes for two back hoes. NHA purchased all other items listed above at a cost of about \$607,000. NHA reported to HUD that the airplane was purchased because it was needed to quickly transport NHA employees to the various housing projects scattered over the reservation.

In April 1973 the Director of HUD's Los Angeles area office told a HUD regional office official, by letter, that NHA had spend modernization funds for certain items that HUD had not approved, while other, more critical, modernization items were not funded. The Director also said that NHA needed capital improvements and requested additional modernization funds. The letter stated, in part, that:

"With respect to Navajo Modernization Phase 1 program, we believe this authority deviated in FY 72 planned expenditure of the \$1,200,000 amount by the inclusion of a central warehouse with an additional cost of over \$200,000. Also, as you are aware, the Modernization survey prepared under contract cannot be considered for use in the same light as working drawings and specifications from which competitive bids can be obtained. As such, we have advised the Navajo Housing Authority that \$200,000 fee for this survey study is not considered an allowable item under Phase 1 of the Modernization program.

"In both instances above, expenditures were carried out by this authority without referral for review and approval from this area office. In order of priority, recent area office engineering surveys reveal, however, that authority still has great need for the improvement of unit insulation to include sealing and insulating the walls of tenant units. To this end, this area office recommended \$580,000 for Navajo FY 1974 requirements. Should modernization funds become available to HUD before the end of FY 1973, we earnestly request your consideration of the recommended amount for desperately needed Navajo housing unit insulation improvements."

As of July 1, 1974, HUD had not allocated any additional modernization funds to NHA.

A HUD headquarter's official told us in August 1974 that HUD was revising its modernization handbook and would strengthen procedures for disbursing funds to minimize unauthorized expenditures.

NEED TO IMPROVE HUD'S MONITORING OF IHA'S ACTIVITIES

HUD's Los Angeles area office provides service to 68 local housing authorities which manage about 36,000 housing units. Of the 68 local housing authorities, 27 are IHAs which manage about 2,500 units during fiscal year 1973. The IHAs are located in southern California, Arizona, and New Mexico. This region encompasses about 50 Indian tribes which account for about 40 percent of the total Indian population in the United States.

HUD's Los Angeles area office has not effectively monitored IHA activities and is not providing adequate assistance or guidance to insure economy and efficiency of operations.

HUD's organizational handbook provides that area offices be responsible for all matters affecting management of housing except servicing of loans and mortgages. These responsibilities include giving local housing authorities assistance, advice, and guidance on management methods and techniques relating to financial matters, tenant occupancy, and property maintenance. HUD's area office review functions, as stated in the organization handbook, include:

- Evaluating, through field study, overall management performance of local housing authority operations and initiating actions to improve and correct deficiencies.

- Evaluating occupancy operations through periodic reviews.

- Periodically making management reviews to determine whether serious problems exist, identifying the causes of any problem, and assisting in resolving them.

Management reviews

As of January 1974, HUD's Los Angeles area office had made a comprehensive review of only 1 of the 27 IHAs under its jurisdiction. This review, made at NHA in November 1971, disclosed many deficiencies in all phases of NHA's management and operation of its housing programs. A HUD official told us in October 1973 that NHA had done little to correct the deficiencies disclosed in HUD's report.

NHA and GRHA officials told us that HUD had given them little assistance or guidance in managing their housing activities.

Budget reviews

Before November 1972, HUD's procedures required a detailed budget review that was broad enough in scope to determine the reasonableness of proposed costs. HUD was to make intensive reviews of local housing authorities' operations, to identify underlying causes of unsound financial situations and propose changes to improve performance. The detailed budget reviews were to be thoroughly documented.

In November 1972 HUD waived its requirements for a detailed budget review for those housing authorities whose boards of commissioners had included approved resolutions in their budgets stating that the budgets had been prepared according to certain HUD criteria. In these cases, HUD's budget review is limited to mathematical verifications of the budget. HUD reported that it had waived the detailed budget reviews to strengthen local responsibility for administering the public housing program by reducing the degree of Federal oversight and to encourage greater management efficiency on the part of housing authorities.

Area office officials told us that the Los Angeles area office's current review of IHA budgets was generally limited to comparing proposed costs and actual costs of the 2 preceding years, to determine whether proposed costs seemed reasonable. They said that usually the IHA did not provide adequate documentation to support estimated cost increases. For large increases, HUD may ask IHA to clarify the reasons for the increases. However, according to HUD officials, they rarely visit an IHA to analyze the basis for estimating increased costs or to analyze the benefits provided in relation to the cost of each item.

Occupancy reviews

The Los Angeles area office had not made detailed occupancy reviews of IHAs' programs. HUD employees responsible for this activity told us that, due to a lack of staff, onsite inspections had never been made nor had monthly occupancy reports from IHAs been evaluated. Area office officials told us in September 1973 that they were formulating procedures to require more frequent occupancy reviews. However, as of August 1, 1974, no procedures had been established and no other occupancy reviews had been made.

HUD area office officials acknowledged that their monitoring of IHAs' activities had been limited and cited these reasons:

Too small a staff to concentrate on IHAs' operations.

Existing staff did not have the qualifications to properly review IHAs' operations.

There were no internal training programs to develop qualified staff.

HUD did not have the authority to require modification of IHAs' operations that could improve performance, increase revenues, and/or lower cost of operations.

In July 1973 HUD's San Francisco regional office reported on the Los Angeles area office's effectiveness in housing management. The report pointed out that a critical situation existed in the Los Angeles area office's Housing Management Division. The report cited the major problems to be poor morale, lack of effective leadership, and a lack of training and expertise to deal with day-to-day work. HUD

area office officials told us in October 1973 that they planned to develop an action plan for correcting the various deficiencies noted in the regional office report, but they had not developed such a plan as of August 1, 1974.

Need for improvement in assigning equity under the mutual-help program

During our survey, we also noted that HUD's guidelines for assigning equity earned by mutual-help program participants permits unfairness in the amount of equity credited to each participant.

HUD issued its latest guidelines on administering mutual-help projects in October 1964. These guidelines provide that, before it develops a mutual-help project, an IHA determine the amount of the equity to be earned by all participants for labor provided and include that equity when estimating the project's development cost. The guidelines provide further that each participant be credited with the average predetermined equity if actual costs are within 5 percent of the estimated development cost.

We believe that these guidelines resulted in the assignment of unequal amounts of equity for labor provided by mutual-help program participants. NHA followed these procedures and credited each participant with the same amount of equity toward homeownership even though the number of hours participants worked differed greatly. For example, on one project the hours participants worked ranged from 208 to 3,020; however, each participant was given a \$1,500 equity credit. For a second project, the hours worked ranged from 1,420 and 2,950 and each participant was given a \$1,500 equity credit.

A HUD headquarters official told us in August 1974 that HUD was revising the guidelines and procedures which related to the Indian housing program and was compiling an Indian housing handbook. He said that unfairness in assigning a participant's equity should be eliminated when HUD issues the new handbook.

FINANCIAL AUDITS OF IHAS BY THE DEPARTMENT OF THE INTERIOR

The Department of the Interior, under an agreement with HUD, makes financial audits of all IHAs. During fiscal years 1973 and 1974, Interior issued audit reports on the activities of 26 IHAs. Many of the deficiencies we discuss in this report pertaining to NHA and GRHA were also identified in Interior's audit reports on other IHAs. Some of the more frequent weaknesses at IHAs identified in Interior's reports were—

- accounting records were inadequate,
- tenants' incomes were not periodically reexamined,
- internal controls over cash were poor, and
- procedures for determining participant's equity in mutual-help projects were inadequate.

CONCLUSIONS

Numerous weaknesses existed in the management and administration of low-rent public housing programs at NHA and GRHA. Also, HUD's Los Angeles area office has not effectively monitored the low-rent public housing programs at IHAs to insure that these programs are being operated and maintained in conformance with statutory requirements and in a manner which promotes efficiency, economy, and serviceability.

Since many of these weaknesses were also identified during audits made by Interior's auditors at other IHAs, it appears that a nationwide management problem exists.

HUD needs to improve its management of IHAs by (1) identifying the existence and causes of IHA's management problems; (2) assisting IHAs in resolving these problems, and (3) improving the management capability of IHA staffs.

RECOMMENDATIONS

We recommend that you:

Insure that the various statutory violations and management weaknesses identified at NHA and GRHA are corrected, especially (1) NHA's admitting ineligible tenants, (2) NHA employees' occupying public housing units contrary to HUD regulations, and (3) GRHA's establishing all tenants' rents in compliance with the 25-percent statutory limitation which at the conclusion of our survey had not been completely corrected or resolved.

Determine whether the airplane NHA purchased is being effectively used for public housing purposes or whether it should be disposed of and the proceeds returned to HUD.

Determine the extent and magnitude of the problems noted in this report as they relate to the activities of other IHAs.

Take necessary actions to monitor IHA's operations so as to insure that IHAs are operated and maintained in conformance with statutory requirements and to promote efficiency, economy, and serviceability. Such actions might include (1) additional staffing and training in HUD area offices for management and occupancy reviews at IHAs, (2) detailed reviews of IHAs' budgets, and (3) improved management capability of IHA staffs.

Consider limiting additional housing units at, or the allocation of modernization funds to, IHAs that (1) knowingly continue to violate Federal legislation governing housing programs and (2) repeatedly fail to act to correct reported management weaknesses.

Insure that guidelines for assigning equity earned by mutual-help program participants are revised to provide that such assignments be made on the basis of participants' actual contributions.

Insure that modernization guidelines are strengthened to minimize the IHAs' purchasing of unauthorized items.

We shall be pleased to discuss any of the above matters with you or the members of your staff.

As you know, section 236 of the Legislative Reorganization Act of 1970 requires the head of a Federal agency to submit a written statement on actions he has taken on our recommendations to the House and Senate Committees on Government Operations not later than 60 days after the date of the report and the House and Senate Committees on Appropriations with the agency's first request for appropriation made more than 60 days after the date of the report.

We are sending copies of this report to your Inspector General, Assistant Secretary for Housing Management, Assistant Secretary for Housing Production and Mortgage Credit, Administrator of the San Francisco Regional Office, and the Director of the Los Angeles area office. We are also sending copies to the Secretary of the Interior;

the Director, Office of Management and Budget; the Chairmen of the House and Senate Committees on Appropriations and Government Operations; the Chairman of the House Committee on Banking, Housing, and Urban Affairs; and the Chairmen of the House and Senate Subcommittees on Indian Affairs, Committees on Interior and Insular Affairs.

Sincerely yours,

HENRY ESCHWEGE,
Director.

Enclosure.

DESCRIPTIONS OF HUD PROGRAMS USED ON INDIAN RESERVATIONS

Conventional low-rent program.—A program where low-income families pay rents up to 25 percent of their adjusted incomes for housing units owned by a local housing authority.

Modernization program.—A program for improving low-rent housing projects by (1) correcting extensive physical deterioration of the site, structures, or equipment, (2) replacing outmoded equipment or outmoded aspects of structures, and (3) improving the grounds, structures, or equipment by alteration or providing additional structures or equipment.

Mutual-help program.—Homeownership program for use on Indian reservations and in remote areas in which a participant earns equity credit toward homeownership by providing labor in constructing the unit, maintaining the unit, and making monthly payments.

Turnkey III program.—A program that enables low-income families to acquire homes under lease-purchase agreements with local housing authorities if they maintain their homes, make the required monthly payments, and remain in the homes for about 25 years.

APPENDIX III

"Indian Housing: A Background Paper,"
by George W. Rucker

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RURAL HOUSING ALLIANCE

INDIAN HOUSING: A BACKGROUND PAPER

BY

GEORGE W. RUCKER

PREPARED FOR

RHA'S 8TH ANNUAL MEETING

RAPID CITY, SOUTH DAKOTA

OCTOBER 1973

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SUMMARY OF "INDIAN HOUSING: A BACKGROUND PAPER"

The 1970 Census reported more than 180,000 Indian households, 55% of them in nonmetropolitan areas. Though Indian households are less likely than other households to be elderly-headed, and more-likely to contain seven or more persons, the median income of Indian households was only 60% that of all households.

As of mid-1973, the Bureau of Indian Affairs reported 106,700 Indian families under its jurisdiction. They were occupying less than 92,000 units, more than 60% of which were rated "substandard." (Almost 15,000 units contained two families -- whatever the housing's quality.) In short, BIA estimated its backlog of housing need at something over 71,000 units -- two-thirds of which must be new construction.

Last year (Fiscal 1973) there were 9,339 new construction starts and rehabilitations in areas under BIA jurisdiction. Due to the increase in Indian families and other factors of change, however, this resulted in a net decrease in housing need among BIA Indian households of only 1,506. In short, last year indicated that 7,800 starts and rehabilitations are needed every year just to stay even. At last year's rate of improvement, it will take nearly 50 years to do the job.

- George Rucker

INDIAN HOUSING: A BACKGROUND PAPER

The 1970 Census reported more than 180 thousand Indian households. Nearly 100,000 of those were outside of Standard Metropolitan Statistical Areas -- making the Indian population far more rural than the population in general. The 80,000 households that are in metropolitan areas are relatively concentrated. More than half are in sixteen of the nation's 243 SMSAs, and more than a fourth (some 22,000 Indian households) are in six SMSAs in California and Oklahoma.

Indeed, as Table I, on the distribution of Indian households, shows, the total Indian population of the country is largely concentrated in a few major areas. Nearly half of the households are in the four states of Oklahoma, California, Arizona, and New Mexico. Roughly two-thirds of the total is in ten states, and of these ten, only three (California, New York; and Texas) have more than half of their Indian population residing in metropolitan areas. In short, Indian housing needs are predominantly, though not entirely, rural housing needs. This is particularly true of those within BIA territory. Here in the Dakotas, for example, more than 98% of the Indian households live in nonmetropolitan areas -- largely on reservations under the jurisdiction of the Bureau of Indian Affairs.

TABLE I

Distribution of Indian Households, 1970, Inside and Outside SMSAs,
Selected States and Regions

	Number of Occupied Units				Distribution of Occupied Units			
	Total	Major SMSAs*	Other Metro	Non-Metro	Total	Major SMSAs*	Other Metro	Non-Metro
CALIFORNIA	24,304	13,823	6,059	4,422	100.0%	56.9%	26.9%	16.2%
ARIZONA	2,809	2,816	--	13,993	100.0%	21.4%	--	78.6%
NEW MEXICO	13,541	1,329	--	12,212	100.0%	9.8%	--	90.2%
WASHINGTON	7,207	2,209	1,166	3,832	100.0%	30.6%	16.3%	53.1%
MONTANA	5,302	--	579	4,723	100.0%	--	10.9%	89.1%
ALASKA	3,301	--	--	3,301	100.0%	--	--	100.0%
OREGON	3,231	--	1,395	1,836	100.0%	--	43.2%	56.8%
COLORADO	2,001	--	1,316	685	100.0%	--	65.8%	34.2%
UTAH	1,899	--	577	1,322	100.0%	--	30.4%	69.6%
NEVADA	1,781	--	644	1,087	100.0%	--	37.3%	62.7%
IDAHO	1,236	--	76	1,160	100.0%	--	6.1%	93.9%
OTHER WESTERN STATES	1,333	--	255	1,078	100.0%	--	19.1%	80.9%
WESTERN REGION	82,895	21,177	12,067	49,651	100.0%	25.5%	14.6%	59.9%
OKLAHOMA	26,709	8,338	1,537	16,834	100.0%	31.2%	5.6%	63.0%
NORTH CAROLINA	9,636	--	1,207	8,429	100.0%	--	12.5%	87.5%
TEXAS	5,119	1,701	2,535	883	100.0%	33.2%	49.5%	17.3%
FLORIDA	1,672	--	1,153	519	100.0%	--	69.0%	31.0%
LOUISIANA	1,192	--	365	827	100.0%	--	30.6%	69.4%
OTHER SOUTHERN STATES	6,858	--	4,036	2,822	100.0%	--	--	41.1%
SOUTHERN REGION	51,186	10,039	10,833	30,314	100.0%	19.6%	21.3%	59.2%
SOUTH DAKOTA	5,713	--	96	5,617	100.0%	--	1.7%	98.3%
MINNESOTA	4,752	2,286	406	2,060	100.0%	48.1%	8.5%	43.4%
MICHIGAN	4,208	1,478	1,031	1,699	100.0%	35.1%	24.5%	40.4%
WISCONSIN	4,199	--	2,127	2,072	100.0%	--	51.7%	48.3%
ILLINOIS	2,958	2,378	330	250	100.0%	80.4%	11.3%	8.4%
NORTH DAKOTA	2,479	--	37	2,442	100.0%	--	1.5%	98.5%

TABLE I (Continued)

Number of Occupied Units

	Number of Occupied Units			Distribution of Occupied Units				
	Total	Major SMSAs*	Other Metro	Non-Metro	Total	Major SMSAs*	Other Metro	Non-Metro
KANSAS	2,128	--	1,042	1,086	100.0%	--	49.0%	51.0%
OHIO	1,889	--	1,679	210	100.0%	--	88.9%	11.1%
MISSOURI	1,616	--	1,156	460	100.0%	--	71.5%	28.5%
NEBRASKA	1,291	--	441	850	100.0%	--	34.2%	65.8%
OTHER NORTH CENTRAL STATES	11,582	--	1,020	562	100.0%	--	64.5%	35.5%
NORTH CENTRAL REGIONS	32,815	6,142	9,365	17,308	100.0%	18.7%	28.5%	52.7%
NEW YORK	7,314	4,753	1,365	1,196	100.0%	65.0%	16.7%	16.3%
PENNSYLVANIA	1,655	--	1,489	166	100.0%	--	90.0%	10.0%
OTHER NORTHEASTERN STATES	4,401	--	3,098	1,303	100.0%	--	70.4%	29.6%
NORTHEASTERN REGION	13,370	4,753	5,962	2,665	100.0%	35.5%	44.5%	19.9%
UNITED STATES TOTAL	180,266	42,111	38,217	99,938	100.0%	23.4%	21.3%	55.4%

Source: 1970 Census of Housing, HC(7)-9, "Housing of Selected Racial Groups"

*Major SMSAs" are the sixteen SMSAs in ten states, each of which reported an Indian population of 5,000 or more. For details, see the Source.

Table II summarizes the national pattern in terms of selected characteristics of Indian housing, as reported in the 1970 Census. One thing it makes perfectly clear is that Indian housing need is dramatically more severe than is that of other groups. In almost every characteristic, Indian housing is far below average.

To begin with, only half of the nation's Indian households own their own homes, while for the rest of the population the proportion is more like two-thirds. To a large extent, of course, this tenure pattern stems from the extremely low-incomes characteristic of Indian households. The median income for them is only 60% as large as the median income for the general population. Nearly one-third of all Indian households reported incomes of less than \$3,000 in the 1970 Census. (In nonmetropolitan areas, almost 40% of the Indian households were in that bottom income category.)

Bad as those figures are, the situation is really worse when put in the perspective of a couple of other factors. In the general population, a significant portion of the poverty is associated with elderly households. The Indian population, though, has distinctly less elderly households than is characteristic of the general population. (Only 15% of Indian households were headed by persons 65 years of age or older, while nearly 20% of all households in the country had elderly heads.) Similarly, low-incomes are frequently associated with small households, but Indian households are generally larger than average -- with a median size of 3.4 persons as compared with 2.7 for the general population. Even more dramatic is the proportion of very large house-

holds. Almost 16% of all Indian households had seven or more members, a percentage more than three times the comparable figure for the nation as a whole.

To give some local perspective to this general pattern, one can look at Table III, reflecting the data for North and South Dakota. As can be seen, median incomes in these states was slightly lower than the national pattern for nonmetropolitan areas. Conversely, the proportion of households containing seven or more persons was distinctly larger than the national average for Indian households.

Against this background, it is hardly surprising to find that almost half of the nation's Indian households occupy units which either lack essential plumbing facilities, or are overcrowded, or both. Of the 77,000 households reported by the Census to be in such units, almost three-fourths were in nonmetropolitan areas, where 57% of the Indian households were inadequately housed, even by this limited measure (which does not consider either the condition of the structure or the proportion of the family's income that is being paid to occupy it).

Once again, to make relative comparisons: the incidence of housing which lacks plumbing facilities or is overcrowded among Indian households is more than three times as high as among all households in the country.

TABLE II

Selected Characteristics of Indian Housing, 1970,
Inside and Outside SMSAs

Selected Characteristics	Inside SMSAs			Outside SMSAs	Total (Metro & Non-Metro)
	In Central Cities	Outside Central Cities	Total Metro Areas		
All Occupied Units	44,257	36,071	80,328	99,938	180,266
Owner-Occupied	13,824	19,632	33,436	56,682	90,118
Renter-Occupied:	30,433	16,459	46,892	43,256	90,148
% Renter-Occupied,	68.8%	45.8%	58.4%	43.3%	50.0%
(Nat'l Avg-% Renter)	[51.0%]	[29.7%]	[40.5%]	[29.6%]	[37.1%]
Age of Units: 10 yrs. or Less	6,330	10,096	16,426	28,130	44,556
10 to 30 yrs.	15,225	15,263	30,488	31,405	61,893
30 yrs. or Older	22,702	10,712	33,414	40,403	73,817
% 30 yrs. or Older	51.3%	29.7%	41.6%	40.4%	40.9%
(Nat'l Avg-% 30 yrs.)	[48.0%]	[27.8%]	[37.7%]	[46.7%]	[40.5%]
Quality: Units Lacking Plumbing	2,813	4,642	7,460	39,945	47,405
% Lacking Plumbing	6.4%	12.9%	9.3%	40.0%	26.3%
(Nat'l Avg-% w/o Plumbing)	[2.9%]	[2.9%]	[2.9%]	[11.4%]	[6.5%]
Units w/Plumbing but Crowded*	6,927	5,375	12,302	17,300	29,602
% w/Plumbing but Crowded*	15.2%	14.9%	16.3%	17.3%	16.4%
(Nat'l Avg-% Crowded)	[7.9%]	[6.3%]	[7.1%]	[6.4%]	[6.8%]
Units w/Plmg, Severely Crowded**	1,968	1,552	3,520	7,199	10,719
% w/Plmg, Severely Crowded**	4.4%	4.3%	4.4%	7.2%	6.9%
(Nat'l Avg-% Severely Crowded)	[2.0%]	[1.1%]	[2.8%]	[1.3%]	[1.5%]
Household Income: Under \$3,000	11,054	7,711	18,765	38,652	57,417
\$3,000 - \$5,999	11,129	7,643	18,772	26,780	45,552
\$6,000 - \$9,999	11,693	9,318	21,211	21,241	42,452
\$10,000 - \$14,999	7,061	7,491	14,552	9,626	24,178
\$15,000 and Over	3,120	3,908	7,028	3,639	10,667
Median	\$ 6,000	\$ 7,100	\$ 6,500	\$ 4,200	\$ 5,100
(Nat'l Median)	[\$ 7,900]	[\$10,300]	[\$ 9,100]	[\$ 6,800]	[\$ 8,400]
Household Size: 1 person	9,825	5,026	14,851	13,535	28,386
2 persons	11,059	8,673	19,732	18,465	38,197
3-4 persons	13,349	11,601	24,950	27,037	51,987
5-6 persons	6,745	7,058	13,803	19,680	33,483
7 or more persons	3,279	3,713	6,992	21,221	28,213
Median	2.7	3.2	2.9	3.8	3.4
(Nat'l Median)	[2.4]	[3.0]	[2.7]	[2.7]	[2.7]
% 7 or more persons	7.4%	10.3%	8.7%	21.2%	15.7%
(Nat'l % 7 + persons)	[4.8%]	[8.1%]	[4.8%]	[6.7%]	[6.1%]
Age of Household Head: Under 35	18,449	12,236	30,685	29,038	59,723
35 to 44 years	8,605	7,746	16,351	20,607	36,958
45 to 64 years	12,126	11,650	23,776	32,763	56,539
65 and over	5,077	4,439	9,516	17,530	27,046
% w/head under 35	41.7%	33.9%	38.	29.1%	33.1%
(Nat'l % w/head under 35)	[28.8%]	[26.5%]	[28.8%]	[23.5%]	[26.7%]

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Source: 1970 Census of Housing, HC(7)-9, "Housing of Selected Racial Groups," HC(7)-1, "Housing Characteristics by Household Composition," and HC(2)-1, "Metropolitan Housing Characteristics."

[] Bracketed data are comparable figures for the total population, including all races and ethnic groups.

* "Crowded means more than 1.00 persons per room.

** "Severely Crowded" means more than 1.50 persons per room.

TABLE III

Indian Housing in the Dakotas, 1970

	<u>South Dakota</u>	<u>North Dakota</u>
Occupied Units by Household Income:		
Under \$3,000	2,425	876
\$3,000 to \$5,999	1,802	764
\$6,000 to \$9,999	833	538
\$10,000 to \$14,999	484	221
\$15,000 and over	169	80
All Incomes	5,713	2,479
Median	\$3,900-	\$4,000
Quality of Housing:		
Units Lacking Plumbing (% of All Units)	2,580 (45.2%)	1,176 (47.4%)
Units w/Plumbing but Crowded (% of All Units)	1,287 (22.5%)	511 (20.0%)
(Severely Crowded Units) (% of All Units)	581 (10.2%)	196 (7.9%)
Household Size:		
1 or 2 persons	1,548	637
3 or 4 persons	1,433	624
5 or 6 persons	1,245	546
7 or more persons	1,487	672
(% of All w/7 + persons)	26.0%	27.1%

Source: Census of Housing, 1970, HC(7)-9, "Housing of Selected Racial Groups."

It is worth emphasizing that these are national patterns. In some places the picture is not so bleak, while in others it is even worse. The Dakotas fall into the latter category. As Table III shows, more than two-thirds of the Indian households in these two states occupy units which lack plumbing, are overcrowded, or both.

The 1970 Census figures are depressing enough, but the annual housing inventory prepared by the Bureau of Indian Affairs, indicates that things are a good deal worse even than that -- at least among the Indian households for which BIA is responsible. Table IV summarizes the data from the most recent mid-year inventory, released just last week.

As of June 30th, the BIA reported nearly 92,000 occupied housing units under its jurisdiction. Less than 40% of those were rated as "standard" in quality. Moreover, nearly 15,000 units (about one-sixth of the total) were housing two families. Put another way, there were less than 36,000 adequate houses available to nearly 107,000 Indian families. The situation is reported to be worst at the Navajo Office, where less than 13% of the families have adequate housing. It is evidently least bad in the area administered by the Billings office, though even there no more than 55% of the families have adequate housing.

Of the total need indicated by these figures, BIA estimates that roughly one-third can be met by upgrading existing housing through rehabilitation. The other two-thirds (including that represented by the "doubled up" families) will require new construction. The Navajo Office is the only one in which rehabilitation can be expected to meet

TABLE IV
HOUSING CONDITIONS FOR INDIANS UNDER BIA JURISDICTION, MID-1973

BIA Offices	Total No. Families	No. Standard Units	No. Substandard Units	Families "Doubled Up"	Total Need as Percent of Families	New Units Needed	Rehab's Needed
Aberdeen	10,546	4,697	4,353	1,496	55.5%	4,739	1,110
Billings	6,071	3,335	2,269	467	45.1%	1,861	875
Minneapolis	3,283	1,685	1,409	189	48.7%	1,092	506
North Central Total	19,900	9,717	8,031	2,152	51.2%	7,692	2,491
Anadarko	5,373	1,401	2,617	1,355	73.9%	2,398	1,574
Muskogee	16,052	7,171	5,547	3,334	55.3%	7,044	1,837
Albuquerque	8,349	3,180	2,841	2,328	61.9%	3,332	1,837
Navajo	23,801	3,126	19,242	1,433	86.9%	7,324	13,351
Phoenix	9,644	3,193	5,309	1,142	66.9%	6,025	426
Southwest Total	63,219	18,071	35,556	9,592	71.4%	26,123	19,025
Juneau	12,550	2,751	8,503	1,296	78.1%	9,209	590
Portland	6,116	3,331	1,951	834	45.5%	1,804	981
Sacramento	2,149	518	1,080	551	75.9%	1,260	371
Pacific Total	20,815	6,600	11,534	2,681	68.3%	12,273	1,942
Southeast Agency	2,768	1,153	1,226	389	58.3%	1,084	531
U.S. TOTAL	106,702	35,541	56,347	14,814	66.7%	47,172	23,989

Source: "Consolidated Area Housing Inventory."

a majority of the needs. At the other extreme are the areas under the Juneau and Phoenix offices, where more than 90% of the estimated need will require new construction.

Over all, this year's figures indicate some improvement from last year's, when total housing need amounted to 71% of the total number of families. In the intervening year the number of standard units was increased by almost 5,400 and the number of substandard units reduced by nearly 2,000 (the number of "doubled up" families decreased by less than 50, however). It is again necessary to point out, though, that this reflects a national average. In four of the twelve offices (the Southeast Agency, the Minneapolis, Anadarko, and Navajo Offices) total housing need reportedly increased during Fiscal 1973, and the Juneau Office reports no change in its net housing need. At best, a comparison of last year's inventory and this year's indicates that the rate of improvement registered over the last year would require nearly five more decades to eliminate housing need in BIA areas.

If one compares the mid-'73 inventory with that in mid-1970, things are still worse, with total need nationwide having gone up over the three years -- a pattern characteristic of seven of the twelve individual offices. (The Navajo Office figures indicate the greatest retrogression, with total need reportedly almost tripling over the three years.) It is not possible that this evident deterioration in the situation is largely a statistical matter, though. A General Accounting Office investigation in 1970-71 concluded that BIA estimates of housing need were inadequate and this reportedly led to a more

careful preparation of the mid-year inventory thereafter. Thus, the situation may not have deteriorated since 1970, it may just have been worse than had been indicated prior to 1971, and later inventories revealed a situation that had existed all along. Since we don't know how much of the 1970-73 differences to attribute to improved information and how much to actual change in the situation, we can only conclude that current progress in Indian housing is slow at best and perhaps even nonexistent.

This is not to say that there has been no housing activity. As Table V sets forth, the BIA reports the rehabilitation of more than 14,000 units and the construction of more than 16,000 new units during the last three fiscal years. (A substantial part of the latter activity, however, was required just to meet new family formations, since the total number of Indian families under BIA jurisdiction went up by almost 11,500 in that three year period.)

On the new construction side, public housing financing was utilized for 70% of the units -- hardly a surprising fact considering the dismal incomes of Indian households. More than half of those public housing starts were under the Mutual Help program. Rehabilitation of BIA housing is largely financed by the agency's Housing Improvement Program (HIP financing accounts for 90% of the rehabilitations reported in Table V).

There are great variations among the various offices in the utilization of the programs. Mutual Help dominates the picture at the Anadarko, Albuquerque and Muskogee Offices, but is little used in the Dakotas, Alaska, or on the West Coast. The HIP program is clearly the favored instrument of policy at the Navajo Office (which

accounts for one-fourth of all HIP-financed rehabilitations during the period and for nearly one-third of HIP-financed new construction). At the Anadarko and Phoenix Offices, HIP is used for rehabilitation but very little for new construction. To what extent these variations stem from differences in local situations and to what extent they reflect vagaries of administrative preference at the local level is not known.

Finally, it is of interest to compare housing activity reported by BIA with housing need as they estimate it. Given the presumed differences in costs involved, it is probably not surprising that rehabilitation gets the greater relative attention. The number of units repaired during Fiscal '73 was about one-fifth of the number estimated at the beginning of the year as in need of repair. New construction starts during that year amounted to only one-tenth of the number estimated as required in mid-'72. (This does not imply that total needs for new units would thus be met in ten years, since, as indicated, new family formation requires a substantial amount of new construction each year regardless of need existing at the beginning of the year.)

This relative "favoritism" for rehabilitation is characteristic of every office, though it is least marked in the Oklahoma Offices. It is greatest at the Aberdeen, Phoenix and Sacramento Offices.

Of more interest, probably, is the comparison of total housing activity with estimated need. This can be misleading, though, because it makes no allowances for changes during the year. Thus, the offices showing the highest levels of activity during Fiscal '73

TABLE V

CONSTRUCTION & REHABILITATION STARTS IN BIA AREAS

FY '71 thru FY '73

Bia Office	Mutual Help	Other, Public		HIP Constr'n	Other		Total New Constr'n	HIP Repairs	Other Repairs	Total Repairs
		Housing			New	Constr'n				
Aberdeen	120	1,930		78	158		2,286	1,325	7	1,332
Billings	299	525		97	156		1,077	771	33	804
Minneapolis	30	603		129	30		792	836	30	866
North Central Total	449	3,058		304	344		4,155	2,932	70	3,002
Anadarko	1,224	50		4	9		1,287	776	54	830
Muskogee	1,830	744		69	346		2,989	642	--	642
Albuquerque	1,122	120		6	3		1,251	1,452	--	1,452
Navaajo	270	180		532	1,163		2,145	3,243	689	3,932
Phoenix	675	405		304	131		1,515	1,395	19	1,414
Southwest Total	5,121	1,499		915	1,652		9,187	7,508	762	8,270
Juneau	126	315		197	679		1,317	579	229	808
Portland	98	335		45	433		911	660	231	891
Sacramento	--	--		236	7		243	865	50	915
Pacific Total	224	650		478	1,119		2,471	2,104	510	2,614
Southeast Agency	290	92		10	23		415	252	10	262
U.S. TOTAL	6,084	5,299		1,707	3,138		16,228	12,796	1,352	14,148

Source: BIA, "Bureau-Wide Consolidation, Construction Starts"

relative to estimated needs at the beginning of the period were Minneapolis and Sacramento. But despite this, the number of units reported as needed by the Minneapolis office was greater at the end of the year than before! Net improvement in Sacramento was not spectacular.

Looked at in terms of this net improvement over the last year then, the Muskogee Office had the best record during FY '73 and the Aberdeen Office would rank second. (Before Dakota chauvinism rears its head, however, it should be pointed out that the Aberdeen Office is one of the two [Albuquerque is the other] reporting a decline in the total number of Indian households.) The least relative improvement -- or, to be more accurate, the greatest relative retrogression during Fiscal '73 -- was reported by the Southeast Agency, where total need increased by 17% during the year. The Minneapolis Office was next with a 10% net increase in housing need during FY '73.

In short, last year's 9,339 starts and rehabilitations secured a net reduction in BIA housing need of only 1,506 units. This means, if last year's was a typical pattern, that more than 7,800 starts and rehab's are required each year just to "stay even." If the backlog of need is to be eliminated within a decade, it will require nearly twice the current level of housing activity in BIA areas. It will also require reallocation of resources, both as to programs and areas, to secure a better match between need and response.

George Rucker, Research Director
Rural Housing Alliance

APPENDIX IV

"Indian Housing: 1961-1971, a Decade of Continuing Crisis,"
by Arnold C. Sternberg and Catherine M. Bishop

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INDIAN HOUSING: 1961-1971, A DECADE OF CONTINUING 'CRISIS'

ARNOLD C. STERNBERG**

CATHERINE M. BISHOP***

More than a decade has passed since the existence of a housing problem among the Indians¹ was first recognized by the federal government. Despite this recognition, housing conditions for the vast majority² of Indians have not improved and it is questionable whether the situation will change substantially in the coming decade.

The purpose of this article is to review a number of the reports issued since 1961 regarding the condition of Indian housing—including a brief description of the major programs, to evaluate the response of the federal government to those reports, and to comment upon the present ability of the federal government to solve the Indian housing problem.

A review of the reports and recommendations that have been made in the past ten years regarding Indian housing reveals that many of the problems that were recognized in the early sixties still exist today. Despite the chronic state of Indian housing some of the problems emphasized by the reports have been solved or alleviated. But the full impact of such solutions has not been realized

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1. For the purposes of this article, the term Indians includes Alaskan Natives, Aleuts and Eskimos. Unless otherwise specified the term also refers to those Indians that live on or near restricted land areas—more commonly referred to as reservations. This is a commonly accepted definition. For example, the service population of the Bureau of Indian Affairs "includes the various reservations . . . [and] Indian lands and communities such as Nevada Colonias, California Rancherias, New Mexico Pueblos and communities and . . . the former Oklahoma Reservation areas." *Hearings before a Subcomm. of the Comm. on Appropriations, 91st Cong., 2nd Sess. 1929 (1970)*. According to the 1971 U.S. Census there are 826,869 Indians including Aleuts and Eskimos. The BIA and IHS estimate that about 460,000 Indians live on or near reservations.

2. The consolidated FY-71 Area Housing Inventory estimates that there are 18,358 existing homes. 24,725 of the housing units need replacement, 20,729 need renovating, 4,184 are lacking one or more utilities and 15,195 families need new housing due to overcrowding. The total need for replacement of new and repaired homes is 74,763.

in the form of new and better housing since the majority of the housing problems are interrelated. A partial solution in one program area has little or no effect upon the end product of increasing the standard housing supply for Indians.

The ineffectiveness of partial responses by the federal government is further exacerbated in the case of the Indians because of the involvement of a minimum of three agencies³ in every housing project, and because of the various cultures and traditions of the American Indian.⁴

In 1961, a Task Force on Indian Affairs appointed by Secretary Udall recognized (in 3 pages of a 77-page report) the magnitude of the Indian housing program and the apathy of both the Indians and the federal government in providing a solution to the substandard condition of Indian housing.⁵ The Task Force briefly summarized its findings and suggested that the existing federal housing programs could be utilized to solve the dire Indian housing need, provided that certain problems could be solved. The federal loan programs, i.e., Federal Housing Assistance (FHA), Veterans Administration (VA) and Farmers Home Administration (FmHA), could be effective on the reservations if it were not for the fact that the high rate of unemployment made the establishment of "credit worthiness" difficult, if not impossible. Further, the need on the reservations was for new units, not repairs, and there were restrictions on alienation which complicated mortgage financing. The particular problems of implementing the FmHA loan program were not discussed because there was no contact recorded by the Task Force between the Indians and that agency.⁶ The public housing program was just beginning on the reservations and its expansion (especially the self-help home ownership program) was encouraged. Finally, to bring the benefits of the various federal programs to the Indians, the Task Force recommended that the Bureau of Indian Affairs (BIA) establish a Housing Branch within the Bureau.

In October of 1966, the BIA again reviewed the Indian housing problem. The growing recognition of the problem is easily seen by reference to the mere size of the report—133 pages. This report

3. The supplier, or guarantor, depends generally is the Department of Housing and Urban Development, Housing Assistance Administration (HUD, HAA); but may also be Farmers Home Administration (FmHA); HUD, Federal Housing Administration (HUD, FHA); Veterans Administration (VA) or the Department of Interior, Bureau of Indian Affairs (DOI, BIA); the builder of streets and roads is generally DOI, BIA but may be HUD, HAA, and the supplier of water and sewage facilities generally is the Department of Health, Education and Welfare, Indian Health Services (DHEW, IHS) and may be HUD, HAA.

4. It has been said that the only thing Indians have in common is poverty.

5. The Report did not expand upon the statement concerning the apathy of the Indians. However, the lack of involvement of the federal government was documented with respect to each responsible agency. Report to the Secretary of the Interior by the Task Force on Indian Affairs, July 10, 1961, at 36.

6. Id., at 38.

enumerated and refined many of the same problems listed in the 1961 report. The magnitude of the need was the major theme of this report. Between 1963 and 1966 the need had been more clearly defined as a result of a survey on 69 reservations by tribal housing authorities. From this survey, the BIA estimated that 30 per cent of the housing was "unfit for human habitation," 65 per cent was grossly substandard and that a maximum of 5 per cent was able to meet minimum FHA low cost housing standards. In the report, the BIA admitted that the housing need figures were just an estimate and that the precise magnitude of the need could be distorted due to "... the lack of a common definition of adequacy and ... the subjectivity of the appraisers."

The potential of the loan programs was again recognized, as was their major obstacle for Indians, which was the requirement of "credit-worthy" recipients. Also the importance of public housing as a solution to the Indian housing problem was stressed. But the difficulties involved in the public housing program were also enumerated. They included (1) the high cost for low rent housing;

7. Appendix D, Indian Housing - Needs, Alternatives, Priorities and Program Recommendations, BIA, October, 1966 at 2, [hereinafter referred to as Appendix D].

8. Appendix D, at 35. The Report suggested that the BIA should "take the initiative in developing, with the cooperation of the Public Health Service and the housing agencies, a definition of adequacy for housing which would take into account not only such factors as health, safety and protection from the elements, but also the physical and cultural environments in which the houses are located and the conditions of the Indians who occupy them." Id. at 10.

9. As can be seen by these figures the income levels required by the programs prohibit participation by the vast majority of Indians. The tables below concentrate on three regions of Indian settlement: the Pueblos in New Mexico, the Navajo Reservation, and native villages in Alaska, excluding the Aleuts and the people of the southeast panhandle and of the "north slope" region. These areas encompass 49% of the total Indian population.

TABLE 44: MINIMUM AND MAXIMUM INCOMES REQUIRED FOR ELIGIBILITY IN EXISTING HOUSING PROGRAMS

HOUSING PROGRAM	FAMILY INCOME*					
	Navajo		Pueblo		Alaska**	
	min	max.	min	max.	min	MAX.
HIP (all categories)	0	6400	0	3000	0	NA
Mutual-Help	2000	6200	1000	4800	0	\$200
Turnkey	2000	6200	2000	6000	0	\$200
Low-Rent	2000	6600	1200	4800	0	\$200

* Maximum and minimum incomes are correlated with maximum and minimum family size.

** In Alaska, the BIA or GSA does, in most programs, subsidize a minimum required housing payment when the family's income will not support it. Thus, a family with negligible cash income may still participate. Current HUD-approved income limits for public-assisted housing range from \$5100 for one person to \$8300 for eight or more.

TABLE 45: PERCENT OF FAMILIES ELIGIBLE TO PARTICIPATE IN HOUSING PROGRAMS, BY REGION

HOUSING PROGRAM — Percentage of Family Eligible by Income to Participate in Program	Program		
	Navajo	Pueblos	Alaskan
HIP (all categories)	82%	40%	90%
Mutual-Help	41	50	90
Turnkey	41	10	90
Low-Rent	38	10	90

A Self-Help Housing Process for American Indians and Alaskan Natives, prepared by

(2) the extremely long construction time for mutual self-help; (3) the failure of many small groups to qualify for the establishment of housing authorities; (4) the absence or shortage of Indian managerial ability; (5) the resistance of the Indians to clusterhousing; (6) the desire of HUD, HAA to maintain high standards; and (7) the high wages paid to construction workers.¹⁰

The additional recommendations proposed in this report include such factors as the need for increasing Indian employment along with the improvement of housing; the importance of Indian contributions, monetary or manual, toward the construction of housing; the need for evaluating the unique environmental and aesthetic standards of the Indian communities prior to the construction of housing; the failure of existing programs to consider the Indians' ability to maintain the new and improved homes, and their inexperience in managing housing authorities; the need for housing for large families; and, finally, the commitment toward relocating employable Indians in better homes off the reservation.¹¹

By the mid-sixties, the grossly substandard condition of Indian housing had gained recognition by governmental officials outside of the federal agencies directly responsible for the Indian housing program. President Johnson, at the swearing-in ceremony for BIA Commissioner Bennett in April of 1966, cited the critical shortage of housing among the Indians and estimated that 90 per cent of the existing housing was substandard. A report by a staff member of the Senate Appropriations Committee discussed the Indian housing problem and stated that 82 per cent of the available housing for families was substandard.¹²

The Report by the President's National Advisory Commission on Rural Poverty, *The People Left Behind*, compared the housing conditions of Indians to the other minorities and found that the conditions were worse for Indians than any other minority group in the United States. The Commission estimated that three-fourths of the houses were "below minimum standards of decency, . . . grossly overcrowded . . ." and more than half, "too delapidated to repair."¹³

This report again recapped the major problems that prevented a solution to the housing problem. Among other factors, they noted:

Organization for Social and Technical Innovation, Inc. and Association on American Indian Affairs, June, 1970.

10. Appendix D, at 27-28.

11. Much of this Report is not generally relied upon by the BIA because of the emphasis in the Report on the comparative cost to the BIA of relocation off the reservation vs. welfare payments to be paid to a family if they remained on the reservation.

12. Some reservations were excepted from this high percentage rating. Marnie L. Mizen, Professional Staff Member, Senate Appropriations Committee, 1965-66. Federal Facilities for Indians, Tribal Relations with the Federal Government Report.

13. *The People Left Behind*, a Report by the President's National Advisory Commission on Rural Poverty, September, 1967, at 99.

[T]he high construction cost of low-rent housing and the indifference to its upkeep by its renters, the long construction period for mutual self-help housing, the difficulty of small groups in qualifying as housing authorities, and the dearth of Indian managerial ability. Conventional loans are available to very few Indians.¹⁴

In October, 1971, the General Accounting Office released a comprehensive report on the condition of Indian housing.¹⁵ The report took more than two years to complete and involved an exhaustive on-site investigation of housing projects, interviews with occupants, tribal housing authorities and administrative field personnel, as well as an examination of applicable federal laws, and BIA and HUD administrative policies.¹⁶ The findings, conclusions and recommendations of this report were substantially similar to the findings, conclusions, and recommendations of the preceding reports.¹⁷ The primary conclusion of the report was that the goal of the BIA "to eliminate substandard Indian housing on reservations in the 1970's will not be achieved unless the program is accelerated substantially,"¹⁸ and, if not, thousands of Indian families will continue to live under severe hardship conditions. More importantly, the report indicated that the failure to reach the projected goal was the result of not meeting the yearly established goal of 8,000 new and renovated homes,¹⁹ the inadequate assessment of the total Indian housing need on the reservations,²⁰ and poor design and construction of many of the new units which rendered them substandard.²¹

The report recommended that an accurate and comprehensive

14. *Id.* at 106-107.

15. The GAO Report was made pursuant to the Budget and Accounting Act of 1921, 21 U.S.C. § 53 (1970), and the Accounting and Auditing Act of 1950, 31 U.S.C. 67 (1970). The report was initiated by GAO and was not in response to a Congressional request.

16. Report to the Congress, *Slow Progress in Eliminating Substandard Indian Housing* by the Controller General of the United States, October 12, 1971, at 6 [hereinafter referred to as GAO Report].

17. The documentation, independence and comprehensiveness of this report, however, is far superior to the prior reports.

18. GAO Report, at 10. The BIA's objective of eliminating the substandard condition of Indian housing is mentioned in *Hearings Before a Subcomm. of the Comm. on Appropriations of the Senate, 91st Cong., 2nd Sess. 2085* (1970). This commitment is a reflection of the National Housing Goals in which Congress determined that a "decent home and suitable living environment for every American family . . . can be substantially achieved within the next decade . . ." 42 U.S.C. § 1441a (1970).

19. Memorandum of Understanding signed by William H. Stewart, Acting Assistant Secretary for Health Scientific Affairs, Department of Health, Education and Welfare on March 17, 1969 and by Lawrence Cox, Assistant Secretary for Renewal and Housing Assistance, Department of Housing and Urban Development on April 4, 1969 and Harrison Loesch, Assistant, Public Land Management, Department of Interior on April 15, 1969, at 19.

20. Housing needs were generally determined by desk estimates based on insufficient data. For example, Pine Ridge Reservation inventories showed an increase of 245 homes between 1966-1968 but no homes were constructed during that period. On the Yakima Reservation 22 houses were built in 1969 yet the inventory estimated a 500 house increase. GAO Report, at 10 and 24.

21. GAO Report, at 21-22.

identification of the Indian housing needs could be achieved by coordinating the existing surveys of BIA, HUD and IHS and by establishing uniform guidelines to be used in periodic surveys, and by including other relevant factors such as family migration, adjacent off-reservation Indian populations,²² housing deterioration,²³ and family size and income.²⁴

The report also noted that care should be taken to assure that new or renovated units were not included in the survey as standard unless the minimum HUD standards were met.²⁵

The problem of faulty design and defective or incomplete construction of the new housing units was severely criticized by the report. The investigators found that of 24 projects visited, 25 reservations had design or construction defects in some or all of the units. The reasons for the defective conditions include the tri-agency (HUD, BIA and IHS) involvement (which resulted in undefined areas of responsibility), a lack of coordination in planning and development, and a lack of compliance with deadlines.²⁶ Also mentioned was the failure to consider the unique environmental conditions.

Failure to complete construction was noted, particularly with the mutual-help housing projects. However, there were documented cases of five housing programs other than mutual-help that were also not completed.²⁷ Another problem with the mutual-help projects was the lengthy construction period which averaged 19 months.²⁸

The design and construction defects were found to be exacerbated by poor maintenance.²⁹ Despite the realization of this problem,

22. 4 out of 10 families on the Swimomish Reservation previously lived off the reservation. Some families at Rosebud had also returned to the reservation to occupy the new homes. And there is information to the effect that at the Lummi, Pine Ridge, and Cheyenne Reservations, some families living off the reservation will return as soon as housing is available. GAO Report, at 27.

23. HUD, on a national basis, estimated that 2.2 million housing units considered adequate in 1967 would be substandard within 10 years. GAO Report, at 27.

24. See note 9 supra.

25. 51 of the 32 new or renovated homes on the Rosebud, Pine Ridge and Cheyenne River Reservation were classified by the BIA as standard but were in fact substandard according to the minimum HUD criteria. GAO Report, at 23.

26. The lack of coordination was not limited to inter-agency communications. The HUD financed Cheyenne River Reservation project, for example, discovered a defect in the attic vents in 1965, yet in 1966 and again in 1968, HUD authorized the design and construction of units, on the Rosebud Reservation, with the same defect. GAO Report, at 50. A HUD official has also said that due to the lack of coordination between Management and Production, Housing Production may allocate new housing units to LEHA, having no knowledge of whether the particular authority is operating smoothly, or has sizeable tenant accounts receivable, or possesses the necessary management skills. Inter-agency problems resulted in water pipes being installed improperly causing them to freeze and break, and paved streets not being provided, resulting in roads becoming impassible in the winter. The estimated cost of providing streets at Rosebud was \$1,611,000 and at Yakima \$25,000. GAO Report, at 62.

27. GAO Report, at 62. According to HUD four of the five projects were contracted to the LEHA, not a conventional bid contractor.

28. GAO Report, at 55.

29. In about 1/3 of the homes visited by the GAO inspectors, deferred maintenance and poor house-keeping had contributed to the deterioration. Of the 322 new or renovated homes that were inspected, 100 homes needed repairs or adjustment of the

HUD and the BIA had provided few inspections and limited assistance to the families involved.³⁰ The reasons cited by LHA and BIA officials for Indian family maintenance and housekeeping problems were low incomes, unpreparedness for exposure to modern living, and the low priority of home maintenance to other family needs.³¹

AGENCY PROGRESS IN THE SIXTIES

Despite the fact that during the sixties actual housing construction for Indians amounted to "about 1,000 to 1,500 units annually, [which did] not even keep pace with deterioration, decay and population growth,"³² a few administrative and legislative changes occurred in partial response to the various reports, which could have facilitated the elimination of substandard housing on the Indian reservations.

1. Bureau of Indian Affairs

The Bureau of Indian Affairs (BIA) did establish a special division with the express objective of improving Indian housing by assisting Indians in obtaining funding from various federal housing programs. In 1965, the Housing Development Program³³ received funds through the Housing Improvement Program (HIP) to do limited repairs and construction on houses of Indians who were unable to receive assistance from other sources.

It was the housing division that in 1966 made the first estimates of the Indian housing need.³⁴ Another survey of need was taken in 1968 because the 1966 guidelines were "rather loosely formulated . . . and consequently reflected much too low a need. . . ."³⁵ Yearly surveys have been taken since that time.

heating or ventilation, 90 needed repairs of the water or plumbing, 90 needed electrical repairs, 140 needed paint or stain on the exterior walls, 50 needed roof repairs, 170 needed interior repairs or paint and 180 were found to have solid waste debris that was a health or safety hazard. GAO Report, at 21-22.

30. The GAO Report cited examples of effective home maintenance assistance at two projects at Nez Perce Reservation, Idaho. GAO Report, at 27.

31. Query whether reason one and three are not one and the same. If funds are limited and a family has a roof over its head other needs such as food and clothing naturally take precedence.

32. *The People Left Behind*, *supra* note 12, at 99. BIA statistics for FY 62-70 show a total of 11,874 new homes built from every source and 7,222 homes repaired.

33. Note that the BIA has two line items for housing assistance: the Housing Development Program which provides staff positions and limited LHA management and tenant training; and the HI Program which provides funds for actual home repairs and new home construction.

34. 1,192 houses were built and 7,222 repaired between FY 62-70 with HIP money.

35. See note 7 and accompanying text, *supra*.

36. *Hearings Before a Subcomm. of the House Comm. on Appropriations*, 92nd Cong., 1st Sess. 1260 (1971). The housing needs in 1966 showed 57,490 families needing housing; in 1962, 62,264 families and in 1969, 62,061; and 1970, 60,411.

Initially, the HI Program funds³⁷ were allocated to new dwellings for Indians who could not afford, or participate in, other federal programs—typically the elderly.³⁸ Sometime in 1967-1968, the BIA decided to modify the program and emphasize repairs rather than the construction of new homes. The Indian tribes reportedly were also involved in the planning and use of these funds.³⁹

The HUD, HAA housing programs were extended to the Indian reservations in 1961.⁴⁰ Although applications were received and dwellings built, the formal agreements between the BIA and HUD outlining each agency's responsibilities were not signed until 1968 for the mutual-help⁴¹ and conventional low-rent programs.⁴² The agreements in general required HUD to aid the tribal governments in qualifying for assistance, to assist the LHA with all the procedures necessary for obtaining funding—including assistance with site selection, preliminary loan contracts, ACC formulations and funding, etc., to provide training in development and management procedures for LHA and BIA staff, to provide on site construction inspections, and to approve each project from the standpoint of minimum health, safety and occupancy standards. Some of the responsibilities of the BIA are as follows: assisting the LHA in meeting the requirements established by HUD—including site selection, sample surveys, data on financial feasibility, soil investigation, title evidence, etc. For mutual-help the BIA was to designate a representative and provide adequate construction services including inspections, cost control, and training programs for the participants. In addition the BIA was responsible for encouraging, within the limits of economy and feasibility, the use of locally developed materials. Subject to BIA approval and if the LHA was incapable of the responsibility, the BIA assumed some management and administrative responsibilities for the public housing units. The BIA was to perform fiscal audits,

37.	Fiscal Year	Appropriated Funds
	1966	600,000
	1966	1,000,000
	1967	1,000,000
	1968	1,080,000
	1969	2,671,000
	1970	6,711,000
	1971	6,662,000
	1972	9,164,000
	Requested 1973	9,673,000
Available figures for the Housing Development Program are:		
	1971	2,220,000
	1972	2,422,000
	Requested 1973	2,376,000

38. *Hearings Before a Subcomm. of the House Comm. on Appropriations, 90th Cong., 1st Sess. 622 (1962).*

39. *Id.*

40. The Public Housing Authority received 4 housing applications from two Indian tribes in South Dakota (the Kyle-Oglala for 15 units and Pine Ridge for 114 units) in August, 1961.

41. See letter to Philleb Nash, Commissioner of the BIA, from Marie C. McGuire, Commissioner of the PHA, May 29, 1963.

42. See Agreement Concerning Conventional Low-Rent Housing on Indian reservations,

certify to PHA that the low-rent character of the project was being maintained, and take any steps necessary to correct the deficiencies found, as well as furnish annual reports to the PHA covering all phases of the PHA-assisted housing programs.

The agreements in effect provided the BIA personnel would carry out certain functions normally accomplished by the HUD staff. This division of responsibility, however, did not work effectively and serious management problems arose in late 1966.⁴³ Accordingly the management functions were returned to HUD and a plan for financial reimbursement between the two agencies was established. The BIA was to reimburse HUD up to \$147,000 for the two years of 1968-1969. This arrangement also failed. Other proposals were made with the final result being the refusal of the BIA to renew the reimbursement agreement. Discussions followed after which Secretary of Interior Walter Hickle recommended changes in the agreement.⁴⁴ The reply from George Romney, Secretary of HUD,⁴⁵ suggested a comprehensive review of the entire inter-agency agreement, which to date has not occurred.

During the time that the two agencies have been negotiating to re-negotiate agreements, HUD financed housing has continued to be built on the reservations.

2. Department of Housing and Urban Development

The three types of public housing programs that are generally used on Indian reservations include the conventional low-rent, mutual help and Turnkey III (with some variations).⁴⁶ The conventional low-rent and Turnkey III programs operate the same way on the Indian reservations as elsewhere. In conventional low-rent housing, the units are rented to low-income families with HUD's financial assistance payments being made over a 40-year period during which the development cost of the project is retired. Like other housing authorities, the Local Indian Housing Authority finances the project by selling bonds to private investors.⁴⁷

signed by Marie C. McGuire and Philleo Nash on February 12, 1966.

43. "The provisions of the 1962 Agreement have been interpreted by some tribal, HUD and BIA staff to provide for the placing of a BIA 'layer' between the tribes and HUD. In some cases, the intended role of the BIA has been interpreted as being that of the defacto operators of the tribal housing authorities with the tribal housing authorities' commissioners and staff being a subordinate 'rubber stamp.'" Letter from Walter Hickle to George Romney, June 10, 1970.

44. *Id.*

45. Letter from George Romney, to Walter J. Hickle, October 21, 1970.

46. The Housing Assistance Administration of HUD received 4 housing applications from two Indian tribes (the Kyle-Oglala - 15 units and Pine Ridge - 114 units) in South Dakota in August, 1961.

47. The only exceptions to the above programs are the following: As of December 1970, the Seminole Nation in Oklahoma has partial occupancy of a leased housing project. Both the Seminole and Chickasaw of Oklahoma have one project of leased housing with rehabilitation. And the Seneca Nation of New York and Crow Creek, S.D. have a project of acquisition with and/or without rehabilitation. Except for the pending applications from the Passamaquaddy Reservation in Maine for the latter of project, no other applications have been received for the above types of projects.

The Turnkey III program is the public housing-home ownership program which enables low-income families to purchase a home by using a combination of public housing subsidy and maintenance obligations by the home occupant. In the Turnkey III plan, the Local Housing Authority (LHA) makes an application to HUD for reservation of units. Upon approval, proposals from developers are publicly invited. The developer is selected and builds the housing for sale on completion to the LHA. The Authority uses 25-year tax exempt notes or bonds for the purchase of the project, and provides the family with two-year lease-purchase option ownership rights in the house.

The families are required to maintain their own homes. They are individually compensated for doing so by the LHA's depositing in their individual accounts the amount that the LHA would otherwise have to pay for maintenance. This earned "sweat" equity belongs to the family. If the family decides to leave at any time prior to obtaining title, they take this accumulated amount with them. If the family does not leave, this equity is applied to enable the family to obtain title sooner.

While these funds are building up, the LHA uses the annual contributions provided by HUD to make payments on the capital debt of the home. As the capital debt is reduced, the eventual sale price to the resident family is also reduced. The family is ready for title when their income and assets increase to the amount necessary to assume the costs of ownership and obtain a mortgage on the balance of the capital debt of the house.

During the sixties, HUD designed the "mutual-help" program to meet the unique needs of Indians living on the reservation.⁴⁸

48. The request to HUD for a program of mutual or self-help housing came from the BIA. Joseph Burstein, General Counsel for Public Housing Administration approved the concept on November 30, 1963. (See Memorandum to Commissioner, PHA from Legal Division, Subject PHA Mutual Housing in conjunction with BIA, November 30, 1963). A formal agreement was entered into between the BIA and HUD on May 29, 1963. Two documents commonly referred to as the Nash-McGuire Agreement set forth the responsibilities of each agency (see letter to Philleo Nash, Commissioner of the BIA from Marie C. McGuire, Commissioner of the PHA, May 29, 1963). The first applications were received in the spring of 1963 from LHA in North Dakota and Arizona.

UNITS IN MANAGEMENT — DECEMBER 31, 1970

CONVENTIONAL	ACQUISITION W/OUT REHAB.	LEASED HOUSING	MUTUAL OR SELF-HELP	TURNKEY	TURNKEY MUTUAL HELP	LEASED WITH SUBSTANT. REHAB.	LEASED HOUSING	TOTAL
3080	70	65	678	755	365	115	230	5088

IMPORTANT NOTE:
The above statistics were compiled from raw data in HPMC Statistics Branch

Mutual-help homes are produced at lower rents than the Turnkey III homes, primarily as the result of the owner-participants "sweat" equity contribution (estimated at \$1,000 to \$1,200 per unit, or \$1,500 for those that include land). Additional rents are kept lower by virtue of a waiver of the requirements for vacancy losses and maintenance.⁴⁹

Financing and development of these public housing projects is accomplished by the tribal LHA through the sale of one-year tax exempt notes insured by HUD, with cost amortized over a 20-year period. These notes are traded in the same market and in much the same fashion as United States Treasury bills. In the summer of 1967 and 1968 BIA conducted a training program for prospective LHA management employees at the University of New Mexico. Course material was prepared by HUD staff. Since that time, however, the BIA has not conducted any training programs.⁵⁰

Perhaps the most significant development of the sixties, beyond the acknowledgement of the Indian housing problem and the HUD and BIA agreement, was the signing of two tri-agency memoranda of understanding by HEW, IHS, DOI, BIA, and HUD, HAA in the spring of 1969. The purpose of the agreements was to define the objectives of the Indian housing program and the responsibilities of each agency so that sanitation facilities would be provided "proportionate to the number of housing units being constructed."⁵¹ In order to define the responsibilities and "alleviate funding problems associated with the provision of sanitation facilities for Indian housing in fiscal 1969," a projection of 8,000 housing units to be constructed and renovated in each of fiscal years 1970-1974 was established. HUD was responsible for 6,000 units of new housing; BIA for 1,000 units of new or improved housing; and tribal groups for 1,000 units of new housing.⁵² It was this memorandum, along with the stated objective of the BIA that the substandard condition of Indian housing would be eliminated in the 1970's,⁵³ that prompted the GAO Report. The second memorandum, signed later that same month, has since been operationally modified (although not officially

and have neither been sifted for errors nor double checked. A figure of less than "5500 units in management" is suggested until these figures can be refined.

49. Most sources guide the lowest monthly payment for BMIR (Below Market Interest Rate) home ownership on the reservation at \$35.00 as compared with \$9.87 for the mutual-help. Transcript of Indian Housing Management Conference, July 28, 29, 30, 1971, at 58 and Appendix D, at 28.

50. In 1971, however, the BIA financed a number of trainees in NAHRO training.

51. Memorandum of Understanding, Provision of Sanitation Facilities for Indian Housing HEW, IHS, DOI, BIA, HUD, HAA (April 15, 1969).

52. *Id.*

53. *Id.* Because of the varied uses to which tribal funds are put and the inability to obtain much significant information, the use of tribal funds for Indian housing will not be discussed. However, the BIA does estimate that in 1968, \$2,271,400 in loans were made from both the BIA and tribal sources. In 1969 the figure increased to \$4,704,400 and in 1970 was \$8,877,400.

54. See note 18 *supra*.

modified). The memorandum identified more specifically the functions and essential points of coordination between the three agencies.

3. Farmers Home Administration and Veterans Administration

During the sixties the major problems that had prevented the Farmers Home Administration from assisting Indians with home loans were eliminated. Through legislative enactments, FmHA was permitted to make loans to individuals with leasehold interests and to non-farm rural families.⁵⁵ Despite the legislative changes the use of FmHA loans by Indians has been limited.⁵⁶

The Veterans Administration (VA) apparently has done little to increase the number of loans to Indians. Only recently have they even begun to collect statistics on the number of loans applied for by and granted to Indians.⁵⁷

4. Office of Economic Opportunity

The most vigorous effort of the OEO in Indian housing was in the construction of 375 "transitional" homes on the Rosebud Sioux Reservation in South Dakota. Conceived as a multi-purpose project, the effort had as its goal the construction of 375 low-cost houses, the creation of a new local home building industry, the development of new or improved skills for 200 reservation residents, and the creation of new local institutions for 21 communities on the reservation. The project was designed to demonstrate that a low cost house could be designed and developed which would fulfill the present expectations of the Indian families for an adequate house—including adequate space, privacy, and a healthful environment—and which would not overburden the families with high costs for operation and maintenance.

The house ultimately designed contained 620 square feet. It included 2 bedrooms, a bath, a living room-dining room, and a kitchen area. These houses were originally designed for wood heat, but some 200 families chose the optional oil heating system available.

55. 42 U.S.C. §§ 1470, 1471 (1970).

56. According to FMHA records \$5,708,200 in rural housing loans were made in FY -71. In FY -70 the figure was \$2,408,640. The BIA estimates that in the calendar year of 1969 \$1,974,700 in loans were made or guaranteed and in 1968 \$2,076,700 in loans were made or guaranteed.

57. Figures available from the VA at this time show only the following information:

	Oct. '71	Nov.	Dec.	Jan. '72
Applications rec'd.	41	53	34	13
Commitments Issued	25	24	22	15
Evidence of Guaranty Issued	31	34	27	20
Cancelled or Withdrawn	1	2	4	6
Pending end of month	47	77	104	37

No figures are available from the VA as to the amount of money involved in the loans. The BIA's estimates show that in the calendar year of 1970 \$982,600 in home loans were made, in 1969 \$663,900 in loans were made and in 1968, \$647,400 in loans were made.

The houses as constructed did not conform to minimum HUD specifications.⁵⁸ The goal of the "demonstration grant" was to establish that such a house below HUD standards, yet carefully designed to meet specific needs, was a feasible alternative to existing Indian housing programs.⁵⁹ The OEO considered the program completed as of July, 1968 and the homes are presently occupied.

The GAO Report specifies several instances of construction defects and incomplete construction. However, there has been no follow-up by the OEO to correct these defects. HUD and the BIA have not lowered their standards and no further "transitional" units have been built.⁶⁰

The OEO has also been involved in supplemental funding to HI Program activities through grants to several community action agencies. The OEO funds are used to pay workers (who are not the homeowners) to repair homes with HIP funds. The estimated funding is \$700,000 or approximately \$35,000 per grantee per year.

From 1961 to 1971, little improvement was made in increasing the supply of standard housing for Indians.⁶¹ Indian housing programs have been refined and expanded but the same problems persist. The agencies and reports were still concerned that the precise housing need was not defined. Query what difference it would make if everyone knew that the housing need was 50 per cent or 70 per cent of the actual supply, if the need was not being met?

The problems of construction and design persisted. Designers failed to heed repeated recommendations to anticipate unique environmental and cultural needs. The mutual-help construction period continued to be slow. The low incomes of the Indian families continued to exacerbate the home maintenance problems. The inability of the majority of Indian families to obtain "credit-worthy" ratings prevented large-scale use of the loan guarantee programs, despite the important legislative changes. The training of homeowners, tenants and LHA staff had yet to be realized on a significant scale.

Recently, HUD, BIA and IHS have made some significant changes in their programs in response to the GAO Report. However, as in the past, the changes are evolving too slowly and

58. See Preconstruction Manual for Low and Moderate Income Housing.

59. Such a low-cost home, would, if constructed under the public housing program, provide more houses per dollar expended, if constructed under a Below Market Interest Rate program it would lower the income levels necessary to participate in the program.

60. Some OEO officials have suggested that HUD's concern over standards is primarily to insure that investors are adequately protected, that is, not so much to protect Indian families against inferior living conditions as to insure sound investments for the mortgage investors.

61. The BIA consolidated housing report for FY -70 shows that between 1968 and 1970 11,874 new homes were built and 7,228 were repaired.

never seem to result in an expansion of the standard housing market.

AGENCY RESPONSE TO THE GAO REPORT

The impact of the GAO Report on the three principle agencies⁶² can be clearly seen by their willingness to accept and respond to the draft copy of that Report. In response to the GAO Report's criticism of the existing need assessment, the BIA in May, 1970, issued new HIP guidelines that established housing standards for general construction, heating, plumbing, wiring and living space. The guidelines, although providing the option of incorporating the state or tribal code, are substantially below the FHA minimum property standards.⁶³

The guidelines also define five categories for assistance under the HI Program. Two of the categories involve home repairs and the remaining three the construction of new homes. One of the repair categories and one of the new construction categories pertain to dwellings that do not meet the standards established in the HIP criteria, even after the work has been completed. The rationale for expenditures on homes that do not result in decent, safe and sanitary structures is that the condition is temporary to alleviate grossly substandard conditions, and the eventual aim is a decent, safe and sanitary home.⁶⁴ Due to the exigencies of the Indian housing situation, the repair and building of substandard homes cannot be summarily criticized. However, a new problem does arise in measuring the Bureau's achievements in reducing the number of substandard houses. The consolidated FY-71 area housing

62. IHS was not requested to officially respond to the Report. But it did make some administrative changes as a result of the Report and did comment upon its reaction to the Report in the Senate Appropriation Committee hearings for FY-78.

63. Heading the list of HIP standards is that of "maintaining a minimum temperature of 70 degrees," which is substantially similar to the FHA requirement. See MINIMUM PROPERTY STANDARDS FOR ONE AND TWO LIVING UNITS, § 1002-32 at 200, [hereinafter referred to as FHA STANDARDS.] Plumbing: The only substantial difference is that the FHA STANDARDS require as a minimum a laundry tray, or in lieu thereof, piping for a clothes washing machine, *id.*, § 1006-31, at 213, while the HIP criteria do not mention the above. Electrical system: The HIP criteria require a minimum of two circuits per dwelling and provision for . . . one additional circuit." No mention is made as to the minimum amount of amperes per circuit. The minimum FHA requirement is 15-ampere circuits for all areas except the kitchen, dining and laundry areas, for which two 20-ampere circuits must be provided. *Id.* §1007-6.1, 6.2, at 26. Overcrowding: The HIP criteria provide for 1BR - 1-3 persons; 2 BR - up to six persons; and 3 BR - adequate for all but the very largest families (the first BR will have 100 sq. ft. and a minimum of 80 sq. ft. is required for the others). The FHA STANDARDS do not include occupancy standards. However, their minimum room sizes are larger than those mentioned above:

1-BR	130 sq. ft. total
2-BR	200 sq. ft. total
3-BR	280 sq. ft. total

Id. § 602-31, at 22.

The crowding standard for HUD financed units is 2 persons to a bedroom. See, LOW-RENT PUBLIC HOUSING PRECONSTRUCTION HANDBOOK, December, 1971; HPMC-FHA 7410.8 § 2-5.

64. See Housing Improvement Program Criteria, BIA.

inventory states that 755 new homes were constructed and 4,205 dwellings repaired in FY-71. The report does not clearly reflect that 434 of the new homes were less than standard and 2,804 of the repaired homes were not standard after the repairs were completed.⁶⁵

The official BIA answer to the report⁶⁶ also reflected improvements in the housing survey process. In general, the BIA stated that it had responded to all of the recommendations relating to the identification of housing needs,⁶⁷ except that the Bureau was not presently considering the factor of the off-reservation Indian population.⁶⁸

HUD and IHS were not involved in the recommendations concerning the identification of housing needs, but the BIA did state that it would use the statistics that each of these agencies had available and include them in the annual inventories.⁶⁹ The real problem of coordination in the area of need surveys, however, has not been addressed. The problem is that HUD-constructed homes are appearing on the housing charts as completed standard dwellings when in fact, the construction is not complete, or if completed, is less than standard.

The second area in which the GAO Report found severe deficiencies in the housing program was in the development and operation of housing projects. The BIA generally agreed with the conclusions of the Report, but felt that since the problems referred to HUD-assisted dwellings, it was HUD's responsibility to respond more fully. The Bureau did mention, however, the efforts that it had made within the limited resources available to train the LHA's in management techniques, and to provide supplemental home ownership train-

65. It would not be too difficult to clearly reflect this information. Note that the chart reflecting the total housing need distinguishes houses in standard condition except for one or more utility from the total housing units needing renovation.

66. Letter from Warren Brecht, Deputy Assistant Secretary of Interior to Chairman Hollifield, Jan. 23, 1972. [hereinafter cited as Brecht letter].

67. The only need assessment form that the Bureau has developed since the GAO Report is found in the HIP criteria. It deals only with the homes built and/or repaired by the Bureau and places them into the five HIP categories. The Washington office of the Bureau has instructed the area offices to collect the data suggested by the GAO Report but has not supplied any guidelines. This could be a major weakness in the assessment of needs, but it is the contention of this writer that a more accurate assessment of the need at this point in time without a substantial increase in the supply of standard homes would be a useless exercise.

68. The refusal of the Bureau to consider the returning off-reservation Indians in the statistics could be an important weakness. The GAO Report cited several cases where Indians have actually moved back to the reservation when housing became available and mentioned several other areas where there was evidence of a desire among the off-reservation Indians to return. See note 67 *supra*, for further comment on the relevance of need assessment surveys at this point in time.

69. See Brecht letter. IHS has begun to conduct a very complete environmental survey of Indian homes. More than 27,000 homes have been surveyed yet it does not appear that the BIA has utilized this data in its annual inventory. The IHS survey includes the type of construction, the persons per room, persons per home, selected factors such as walls, roof, ceiling, floors, steps, doors, heating, electricity, sanitation facilities, accident hazards, etc. for each dwelling surveyed.

ing for new and prospective tenants.⁷⁰ These efforts are not new. The BIA was performing the same minimal training in the latter part of the sixties.⁷¹ It is unfortunate to note that even though the BIA is not subject to the statutory funding limitations of HUD⁷² and could supply a large amount of the training money for the LHA staff and homeowners, it has not increased its budget request in this area and has in fact, reduced its total personnel request.⁷³

In response to the GAO Report's recommendations, HUD has promulgated a number of circulars with respect to construction and design defects. Together, these circulars reflect only minimal program changes and, except for two significant commitments, could be termed a whitewash. Two circulars have been issued regarding the force account mutual-help program.⁷⁴ The first circular established criteria for the acceptance of new projects⁷⁵ and stressed the necessity of expediting the construction of existing projects. The second circular, in effect, terminated the force account mutual-help program by prohibiting the development of any new projects or the execution of any Annual Contribution Contracts (ACC) where the units are not yet under construction.⁷⁶

In June 1971, HUD issued another circular that updated the department's authority and policy in connection with remote Indian areas.⁷⁷ This circular encourages LHA's to develop new design and program concepts to overcome the factors that make it difficult to provide economical housing in remote areas and to obtain housing that conforms to local living patterns. The policy of this circular is commendable. However, it is unfortunate that HUD has not seen fit to supply the LHA's with additional resources to ensure that solutions to the enumerated problems will be achieved. Also, it should be remembered that the BIA in the Nash-McGuire Agreements was

70. The FY -72 funds were allocated as follows: \$150,000 for management services and training of LHA's and \$40,000 for training of LHA staff who in turn would teach home maintenance to the Indians. The remainder of \$2,243,000 was used for the salaries of the BIA housing staff which totals 141. Interview with Monte McMichael, BIA. See also note 61, *supra*.

71. See note 49 *supra*.

72. The only source of HUD-funds in conventional low-rent housing for training the staffs of Indian LHA's is the operating income and subsidy. Thus if the training of LHA staffs is included in the developmental costs of a project the rents of that project must also increase. The same is true for the BMIR projects.

73. The Housing Development line item provides these services. The funding for Housing Development in FY -72-\$2,433,000 and requested for FY -78-2,376,000. The difference of \$77,000 between FY -72 and FY -73 is for employment reductions. U.S. Department of Interior Budget Justifications FY -1973, BIA, at IA-58.

74. HUD Circular HPMC-FHA 7580.2, February 26, 1971 and HPMC-FHA 7580.2A, January 14, 1972. The Mutual-help programs in these circulars are limited to the force account method which are those units that are developed under the auspices of an LHA, not by turnkey or a competitive bid contractor.

75. The criteria is nearly identical to the GAO Draft Report, at §1-52.

76. The BIA has supported HUD's action in this area by terminating their program of supplying construction superintendents for mutual-help programs. See Brecht letter, at 4.

77. HUD Circular HPMC-FHA 7581.2, June 18, 1971.

committed to do the same thing. Nothing was developed by the BIA because of a similar lack of funding.⁷⁸

Another circular issued by HUD in January, 1972, clearly established that HUD was ultimately responsible for any housing constructed through its programs.⁷⁹ This circular also quoted the GAO Report recommendations regarding the need to *strengthen* reviews of housing designs to ensure that local climatic conditions are adequately considered and to *increase* the emphasis on periodic inspections to reduce construction problems. Unfortunately, however, HUD did not see fit to provide solutions for these recommendations.

HUD also issued two circulars concerning the development costs for housing projects in Indian areas.⁸⁰ These circulars together permit HUD to include within the costs of planning, construction, and inspections of the low-rent public housing projects, the cost of providing (within project boundaries) all needed water and sewage facilities and all-weather streets, sidewalks, curbing, and street lights. Also, if connection with existing systems appears more feasible, HUD may include connection fees in the pro rata share of the construction costs for water and sanitation facilities.⁸¹ This circular did respond to the GAO Report. It merely emphasized the fact that housing for Indians should be, as it is for other Americans, consolidated under the auspices of one agency.⁸²

A final circular issued by HUD that relates to the GAO Report, but which is not directly responsive to that Report, pertains to "Indian Employment, Training, and Economic Benefits from Public Housing Development."⁸³ This circular authorizes HUD area directors and regional administrators to waive the competitive bidding and advertising requirements of the Annual Contributions Contract (ACC), and to approve an employment training and economic benefits preference to qualified local Indian residents.⁸⁴ The problem that still exists, and that was not addressed by the circular, is that there are in fact very few Indian design, architecture, or construction firms.

78. See notes 47 and 48 and accompanying text *supra*.

79. HUD Circular HPMC-FHA 7410.7, January 14, 1972. The GAO Report had pointed out some major areas of inadequate definition of responsibilities and lack of coordination among the three agencies (BIA, HUD and IHS).

80. HUD Circular HPMC-FHA 7581.1 and HPMC-FHA 7581.A. These circulars, unlike the others mentioned above, do not specifically mention the GAO Report. However, HUD Circular HPMC-FHA 7410.7 January 14, 1972, note 79 *supra*, does mention the GAO Report and makes reference to HPMC-FHA 7581.1.A.

81. The costs may not exceed the cost of on-site facilities.

82. IHS and HUD met to discuss HPMC-FHA 7581.1 on July 28, 1971. As a result of this meeting IHS issued a memorandum on August 26, 1971 to all area directors signed by H.V. Childen for Emery Johnson, Assistant Surgeon General, that informed the area directors of the HUD Circular and outlined a procedure for IHS Staff.

83. HUD Circular HPMC-FHA 7580.1, November 2, 1970.

84. "During fiscal years 1971 and 1972, projects involving over 1800 units of housing worth more than \$21 million have been or will be contracted out to Indian firms." Remarks by Samuel J. Simmons, Assistant Secretary for Equal Opportunity, U.S. Department of Housing and Urban Development, 41st Annual Convention of the National Housing Conference, March 6, 1972.

A final step that HUD has taken in response to the GAO Report and in light of its obligation to build 6,000 units per year from 1970 to 1974, a total of 30,000, is to earmark a specific number of units per region.⁸⁵ Despite the earmarking however, HUD has continually fallen short of its goal. This failure to meet the stated goal, along with the BIA estimated population growth⁸⁶ will necessarily mean that the objective of eliminating the sub-standard housing on the Indian reservations cannot be achieved.⁸⁷

In light of the meager response to the GAO Report and the reports which preceded it, the real question is what can be done now to increase the total housing supply for Indians on reservations. The answer is basically political. It is political because the solution involves the coordination and commitment of three agencies. It is political because of the variety of cultures and traditions among the Indians. It is political because of the relative isolation—or call it invisibility—of the reservation Indian in America today. And it is political because the abuses of the past that must be exposed, were permitted by the same agencies that can provide the only real solution to the problem today. Although politics may be viewed as an amorphous answer, there are a number of specific tools available that can be utilized to achieve the goal of improved and increased

85. Annual Contributions Contract FY -71 Construction Starts

	Targets	Executed	Targets	Completed
Boston	100	0	100	0
New York	50	0	50	0
Atlanta	300	270	200	100
Chicago	375	338	300	244
Fort Worth	2425	2435	1750	1408
Kansas	50	70	50	56
Denver	1350	1371	1000	1259
San Francisco	1250	2039	2100	1877
Seattle	500	270	450	35
	7100	7464	6000	4874

FY -72

	Targets	Targets
Boston	0	0
New York	0	0
Atlanta	0	350
Chicago	250	200
Fort Worth	1400	1600
Kansas City	100	50
Denver	1400	1050
San Francisco	2150	2800
Seattle	1300	450
	6500	6000

86. The BIA estimates a population growth that will increase housing needs by about 15,000 per year. GAO Report, at 12.

87. In the FY -71 Consolidated Area Housing Inventory, the BIA states that 20,735 housing units needed repair; that 4,134 houses were in standard condition except that one or more utilities were not available; and, that 49,340 new housing units were required as of FY 71 for a total need, excluding the standard units without one or more utilities, of 70,579. The goal of 8,000 units per year (6,000 HUD, 1,000 BIA and 1,000 Tribal funds) will produce only 30,000 units, 8,579 less than the known objective. In addition, this known objective does not take into account the increased needs which will arise in the 70's from the deterioration of presently standard units and the return of Indians to reservations, especially in view of the new BIA policy not to encourage the resettlement of Indians into urban areas.

housing supply. These tools include: the tri-agency memorandum which specifies a total of 8,000 homes constructed annually;⁸⁸ the BIA's commitment to solve the substandard Indian housing problem in the seventies; the President's commitment to involve the Indians more in decisions that affect their welfare;⁸⁹ the growth of "Red-Power;" and, the recommendations of the GAO Report. These tools could be utilized to focus national attention on the Indians and their housing conditions. They can also be used to obtain stronger commitments from the federal government that will protect both the individual Indian and the tribal governing bodies and LHAs. The most obvious way for a minority to obtain commitments from the federal government is through publicity and constant prodding.⁹⁰

The beginning of a forum for the recognition and identification of solutions to Indian housing problems was initiated by HUD in a meeting of representatives of various Indian Housing Authorities.⁹¹ As a result of this meeting sixteen recommendations were presented to George Romney.⁹² Some of these recommendations

88. Memorandum of Understanding, Provision of Sanitation Facilities for Indian Housing, HEW, IHS; DOL, BIA; HUD, HAA (April 15, 1969).

89. Message from the President of the United States, July 8, 1970.

90. The need for constant prodding cannot be over-emphasized. The breaching of the Nash/McGuire Agreements, by both the BIA and HUD are perfect examples that both agencies will perform as they wish, if permitted, despite any agreement, contract or memorandum.

91. July 28, 29, 30, 1971, DHUD.

92. Resolution

1. We request that the Secretary, by the end of 1971, recruit and place Indian employees in positions at levels in the HUD staff structure where they could make a significant contribution to HUD understanding of the unique relationship between the Indians and the United States Government and the continuing problems of Indian people and their critical need for special assistance with their housing problems. A Deputy Under-Secretary at the Central Office and appropriate existing positions at the Regional and Area Offices manned by qualified Indian persons would be most helpful to HUD and to the Indian Housing Authorities in expediting delivery of housing to Indians and Alaskan Natives.

2. We request that HUD, recognizing the key role that the LHA Executive Director plays in the delivery and management of Indian housing, find means to assist the Authorities to strengthen their Executive Directors by funding a program to subsidize the Executive Directors' salaries and training expenses in advance of project operation, so that each new Authority will have a qualified manager when it begins operations.

— We request that HUD fund tuition, travel expense, salary of substitutes and other necessary expenses for continuing programs of development and growth for Executive Directors when LHA funds are insufficient to allow the LHA to carry out such a program on its own.

— We request that HUD give Executive Directors the opportunity to meet frequently with key HUD personnel, in groups of five to ten people, to search actively for improvements, both in HUD policies and in LHA operations.

— We request that HUD provide field accountants in each Region who could assist the Authorities in their own offices, when needed.

— We request that HUD develop a training program, utilizing Indian input, for Board members, office staff members and maintenance people.

— We request that grant funds be made available to provide for personnel, equipment, and materials needed to acquaint participants with their obligations and to teach participants to make the best possible use of their new homes and equipment.

3. We request that development funds from HUD include money for streets, roads, water and sewer facilities, as well as for houses, so that the project can be completed as a unit with all elements necessary for occupancy present. We request that that portion of the development cost which is for facilities normally provided for

have been adequately answered," but others have not. These proposals need more intensive follow through. In conjunction with these proposals, the following areas could also be considered:

1. **Housing Criteria:** Steps could be taken to get the BIA to establish housing guidelines that comply with the national FHA-HUD guidelines. This is not to suggest that the BIA should eliminate its program of providing grants to Indians to improve their housing or to build homes which do not meet the standards established in the guidelines. But, as a minimum, the guidelines—the measure of decent, safe and sanitary homes—for an Indian should be equivalent to the national model. Obviously, the difficulty of this position is that the standards of one agency are not necessarily binding on another, but a petition should be filed.

Indian people by other agencies, such as roads from BIA and sanitary facilities from Indian Health Service, be handled as a grant and not added into the project cost.

— We request that HUD assist LHA's with road problems in areas where the existing road systems are not adequate to serve the areas in which Indian families wish to live.

4. Since the Turnkey Mutual-Help Program is the only HUD Program that serves the very low income (and is a program well-liked by Indian people), provision should be made in that program for administrative costs in such a way that these costs will not be an added burden on the low-income family. This financial help should be available from the very inception of the program, which is not presently possible.

5. We request that the LHA be allowed grant funds to correct deficiencies which develop in houses where there is no fault or recourse against the contractor. There is a precedent for this in the 1970 Housing Act where the FHA is authorized to repair such deficiencies in 235 Program homes at no cost to the tenant or buyer.

6. We request that Local Indian Housing Authorities be given discretionary power to raise income limits to serve Indians whose housing needs are not being met from any source.

7. We request that HUD develop the insurance program to include vandalism coverage for all programs.

8. We request that a program and funds be made available to assist mutual-help participants in meeting their maintenance responsibilities.

9. We request that HUD publish a completely new manual for the Mutual-Help Housing Program, and that the reporting requirements for Mutual-Help Programs be reviewed, simplified and tailored to Indian program requirements.

10. Income reexaminations should be required every two years, rather than annually.

11. We request that Indian Housing Authorities be audited by the Department of Housing and Urban Development, rather than by the Department of the Interior.

12. We request that Indian Authorities be allowed to write tenant leases on Low-Rent Programs to fit their individual situations and not be required to make the overall lease change as outlined in Transmittal Notice RHM 7465.3 dated Feb. 23, 1971, but conform more to conditions as listed in Circular HPMC-FHA 7521.2, Housing Assistance in Indian Areas.

13. We request that HUD allow the LHA to make a reasonable per diem payment to LHA Commissioners for attendance at LHA meetings as a proper project cost. Include funds in the development budget for the extra meetings required during the planning and construction periods for new projects.

14. We request that authorization be given to LHA's to acquire GSA Excess Personal Property, such as sanitation trucks, 1/2-ton utility service trucks and maintenance tools.

15. We request that HUD recognize the need for flexibility in the administration of Indian Housing Programs.

16. We request that an Indian Housing Management Advisory Committee of four or five members be formed to monitor this Resolution and to provide further in-depth Indian guidance and leadership to assure that the Indian and Alaska Natives' housing needs are thoroughly understood.

— We request that a Conference similar to the July 22-30, 1971, conference between HUD officials and Indian Housing Authority representatives be held annually and that the Advisory Committee be consulted in determining the arrangements and invitation lists for the Conference.

22. Letters from George Romney to Frank Hornett, September 20, and February 1, 1972.

2. *Housing Need:* Indian groups should carefully monitor the various HUD regional offices and the BIA to assure that the 8,000 homes agreed upon are *constructed* annually. As noted previously, it will be necessary to petition the agencies to produce at least 10,000 units per year if the substandard housing problem is to be eliminated in the 1970's. For the sake of publicity, an administrative complaint or court action by the Indians as third party beneficiaries should be initiated against HUD if it does not fulfill its present commitment of 6,000 homes constructed per fiscal year through 1974.⁹⁴

3. *Housing Designs:* In light of the HUD circular on housing assistance in Indian areas,⁹⁵ which established HUD's current policy for the provision of housing in remote areas of the reservations, LHAs or Indian groups should request that funds be provided to assist them "to overcome the factors that make it difficult to economically provide such housing and to obtain housing that might conform to the local patterns of living."⁹⁶

4. *Housing Construction:* For those dwellings which have been built with HUD assistance, the available complaint, suspension and debarment procedures should be utilized.⁹⁷ Also, a petition should be submitted to HUD for rulemaking to establish guidelines for the enforcement of the maintenance inspections and design reviews. Due to the magnitude of the existing problem and the inevitability of an increase in that problem with the continued construction of new units, it is imperative that HUD be requested to respond.

In addition, because of the overwhelming support of the mutual-help program by Indian families, and the low monthly payments and ownership incentives, a review of a selected number of the programs should be made to assure that the full benefits of this program can be extended to more families.⁹⁸

In addition, in order to promote the ethnic and cultural traditions of the Indians, the tribes and LHAs should petition HUD and the

94. The Bureau of Indian Affairs met its goal of 1,000 new or improved homes for FY -71. See note 65 *supra* and accompanying text.

95. HUD Circular HPMC-FHA 7581.3, June 18, 1971.

96. The failure of the BIA to accomplish the same goal without additional funding should be kept in mind.

97. The first step is a rather informal one. HUD may initiate the proceeding by requesting that a contractor make specific repairs. If the repairs are not made, no further housing applications are accepted from that contractor. If the housing is FHA guaranteed, and if the contractor consistently builds poor homes, then the contractor through the procedures spelled out in 24 CFR 200.300 may be determined to be an undesirable risk determination (URD). The final step for housing under FHA programs is debarment subject to § 512 of the National Housing Act.

98. See Transcript of Indian Housing Management Conference, July 28, 29, 30, 1971, DHUD.

99. A proposal has been circulated within HUD suggesting that an R.F.P. be developed to evaluate areas. The major problem with this draft RFP is that the questions are basically geared to improving the HUD program delivery and not to increasing the total housing supply. However, it is conceivable that if the former is corrected the latter will naturally follow.

BIA for a determination as to whether the definition of "decent, safe and sanitary housing" includes the use of indigenous materials.

5. *Home Ownership and Tenant Training*: The GAO Report described the simple but successful process of maintenance inspections, follow up, and advice and instruction in making repairs at the Nez Perce Reservation.¹⁰⁰ This process or a similar one should be provided for all new and old construction sites. The training programs initiated by the BIA to send LHA staff to NAHRO housing conferences should be significantly increased.

6. *Involvement and Employment of the Indians*: The commitment of HUD to the waiver of the competitive bidding procedure for construction on Indian reservations was a positive step.¹⁰¹ The problem that still exists, however, is that there are only a small number of Indian construction, design, and architecture firms on the reservations. The commitment of the Labor Department, HEW, and the Division of Education within the BIA is essential if this problem is to be solved.¹⁰² The need for this type of coordination is readily apparent when one looks at the amount of money spent or insured yearly by the various agencies for on-reservation housing.¹⁰³

7. *Interagency Coordination*: Based upon the recommendations of the GAO Report and the limited response of HUD, petitions should be filed with either or both the BIA and HUD requesting a study and determination of the legislative authority needed to combine housing and related public facilities within one agency.¹⁰⁴ At a minimum, some procedure should be established whereby the agency that has completed its work notifies the delinquent agency of its non-compliance.¹⁰⁵ Also within HUD, FmHA, and the VA there should be a desk established that is responsible for promoting Indian housing. More particularly within HUD—the agency with the major

100. GAO Report, at 27.

101. HUD Circular HPMC-FHA 7580.1 November 2, 1970.

102. A HUD official has indicated that a proposal has been circulated within HUD which would require HUD to routinely inform OEO and the Department of Commerce where HUD housing allocations are to be made and to work with these agencies in the development of on-reservation construction companies. See also the OEO proposal for establishing construction companies, p. 223 *infra*.

103. HUD estimates that 750 million will be spent to construct 20,000 homes through FY -74. That is an average of \$25,000 per home. (Some HUD officials estimate a lower rate of \$14,000 per unit.) The yearly expenditures therefore would be between \$24,000,000 and \$150,000,000. The BIA has been spending about \$5,600,000 annually. FmHA guaranteed \$5,702,200 in loans for FY -71. The VA estimated new loans for FY -70 were \$1,122,100. There is no accurate data available on the total amount of money spent on housing annually but the BIA estimated for FY -70 that from all sources, \$59,937,900 was spent for new construction and home purchases and \$3,375,900 was spent for rebuilding and repairs.

104. A similar recommendation is presently being circulated within HUD. Remembering the continual problems of coordination that have plagued the BIA and HUD agreements, plus the end result of defective and incomplete housing, this recommendation should not be taken lightly.

105. On the basis of the Memorandum of Understanding, it is conceivable that the complying agency could sue another for non-compliance or that a tribe or Indian could sue as a third party beneficiary.

commitment—a task force should be created to promote Indian housing.¹⁰⁶

8. *Special Indian Program*: Despite the problems that specific Indian programs have suffered,¹⁰⁷ an investigation should be made by the BIA in conjunction with the LHAs and tribal leaders to develop a housing program designed to meet the unique problems of Indians including such factors as environment, ethnic and cultural differences, and physical isolation.

In addition, information regarding the existing programs should be designed for, and distributed to, Indians.¹⁰⁸ Perhaps some of the information should be published in Indian dialects.¹⁰⁹

In addition to the above recommendations, other new legislative and agency proposals should be considered.

The Bureau of Indian Affairs is in the process of implementing the Rapid Acceleration Program (RAP). This program is designed to provide for the distribution of funds, to those tribes that have comprehensive development plans, in a manner that is more in keeping with the desires of the tribe. The key to the process is that the tribes, through planning, will direct the program through a continuous review and adjustment of their own budget process. Since the plan includes a reallocation of the BIA staff to assist RAP tribes and "more responsive use of the existing budgets"¹¹⁰ it would seem possible that a tribe could request and be granted more money for home repairs, maintenance, new construction and training of LHA staff and tenants.

Aside from the use of the RAP program, other developments in Indian housing that bear watching include:

1. The establishment of savings and loan banks to be owned and operated by local residents of Indian reservations. This project is the long-term objective of a contract signed by the National League of Insured Savings Associations and the BIA.

106. A suggestion such as this has been circulated within HUD.

107. There was a special bill passed by Congress for an Alaska Remote Housing Program. This program was terminated according to HUD for the following reasons:

The decision to terminate this program . . . was made by the President as a part of the Government's effort to eliminate programs that have been superseded by more recent efforts that are more attuned to current needs or are simply of a low priority relative to the amount of tax money needed to support them under current economic circumstances. In the case of the Alaskan program specifically, the needs of the beneficiaries of the program can be served equally as well under other housing programs; and a special categorical program is no longer necessary.

Hearings before a Subcomm. of the Comm. on Appropriations of the House of Representatives, 91st Cong., 2nd Sess. 1070 (1970).

108. The Non-Profit Housing Center has developed A MANUAL ON TRIBAL HOUSING ENTERPRISES AND RESOURCES. The manual, which covers all federal programs that have or can effect Indian housing, has been completed and is awaiting official agency approval.

109. A proposal such as this has been circulated within HUD.

110. Policy Statement, Reservation Acceleration Program, by Reservation Development, BIA. Statement of Louis R. Bruce, Commissioner, BIA: U.S. DOI before Subcommittee on App. DOJ and Related Agencies, Spring, 1973.

2. The expansion of the Government National Mortgage Association (GNMA)¹¹¹ program Number B²—Mortgages on Restricted Indian Lands.¹¹² HUD has made a request to the Office of Management and Budget to increase the fund from its present level of \$1 million to \$6 million.

3. The progress of RAMA, Inc., a non-profit organization funded by the Small Business Administration to assist in the implementation of Indian owned and managed mortgage banking companies. In April, 1971, the American Indian Mortgage and Financial Services Corporation was incorporated to function as a correspondent of existing lending institutions to attract private sources of capital for investment on the reservations.

4. Presently awaiting final approval within OEO is a \$520,000 grant for the purpose of stimulating the creation of construction companies on reservations. As presently conceived, the program would involve grants of \$30,000 to \$100,000 each to seven grantees to establish Indian-owned home construction companies. The Department of Labor is also involved in the program and will supply money for the training of workers.

5. Pending legislation that would authorize appropriation of an additional \$50 million for the revolving Indian loan fund; inaugurate and establish a \$200 million loan guaranty and insurance fund; authorize interest subsidy payments on guaranteed and insured loans; and, authorize the selling of loan instruments for loans made from the revolving fund and deposit the proceeds in the revolving fund.¹⁴³

111. GNMA is authorized to purchase certain mortgages that are insured by FHA or guaranteed by the VA.

112. GNMA mortgage Program Number B, as authorized by the President, became effective in November, 1962. Program Number B was originally allowed a ceiling of 5 million dollars. This amount was reduced in 1963 by 4 million. Of the \$1 million outstanding, \$719 is still available. Thus, according to a HUD official, there is no real urgency for the increase but it is nonetheless being requested in anticipation of the need. (Conversation with HUD official, March 17, 1972.)

113. Final approval shall be granted by the end of FY-72.

114. The pending bill in the Senate is S.2036; in the House there are four bills, H.R. 2272, H.R. 7623, H.R. 8063 and H.R. 9357. Similar bills had been introduced in the 81st Congress in response to the President's stated Indian policy but no action was taken on these bills.

APPENDIX V

"Toward an Indian Housing Delivery System," Prepared by
the Housing Assistance Council, Inc., at the Request of
the Office of Equal Opportunity, Department of
Housing and Urban Development, for the
National Indian Housing Conference,
November 14-16, 1974

Housing Assistance Council Inc.

Executive Director
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Washington, D.C. 20009
(202) 483-1426**TOWARD AN INDIAN HOUSING DELIVERY SYSTEM**

Prepared by the Housing Assistance Council, Inc.*

at the request of the Office of Equal Opportunity, DEHUD, for the
HUD National Indian Housing Conference, November 14-16, 1974A Weak Housing Delivery System for Indians

A composite of a "housing delivery system" would show the intermingling of public and private entities: lending institutions, builder-developers, nonprofit sponsors, housing authorities and public finance agencies, planners, code enforcers, and real estate agents. This composite is most typical of the nation's urban housing delivery system, but is rarely found in rural America where half the nation's Native American population lives.

Such a housing delivery system for urban America generally is able to serve a range of housing needs for people of different income levels, although the major burden of bad housing is carried by the urban poor and minorities. In rural areas, however, the inadequacy of the "delivery system" extends the burden of bad housing conditions to middle income families, as well as to the poor. This is particularly true for rural Indians who live on reservations, former Indian lands, or in other remote areas scattered throughout the country. For them, a housing delivery system is often a few

*The Housing Assistance Council, Inc., is a national, nonprofit organization created to aid in the development of a housing delivery system for rural, low-income people. Its central office is located in Washington, D.C., with field offices in Albuquerque, New Mexico and Atlanta, Georgia. The views expressed in this paper are those of HAC, and do not pretend to represent all Indian housing personnel.

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dollars scraped together to construct a minimal shelter; at best, it is the tribal housing authority, which constructs low-income units at irregular intervals depending on decisions made by distant federal agencies. For the more moderate income Indian families, the housing delivery system is pure myth: these families are too well-to-do for public housing, but unacceptable "risks" for loans from private lending institutions. Their dilemma pervades Indian country.

These are the features of the so-called Indian housing delivery system in rural America:

First, it is a "public" system --- its resources are mostly publicly funded, since private lending institutions and private builder/developers are rarely found in Indian country or, when they are located there, they rarely will serve Indian families;

Second, it is a "federally dominated" system --- all the programs are funded and administered by a number of federal agencies that issue regulations with which Indian tribes or individuals must comply; presently, only one State has passed housing legislation specifically to benefit its Indian residents;

Third, it is a heavily "subsidized" system --- for it must serve an extraordinarily large number of low-income families and elderly and, therefore, is dependant on a dwindling number of subsidized housing programs;

Fourth, it is a "new" system --- its component programs were established just a decade or more ago, thus housing development and management skills are still quite limited;

Fifth, it is a "complex" system --- it requires by law the participation of so many diverse and independent agencies, many

of which are not even located near Indian country, and because for reservation Indians at least, it must respond to unique political and land situations;

Sixth, it is an "inadequate" system --- because it generally does not serve more than a fraction of the Indian housing need.

The Federal Approach to Indian Housing Delivery

The federal agency delivery system for Indian housing has been characterized in various ways, from someone's bad dream to a deliberate effort to impede Indian housing development. For every house built under the auspices of a tribal housing authority, for example, there is activity required by at least three unrelated federal agencies: HUD has major responsibility for the planning, funding, and developing of Indian public housing, and this responsibility can extend to providing streets and some sanitation facilities; the Bureau of Indian Affairs is responsible for providing most access roads to Indian housing projects and for approving all site leases, as well as performing some preliminary site tests; and the Indian Health Service is responsible for providing most water and sanitation facilities. Additionally, HUD requires that all new projects receive "flood plain" clearance from the Army Corps of Engineers, an agency that has never championed the Indian cause; and the BIA, in collaboration with the National Park Service, is required under the revitalized antiquities act dating from 1906, to assure that new projects are not built on archaeological specimens. If these seemingly endless requirements and agencies fail to impede the development of a housing project, then the Department of Transportation enters the picture to approve the construction of new access roads, and to

finance the improved roads program provided by the Bureau of Indian Affairs.

Somewhere in this arrogance of power stands the tribal housing authority, striving to cope with the requirements of these numerous and distant federal agencies, but rarely able to exert the kind of coordinating influence that would assure the timely development of its housing projects.

In 1969 an attempt was made by HUD, BIA, and IHS to rationalize the roles of the various agencies in order to avoid some embarrassing situations that were beginning to receive national attention: such as new Indian housing units that lacked water and sanitation facilities or passable access roads. The now historic, tri-agency "Memorandum of Understanding" was signed in April of 1969. It enunciated the responsibilities of the Indian Health Service in relation to the development of HUD and BIA financed housing, and required the funding agencies to give IHS notice of their development plans well in advance of housing construction.

This Memorandum of Understanding never fulfilled its designers' intentions, primarily because it lacked any means of enforcement, but even more importantly, because no one agency was assigned the responsibility of coordinating each other's activities. In only a few instances have tribal housing authorities been able to move in to fill the leadership void.

Two years after the agreement was signed, the Congressional General Accounting Office noted in its report, "Slow Progress in Eliminating Substandard Indian Housing", frequent examples of projects which still lacked water and sewer hook-ups or decent access roads. HUD responded to the GAO criticisms by issuing its January 1972 circular

(HPMC 7410.7) that claimed full HUD responsibility for establishing schedules for the "initiation and completion" of the assistance provided by the other agencies. But coordination is still lacking, and what we find instead, is that one agency - HUD - is assuming more of the costs of water, sewer, and road construction, at the expense of precious housing construction money. The victims of this continuing policy of noncoordination are the nation's poorly housed and homeless Indian families.

The tri-agency agreement was, however, immensely important because it established for HUD and the Bureau of Indian Affairs an annual Indian housing production level. Although HUD's production level commitment has never been fulfilled - and we do propose that one major reason for this is the near total lack of inter-agency coordination - the agreement did establish a precedent which Congress has seized upon in the Housing and Community Development Act of 1974.

But if noncoordination characterizes the tri-agency approach to Indian housing development, it is a characterization that is repeated within the agencies, as well. It is most notably a characteristic of HUD's Indian housing efforts. Although the Agency is aware of the complexities of Indian housing development, its basic approach to Indian housing is to treat it like all other housing. At the national level there is no division or administrator within HUD for Indian housing, nor are there published guidelines for the Indian housing program. And, at the regional and area offices, the situation is only slightly better. The Denver regional area office has a Special Assistant to the Regional Administrator for Indian Affairs who advises the Administrator on Indian housing concerns, and serves as a focal point on hous-

ing for the tribes in that area. In Los Angeles, until recently at least, there was an Indian Action Team that reviewed all Indian housing applications. Neither of these so-called Indian offices, however, have sole authority for the processing of Indian applications. Instead, these applications have to thread their way through HUD's organizational bureaucracy, often ending up at the bottom of someone's pile of non-Indian and, presumably, less complex applications.

Presently underway at HUD is a reshuffling of office responsibilities for its programs, including those affecting Indian housing. There are proposals now being implemented that will move public housing processing from the area to the FHA insuring offices. This reorganization is soon expected in the Southwest where the Los Angeles Area Office will lose its processing powers to the Phoenix and, possibly, the Albuquerque insuring offices. Thus far, there is little indication that either of these offices will treat Indian applications any differently than does the area office.

Although HUD has tried to assure Southwestern tribes that the reorganization will bring processing closer to where Indians live, a historical review of recent - and remarkably frequent - HUD reorganizations places in question this potential "benefit". When the area office structure was created in 1970, many FHA insuring office staff were moved to these offices to process public housing applications. Tribes are the first to note that several years of housing development progress were lost in that transfer. It now appears that this situation will repeat itself. One might question whether, in fact, HUD is creating a new Tower of Babel.

New Challenges for the Indian Housing Delivery System

Congress recently enacted a housing and community development bill - P.L. 93-383 - that has wide-ranging significance for tribal housing programs. The new law alters the traditional public housing programs that many tribes only recently learned to benefit from, while, at the same time, providing the first legislative set-aside of traditional public housing contract authority for Indian use only. Equally important, however, is a provision of the new law that makes tribes and Indian groups specifically eligible for block grant funds for a variety of community development activities. The legislation also provides Indians with greater access to the rural housing programs of the Farmers Home Administration, through extension of all these programs to land where leases are the only form of security that can be offered, and by enabling public agencies, such as tribal housing authorities, to become sponsors of FMA rural rental projects. These provisions, and others, will enlarge and diversify tribal housing programs --- but only if tribes take the initiative to learn about them and to seek their benefits. For these reasons, the new housing act offers as great a challenge to Indian housing efforts as did the original decision to allow Indians to participate in the public housing programs.

But the Indian housing delivery system will remain, to a large extent, dependant on federal agencies for much of its housing funds. This will mean that unless there are changes in the way in which the federal agency bureaucracy processes Indian housing applications and assists in the development and operation of Indian projects, the national Indian housing effort will continue to move at a snail's pace, limp-

ing far behind the rapidly increasing rate of housing need, to say nothing of the rate of inflation.

Strengthening the Indian Housing Delivery System - Some Recommendations

There is little question that the currently inadequate Indian housing delivery system needs remodeling, particularly to meet the challenges of the new housing and community development legislation. Yet there is evidence that the federal agency component of that system is already changing and without the benefit of Indian input. Before new policy is developed, the Housing Assistance Council, Inc. proposes several interim activities that we believe would contribute to the emergence of a stronger and more rational Indian housing delivery system:

Indian Housing Task Force

Primary among these activities is the creation of national Indian housing task force, composed of representatives of tribal housing programs, tribal governments, national and regional Indian organizations, federal and some state housing personnel; and appropriate Congressional committee representatives. At a minimum, this task force should do the following:

- 1) Commission a national Indian housing needs report that would include off reservation and urban Indians, as well as those now eligible for BIA and State services;
- 2) Analyze the types of programs that are needed to house Indians, whether those programs now exist, and what administrative and legislative changes are needed to implement them;
- 3) Evaluate the tri-agency approach to Indian housing and propose ways to make this approach effective.

2

A New Commitment to Indian Housing

An Indian Housing Task Force would certainly draw national attention to reforming and improving the Indian housing delivery system, but there are several things that the federal agencies can be doing right now to assure that current Indian housing efforts succeed. The Department of Housing and Urban Development should:

- 1) Create the position of Assistant Secretary for Indian housing with full powers to coordinate all HUD activities as they apply to Indians, and to coordinate with other federal agencies their respective responsibilities;
- 2) Create at the field level - depending on which offices will process Indian applications - Indian housing teams with full authority to process and monitor Indian housing and community development projects. These teams should be capable of providing Indians with training in the implementation of all HUD programs for which they are eligible.

Other federal housing and Indian agencies - and even the State housing agencies - should immediately explore their current services to Indian tribes and propose ways by which these services can be expanded. The Bureau of Indian Affairs and the Indian Health Service are mandated to serve Indian people, but the Farmers Home Administration, Veterans Administration, and the Federal Housing Administration often neglect the Indian population. If there is going to be a legitimate move towards an effective Indian housing delivery system, then all of our national, State, tribal, and private resources will be needed. Towards this end, each of the non-Indian federal and state agencies with housing responsibilities should:

- 1) Create internally Indian liaison positions to develop and implement more effective outreach programs.

APPENDIX VI

"Indian Housing . . . A Separate Concern," Prepared
by Housing Assistance Council, Inc.,
November 1, 1974

Housing Assistance Council Inc.
INFORMATION

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November 1, 1974

INDIAN HOUSING...A SEPARATE CONCERN

In July, 1973, a meeting of selected Indian housing authority directors was held at the Department of Housing and Urban Development to discuss problems and necessary changes in the Mutual Help and Turnkey III homeownership programs on Indian reservations. The Housing Assistance Council attended because the subject concerned the delivery of housing to rural, poor people living in bad housing. Though many of the concerns voiced at this meeting were familiar to HAC, such as severe poverty, isolation, ignorance of federal program requirements, bureaucratic neglect, and lack of housing development and management skills, other problems of this small, but unique segment of the rural population emerged that were perplexing. For example, who exactly owns Indian land, what rights are inherent in the various forms of ownership and what is the effect on housing development? Further, we questioned the number of agencies involved in developing Indian housing, and how effectively their activities were coordinated.

Although HAC was already immersed in Indian housing efforts, particularly through predevelopment loan fund and technical assistance activities, it became apparent that staff would need to have considerably more information on Indian housing issues and concerns before our efforts could be expanded. A research project on Indian housing was begun in September, 1973. This included a survey of written materials on the subject, as well as interviews of

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federal officials in Washington, D.C., and in regional, area, and local offices throughout the country. In addition, on-site interviews were conducted with housing and other staff of five Indian tribes. The tribes visited were the Lummi (Washington), Tulalip (Washington), White Mountain Apache (Arizona), All Indian Pueblo Housing Authority, representing 11 tribes (New Mexico), and Cherokee (Oklahoma). These interviews were augmented by discussions with other tribes' housing personnel during the regular course of HAC business.

The following paper is one portion of a larger study that will be published by the Housing Assistance Council several months hence. Other chapters will be published as HAC INFORMATION papers prior to that time. These papers will focus on particular elements of the so-called Indian housing program, such as the roles of the Bureau of Indian Affairs, the Indian Health Service, and the Department of Housing and Urban Development. It is our intention to provide readers with an overview of the major issues of Indian housing development, and to suggest alternative approaches to addressing this historic problem.

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INDIAN HOUSING...A SEPARATE CONCERN

It is well recognized that the isolation, poverty, and extremely poor housing conditions of Indian people present special concerns to both Indian and federal officials whose job is to relieve these problems. Such characteristics, however, also describe much of the rural housing problem. Yet, it is as important to distinguish between rural and Indian housing problems and remedies, as it is to distinguish those of urban and rural areas. Indian housing is a separate concern because of legal, political, and cultural conditions that are peculiar to Indian people only.

These conditions were briefly stated in the original 1963 agreement between the federal Public Housing Administration (an agency preceding the Department of Housing and Urban Development) and the Bureau of Indian Affairs, establishing roles for each agency under the then new "mutual-help" housing program for Indians:

"It is recognized at, in this mutual-help housing program for Indians, there are substantial differences from the conventional PHA-aided low-rent housing program. Some of these differences stem from (1) unique ethnic patterns and ways of living, (2) land tenure patterns, (3) the element of 'ownership' incentives, (4) extremely low economic base, (5) rural rather than urban attitudes, and (6) the unique relationships between the occupants, the local housing authority, and the Federal Government."

(Letter of May 29, 1963, Marie C. McGuire, Commissioner Public Housing Administration to Philleo Nash, Commissioner, Bureau of Indian Affairs).

This paper will attempt to deal with some of the unique conditions of Indian people that affect their ability to obtain decent housing.

FEDERAL TRUST STATUS

"Essentially, the unique (Federal-Indian) relationship is derived from treaties, statutes, executive orders, and administrative determinations. That is to say that American Indians are the only people specifically mentioned for special treatment in the Constitution. Further, the Indian tribes or nations have retained many aspects of sovereignty and relate to the Federal government, in some respects, as sovereign nations."

Sovereignty, however, connotes an independence which many Indian tribes have not experienced since the last century when they were defeated by the weaponry and promises of the United States government. As conquered nations, the Indian tribes had little ability to pro-

vide for their basic needs. In the act of surrender, according to a 1961 Task Force on Indian Affairs, they became "domestic, dependent nations"; in many instances, forced to abandon their traditional homelands and required to at least partially assimilate into a culture alien to theirs.

Although paying lip service to the "sovereignty" of Indian nations, the treaties and statutes made Indian people wards of the federal government, thus creating a "trustee" relationship. As a concomitant of this trustee status, the federal government became manager of all Indian lands, and thus began its intrusion into every aspect of Indian life. Within the physical boundaries of Indian existence - the reservations created by treaties and administrative orders - the federal government determined how the land would be used, who could lease the land and for how much and, eventually, to whom the land could be sold.

As trustee, the federal government was also responsible for the health and education of its wards. The debilitation and death of thousands of Indian people, and the forced removal of children to distant schools where their Indian identity was threatened, sadly attest to the trustee's derogation of duty.

"Local self-government" for Indian tribes became federal policy upon the adoption of the Indian Reorganization Act of 1934 (also known as the Wheeler-Howard Act). Though, in effect, rejecting forced Indian assimilation into white culture, the Act established the parameters of Indian "self-government", based on white America's perception of good government, and on the retention of federal trust responsibility. Tribal corporations were established and officers elected according to their tribal constitutions.

As Indians began to participate in a greater variety of federal programs, outside those of the Bureau of Indian Affairs, new levels of bureaucracy were created on reservations to satisfy federal requirements. In the process, decision-making authority was manipulated away from the elected tribal councils.

The tribal housing authority is illustrative of the partially damaging effect of federal legislation on tribal cohesion. In 1961, tribal governments were recognized as legally competent to create local housing authorities, but HUD and BIA staff were concerned that the tribal housing authorities be bodies separate from the tribal councils in order that they could be held legally suable.⁴ Furthermore, the agencies wanted to insulate the housing programs from tribal government patronage assignments of jobs and housing units. In retrospect, the federal architects of separate tribal council/housing authority roles doubt the wisdom of their earlier decision. For one, there was a scarcity of Indian people with skills in operating governmental programs, and the creation of a new agency thinly dispersed their talents. A second outcome of their decision was the advancement of factionalism on the reservations. By creating a new entity, with authority over large sums of money for addressing a major reservation problem, the federal government successfully imposed a new competition for power that many Indians doubt has been for their betterment.

There is no need here to retell the history of Indian people, for it is easily obtainable in numerous historical works. Mention of this history, and the trustee relationship that resulted, is, however, important to an understanding of problems associated with Indian housing development. Long term federal neglect of Indian living conditions naturally contributed to the deplorable housing conditions in Indian country, and a forced dependency on federal assistance that has contributed to the Indian's timidity in demanding better conditions.

FEDERAL TRUST STATUS AND INDIAN DEPENDENCY

The Indian situation today is noted for its incongruous character. Indians suffer greatly from federal neglect, yet they continue to cling to the trustee relationship. Their reasons are understandable, for termination of special Indian status looms like a threatening cloud in Indian country. As the official policy of the Eisenhower Administration, and as a continuing part of federal Indian legislation, "termination" has resulted in the disorientation and further impoverishment of tribes that were the first test cases of this policy.³

In his 1970 landmark Indian address, President Nixon denounced forced termination as "wrong" and blamed it for discouraging "greater self-sufficiency among Indian groups". Several important reasons for abandoning termination as federal policy were cited: first, it would deny Indians their special standing under federal law which is the result of "solemn obligations" entered into by the United States government and the Indian tribes; second, experience in termination had been disastrous, leaving the terminated tribes in economic and social conditions far worse than before; and, third, the mere threat of termination had created apprehension among the non-terminated tribes, creating a "blighting effect on tribal progress".⁴

As recently as 1970, the President cited, "the Indian community is almost entirely run by outsiders who are responsible and responsive to Federal officials in Washington, D.C., rather than to the communities they are supposed to be serving." With "only 1.5 percent" of Department of Interior Indian programs under Indian control and just "2.4 percent of HEW's Indian health programs...run by Indians", federal domination is near total. The result of this situation, according to the President, are "programs which are far less effective than they ought to be, and an erosion of Indian initiative and morale".

These findings are evident in the Indian housing program, which is actually a group of mostly non-Indian housing programs, partially adapted, though often unsuccessfully, to Indian needs. Moreover, the adaptations are usually made because a particular tribe becomes extremely demanding, not because the adaptations are obviously reasonable. HAC has found, however, that there are few tribes willing to make demands on federal housing officials, partly because they are not used to this approach, and partly because they fear reprisals.

Whereas the fear of termination can and has been used to stifle Indian demands, dependency has had an equally deleterious effect. It

is well known in non-Indian society that in dealings with the federal government, the outcome is often the result of bargaining among the affected parties. A number of Indian housing authorities, however, are unaware of their bargaining power, and accept a federal agency response as the final word. Unfortunately, these responses are often arbitrary, since another tribe that is more demanding receives a different answer. This situation is less apparent in Indian housing authorities that are directed by persons who have lived off the reservation, or by non-Indians.

FEDERAL TRUST STATUS AND THE QUESTION OF LAND

"Land is the basis of all things Indian"; thus, from its authority a trustee of Indian land, stems the federal government's control of Indian life.⁵ Early white settlers wanted Indian land to cultivate; later, gold, silver, timber, water, and oil on Indian lands were coveted. As "trustee" of these resources, the federal government perpetrated a fraud on Indian people. In an 80 year period alone, the "Indian" land base dwindled from 138 million acres to a mere 55 million. Two years ago, according to the BIA's land inventory, trust lands totaled 50.4 million acres, several thousand acres less than the prior year. The erosion of the Indian land base continues despite federal promises to the contrary.

Indian land status is complex, and has been altered greatly since the federal government originally set aside lands specifically for Indian use. The following will identify the major forms of Indian land status, and relate their significance to housing development.

TRIBALLY-OWNED LANDS⁶

The term "tribally-owned lands" is perhaps a misnomer, since ownership usually connotes, among other things, the freedom to sell, improve, lease, or exchange property. In most cases of tribally-owned lands, however, the United States government holds the title to the land in trust for the beneficial use of an Indian tribe. Such lands, generally referred to as "reservations", are tax exempt, and their tax status continues indefinitely unless otherwise dictated by Congress.

Only Congress can authorize the sale of tribally owned land, but land exchanges are sometimes possible to consolidate Indian property and, in some special cases, tribes have obtained legislation to sell their land and to use the proceeds to acquire land of more use to them. Tribal trust lands may not be mortgaged; this, of course, inhibits banks from making housing loans to Indians, since adequate security is not available.

Since tribal trust land is held collectively, individual tribal members cannot sell it or use it for purposes of which the tribe disapproves. Tribes, however, may lease their lands to individuals or groups, both Indian and non-Indian, and for a variety of purposes. A tribal lease is, for example, the security upon which HUD's low-income housing programs operate on many Indian reservations.⁸ The tribe leases

the necessary land without charge to the tribal housing authority for a total of 50 years and, at the conclusion of this period, it is expected that the tribe will continue to assign (or lease) the land to the family whose house is located there.

All leasing of tribally-owned land must be approved by tribal governments and, in many instances, by tribal organizations or committees that control certain land uses. For example, many leases on White Mountain Apache land in Arizona must be approved by the tribal grazing committee. Additionally, the Bureau of Indian Affairs must approve all leases. Delays in lease approval are common, even though ownership is easily established. Some tribes, particularly the Navajo, have several layers of government which have authority over leases and, of course, the BIA has its own complex bureaucracy through which a lease must travel.

There are several variations of the ways in which tribally-owned land is held. Some of the major ones are the following:

Restricted fee land: Title to such lands is held in the name of the tribe, but alienation or encumbrance is restricted except with the approval of the trustee, who is usually an authorized representative of the Secretary of Interior (such as a BIA agency superintendent). Unlike trust land, alienation of tribal restricted fee land is possible. Some tribes also own fee land for which taxes are paid. This land is often acquired through purchase or exchange, and is sometimes used for investment purposes.

U.S. purchased lands: In this instance, the United States holds legal title to the land either in trust or outright. Although a tribe may use the land, it would not have legal or beneficial title to it. "Rancherias" in California, and "colonies" in Nevada, are examples of this type of ownership. Some tribes are seeking corrective legislation to obtain legal title to U.S. purchased lands.

United States lands set aside for Indian tribal use: These are lands usually acquired for other purposes, but their locations on or near Indian reservations have resulted in agreements between the federal agency acquiring the lands and the Department of Interior, for beneficial use by Indian tribes or groups. During the Depression, the federal government purchased drought stricken land from farmers in order to relieve their financial burden. Some of these so-called "submarginal lands" were to be used for the benefit of Indians, with title eventually passing to the tribes through Congressional legislation.

In anticipation of Indian title assumption, housing was built on some of these lands. But a 1971 study prepared for the National Council on Indian Opportunity reveals that, in most cases, legislation on sub-marginal lands never came up for a vote. The study has however revived some interest in the completion of the land transfer program, which, if Congress acts, would mean that Indian tribes could gain title to hundreds of thousands of acres of land from which the government now receives revenue.⁹

INDIVIDUALLY-OWNED LANDS

Individual Indians have obtained title to land through the device generally known as "allotment". The Dawes Act of 1887, better known as the General Allotment Act, allowed for the dissolution of tribal trust land by assigning tribal members their own parcel of tribal land. Trust patents were issued on these parcels, which would extend for 25 years, although the Secretary of Interior was later given the discretionary authority to remove restrictions on these patents at any time.

Allotments were made with little regard to treaty obligations. Congress rationalized the General Allotment Act as a means of making Indians more like white men, by giving them property ownership. John D. C. Atkins, who was confirmed as Commissioner of Indian Affairs in 1885, clarified Congressional rationale during his confirmation hearing:

"They (the Indians) must abandon tribal relations; they must give up their superstition ; they must forsake their savage habits and learn the arts of civilization; they must learn to labor, they must learn to rear their families as white people do and to know more of their obligations to the government and to society."¹⁰

Congressional intent, however, was even more pragmatic: by breaking up Indian reservations, it would be easier for Indian lands to be taken --- bought or stolen,--- by non-Indians.

Felix Cohen, whose work in Indian law is still considered the authoritative source, found that the "origins of the allotment system, as of every other important legal institution in the field of Indian affairs, are to be found in Indian treaties. As early as 1798 tribal lands were allotted to individuals or families. Allotment was then, as it has been generally ever since, an incident in the transfer of Indian lands to white ownership."¹¹

The result of allotment is scandalous: Indians have lost nearly two-thirds of the land provided them in treaties, for along with allotment came taxation to some Indians, and the ability to sell property. The generally low incomes of Indians forced many of them to sell their property, usually at very low prices.

Although allotment was abandoned as federal policy with the adoption of the Indian Reorganization Act of 1934, its effects continue. Land allotted 70 years ago is still being sold to obtain desperately needed cash, and the complicated heirship status created by allotment renders large tracts of land useless for housing, as well as for other development. Before continuing with some of the problems created by allotment, descriptions of its various forms will be given, as follows:

Trust Land Allotments: In this instance, the United States government holds title to the land in trust for an individual (much like

it does for a tribe), the land is generally tax exempt, and it may be leased, or mortgaged with the approval of the BIA..

Restricted - Fee Allotments: Although title to the land in this case is in the name of the individual, alienation or encumbrance is restricted except with the approval of the trustee, who is the Bureau of Indian Affairs. Legislation in 1902 and 1907 eased the way for the removal of restrictions on this land, and, in effect, "opened the sluiceway for a wholesale dissipation of the Indian landed estate".¹² The 1902 act allowed the sale of an allotment upon the death of its owner, if one "competent" heir requested the sale. Competency is decided by the federal government.

Most restricted fee allotments were made to members of the Cherokee, Choctaw, Chickasaw, Creek and Seminole Tribes of Eastern Oklahoma under a special act of Congress, and many of the allotments they received eventually lost their restricted character.

Fee land: This is simply land owned by Indian persons without restriction, either on or off the reservation. The land is, of course, taxable..

With allotment came the whole notion of "heirship", and its effect has been devastating. Upon probate, trust or restricted fee status of Indian land continues, but only for the Indian heirs. Any Indian land inherited by non-Indians, who in Oklahoma are defined as persons with less than one-half Indian blood, loses its restricted status and becomes taxable. If this land is inherited in undivided interests, rather than being partitioned, the taxable and tax exempt portions cannot be distinguished. This heirship situation then becomes a deterrent to housing development.

Some Effects of Land Status on Housing Development

The Lummi Tribe of northwest Washington illustrates the damage caused by allotments. When first established, the Lummi reservation included 45,000 acres: its boundaries now encompass 7,000 acres, all but 28 acres of which are individually owned. Nearly two-thirds of the land-owners are non-Indians who, according to the Lummi, bought their land far below market rate and often with the corrupt aid of BIA employees.

Since there has been considerable inter-marrying among the Lummi and either white or Canadian Indians, much of the land inherited from the original allottees is now tied up in complex "fractionated" heirship situations. In a few instances, one heir might be able to locate the other heirs to land and purchase their undivided interests, or obtain at least portion of the land either through purchase or lease. But, more often, the cost and time involved in locating 50 to 100 heirs is beyond the means of Lummi Indians. For many tribal members, the lack of clear title, or a valid lease to a plot of land, has prevented them from participating in any of the low-income housing programs, and from obtaining mortgage credit from banks or the Farmers Home Administration.

Federal legislation requires that property used in any of the public housing programs --- these include the mutual help and Turnkey III homeownership programs, as well as the low-rent program --- must be exempt from State and local taxes, although the local housing authority generally makes a payment in lieu of taxes to the local community for services rendered to the housing project. The tax exempt requirement is a problem for Lummi tribal members who share with non-Indian heirs undivided interest in Lummi land. This situation places an aura of taxation on all the land, thus preventing any of it from being included in a federal low-income housing project. The irony of this situation is that, even though there is a desperate housing need on the Lummi reservation, the Lummi Housing Authority has difficulty finding enough families who have adequate title to their land and who, therefore, can participate in the tribal housing program.

To further complicate the situation at Lummi, the tribe owns only 28 acres of trust land and much of it is tideland being used for a unique aquaculture center; as a consequence, the tribe has no land suitable for housing development. Although it would like to purchase land within the reservation, the tribe has no money available for this purpose. Even if it did, the Lummi tribe did not accept the Reorganization Act of 1934 and, although it is still federally recognized and receives BIA services, any land it purchases does not attain trust status. The State of Washington has been particularly reluctant to allow any land, even that which is former reservation land, to be converted to trust status.

According to the Lummi, corrective legislation has been gathering dust on the desks of Congressional representatives for years. Meanwhile, acres of land needed for housing development remain useless because of legal complications.

In northwest Washington, the status of Indian land is a deterrent to housing development but, in Oklahoma, where a booming Indian housing program is underway, the protected status of Indian land is being undermined. Although the President's 1970 message strongly opposed the policy of termination of federal trust status, the Department of Housing and Urban Development, in its Oklahoma office, is helping to enforce at least one aspect of that policy --- elimination of the special tax free status of Indian lands.

As previously stated, it is a requirement of the mutual help and other public housing programs that the land being used for housing development, usually an acre, be deeded to the tribal housing authority for the length of the amortization period. This is required whether the land is held in trust, or in restricted fee or fee simple status. If there is fee simple title, the property is simply taken off the tax rolls during the amortization period, then reverts to its taxable status when the mortgage is paid up. But in eastern Oklahoma, HUD further requires that all restrictions be removed from currently "restricted" fee land at the conclusion of the amortization period. This is contrary to the normal lease arrangement approved by HUD elsewhere, and is certainly contrary to a policy of non-termin-

ation. According to tribal housing authority spokesman in Oklahoma, BIA readily concurs in the policy of removing restrictions.

Tribal housing authority, HUD, and BIA staff provide a peculiar rationale for this policy of removing restrictions. Supposedly, families who know they will lose not only their home, but an acre of their land if they default on their labor contribution or housing payment, will be much more diligent in their efforts at home ownership. Regardless of the intent of the policy, its enforcement raises a question of ethics. Is the federal government again assisting in the potential expropriation of Indian lands? Since no alternatives are offered, families are apparently willing to give up their restricted land status in this part of Oklahoma in order to obtain housing. At least one tribal housing authority in the State, however, has been accused by its tribal members of perpetrating a land swindle.

HOUSING...FROM THE PERSPECTIVE OF VARYING CULTURES

"The Pueblo of San Felipe reserves the right to be frugal, even-cautious in its progression, that preservation of its cultural and traditional values are not over-shadowed by accelerated, quickly fabricated enterprises or projects, which are suppose to be cure-alls."¹³

The American melting pot has failed to submerge Indian people --- partly because, for a long time, Indians were considered the enemy and were denied access to the "new" American's society, and partly because their isolation from non-Indian society allowed them the opportunity to retain many of their traditions, customs, languages, and religions.

The General Allotment Act, described above, did not make Indians into "white men", as it had intended. Instead, nearly a century later, Indian people continue to "reserve the right" to approach life in their own way. Their approaches often meet with resistance from non-Indians. This is certainly evident in the area of housing. In numerous interviews with Indian housing personnel, the insensitivity of federal officials to the various Indian cultures and life styles was frequently mentioned. Rather than trying to understand the basis for Indian housing concerns, federal officials often treat Indian requests as nuisances. It is noteworthy that, regardless of the size of their Indian workload, few federal agencies have Indians on staff.

On several occasions, Indian housing personnel have been told that their requests for special design features or materials would be acceptable to HUD, for example, only if they could be justified in terms of economy, not because of their cultural importance to Indians.

Housing "location" has been the source of many disputes between Indians and HUD. Among the more frequent statements made by Indian housing personnel is that their tribal members want to live on their own land: land that they own or has been assigned to their families for generations. And, they want to live there even if their closest

neighbor is 20 miles away. As desperate as their housing situation might be, many Indian families will not leave the land they have known for generations to seek better housing. Yet HUD persists in its efforts to provide "cluster" housing because it is considered more economical. Cluster housing, however, is not more economical for Indian families whose livelihood may depend on cattle grazing many miles away.

Several tribes also state that "homeownership" is important. The notion of renting a house is alien to many tribes, as is the notion of purchasing a house over many years on credit. Until recently, most Indians built their homes in whatever fashion they could, moved in, and owned them outright. Mortgaging, or lease/purchase plans are newly introduced concepts. So is the concept of "building equity"; a particularly foreign idea to people whose likelihood of moving and selling their homes is limited.

Most Indian families would prefer to own their own homes as rapidly as possible, and care little of equity, increased value, or profits made at sale. But in a number of interviews with HAC staff, HUD officials stated that more use of rental housing should be the goal of tribal housing authorities. Obviously there is disagreement among HUD and Indian housing personnel regarding the importance of homeownership.

Housing design and materials are other sources of dispute among Indians and federal housing agencies. The latter, on the one hand, are concerned with protecting their investment in case of foreclosure; therefore, they choose to finance housing that is more typical of non-Indian communities. But it is questionable whether a non-Indian (whose tastes are supposedly satisfied by the "typical" house) would ever have the opportunity to purchase housing on tribal lands. Indians, on the other hand, seem more concerned with the individuality of their own homes, and greatly resent what has been termed "government issue" housing. In one Indian community, each family painted its mutual help house a different color in order to distinguish it from its identical neighbor.

Pueblo Indians of the Southwest persisted in their efforts to win HUD's approval for the use of adobe brick construction, which is traditional in this area of the country. Adobe is strong, provides excellent insulation, and is composed of local materials. It is also long lasting. But, regardless of its traditional use and long history, HUD was extraordinarily difficult to convince. At one point, HUD officials agreed to adobe, at least in concept, but required that insulating materials and steel reinforcing bars be added. Apparently, HUD missed the whole point. Innumerable government architects have since journeyed to the Southwest to see adobe first hand, some issuing favorable reports, but approval evaded the Pueblo housing programs until this year. During the long delays, housing construction costs increased, and families were denied access to decent housing.

THE SEPARATE CONCERN

Keep in mind, that in the area of housing, Indians are totally dominated by federal programs and officials. Private housing institutions simply do not function adequately for Indian people. The problems defy simplification or easy solution:

- Indian land is supposedly "protected" from seizure, sale, or taxation, and this is generally a benefit to Indian people;
- but this special protection discourages private institutions from making housing loans to Indians because there is no adequate security for the loan;
- therefore, Indians with financial capability are unable to improve their housing situation;
- and, often they must turn to public housing for assistance;
- poor Indian people must also turn to public housing because they have no alternatives;
- yet the public housing program was federally designed for urban living;
- therefore, Indians must attempt to adapt this program to a rural and unique Indian setting;
- their efforts at adaptation are often not understood, or they are resisted;
- delays occur while Indians and federal officials debate the merits of federal regulations and Indian requests;
- and Indians --- the very poor and the not so poor --- do not obtain decent housing.

There are no alternatives for Indian people. Their situation obviously calls for new directions in approaching Indian housing problems.

"It is long past time that the Indian policies of the Federal government began to recognize and build upon the capacities and insights of the Indian people. Both as a matter of justice and as a matter of enlightened social policy, we must begin to act on the basis of what the Indians themselves have long been telling us. The time has come to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions." The President's 1970 Indian Doctrine.

In succeeding issues of HAC INFORMATION, the Bureau of Indian Affairs, Indian Health Service, and HUD programs will be examined.

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FOOTNOTES

¹Seneca, Martin Jr., "Federal-Indian Relations: A Historical Perspective", NCIO News, January-May 1972, p.8.

²The Constitutions of most tribes create governing bodies which have police powers to use within the boundaries of their reservations. These powers are the basis for creating and operating a public housing program. In states such as Maine and Oklahoma, tribes lack these police powers; however, their state legislatures have enacted statutes enabling them to establish housing authorities.

³House Concurrent Resolution Number 108 of the 83rd Congress endorsed termination as federal Indian policy.

⁴In his July 8, 1970 message, the President described the long-range results of a policy of termination. "...Indian tribes would eventually lose any special standing they had under Federal law: the tax exempt status of their lands would be discontinued; Federal responsibility for their economic and social well-being would be repudiated; and the tribes themselves would be effectively dismantled. Tribal property would be divided among individual members who would then be assimilated into the society at large."

⁵Cahn, Edgar S. and Hearne, David W., Editors, Our Brother's Keeper: The Indian in White America, A New Community Press Book, New York, 1969, p.68.

⁶Much of the information on Indian land status is derived from a paper dated December 1975, prepared for Housing Assistance Council by Robert Bennett, Special Projects Coordinator, American Indian Law Center, University of New Mexico. Mr. Bennett is a former Commissioner of the Bureau of Indian Affairs.

⁷The Farmers Home Administration has an Indian land purchase program (FHA Instruction 442.11) which enables tribes to purchase land within reservation or Indian community boundaries. The interest rate is 5 percent.

⁸The Bureau of Indian Affairs does not require a lease, nor any other security, for participation in its housing programs, since there is no repayment plan BIA either repairs a house without cost to the family, or builds a family a new house without cost. Proof of tribal enrollment is required.

⁹The study was prepared by Harold M. Gross for the National Council on Indian Opportunity, May, 1971. It is entitled, "Indian Submarginal Lands: An Unresolved Problem". Proceeds from mineral leases given by the federal government on submarginal lands awaiting title change have amounted to \$1.5 million on 12 reservations.

In some instances, the federal government requires Indians to pay for permits to use the land that is suppose to be theirs.

¹⁰Cohen, Felix, S., Handbook of Federal Indian Law, University of New Mexico Press, reprint of 1942 edition, p.206.

¹¹Seneca, op. cit., p.9.

¹²Cohen, op. cit., p.233.

¹³Statement of the Pueblo of San Felipe before the Senate Interior Subcommittee on Indian Affairs, August 29, 1973, Isleta Pueblo, New Mexico.

APPENDIX VII

"Indian Housing Issues and State Roles," Prepared by Housing Assistance Council, Inc., for Midwestern Conference on Nonfederal Roles in Rural Housing, October 8, 1974

INDIAN HOUSING ISSUES AND STATE ROLES

Rural Indian housing is of special concern in these 8 Midwestern states* because Indian people here suffer among the worst housing conditions of any group, and because their ability to overcome their bad housing situation is limited by very low incomes and unusual land tenure problems. Federal housing assistance to Indian people is of recent vintage, but substantial gains are being made. Indians, however, like other poor people, are now faced with new housing legislation that could seriously undermine the possibility that the neediest families will be served. New sources of housing financing and housing expertise will need to be tapped --- and this is where state governments can have an important role.

This paper will explore the major issues in rural, primarily reservation, Indian housing, and will propose ways in which state housing and community development agencies could aid in overcoming the housing conditions which plague their Indian residents. Part A provides background information on the extent of Indian bad housing, and the complexities of the Indian housing problem. Following this, Part B offers several housing activities in which states could engage for the benefit of improving rural Indian housing conditions. None of the activities represents a panacea for the Indian housing problems experienced in the Midwestern states; nor the nation, but, together with federal and tribal efforts, these activities could greatly improve the situation that now exists.

Part A - BACKGROUND ON THE RURAL INDIAN HOUSING PROBLEM

General Indian Living Conditions

As a small, but unique segment of rural America's impoverished population, the Indian is surely among the worst housed. Data collected by the Bureau of Indian Affairs at the close of FY 73 on mostly reservation Indian housing conditions, shocks one's sensibilities:

- 61 percent of the existing units nationwide are substandard
- 58 percent of the substandard units are beyond repair

* Illinois, Indiana, Iowa, Minnesota, Nebraska, North Dakota, South Dakota & Wisconsin

¹Bureau of Indian Affairs, "Consolidated FY73 Area Housing Inventory".

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47,000 or more new units are needed - equalling more than one quarter the current housing stock
24,000 units need renovation.

This situation is not static. Each year the Native American population increases - having grown by 51 percent between 1960 and 1970 - new families are formed, and already bad housing becomes uninhabitable. For too many Indian families, tents, chicken coops, and car bodies constitute their only shelter from nature's forces.

In the Midwest, where the severe winter climate demands that homes be well insulated and heated, Indian bad housing is a persistent characteristic. For fiscal year 1973, the Bureau of Indian Affairs reported an Indian substandard housing rate of 47 percent for this area, a figure almost three times higher than the rural housing plight of the 8 Midwestern states, and twice as high as the national rate of substandard housing in rural areas.² Census data for 1970 paint a particularly tragic picture of the rural Indian housing plight in several of the midwestern states:

Illinois - where 44 percent of the rural Indian households live in substandard housing

Minnesota - 67 percent

North Dakota - 77 percent

South Dakota - 76 percent

Wisconsin - 57 percent³

These data show three out of every four Indian households in the Dakotas living in the barest of shelters.

Bad housing is devastating to the fragile health of Indian people, who succumb to diseases which few other Americans ever suffer. Diseases associated with overcrowded living conditions, impure water and sanitation facilities are legendary among Indians; dysentery, for example, affected Indian people in 1968 at a rate 28 times that of the U.S. population.⁴

As in all rural areas, the presence of such bad housing is coupled with a high incidence of poverty. The 1970 Census showed 19% of the nation's nonmetropolitan households with incomes below the official poverty level. But Indian poverty was even more pervasive, at a level of 45 percent. Decent housing is expensive, yet nearly half of rural America's Indian population does not have sufficient income to sustain its basic needs. Very low incomes, of course, make the solution to Indian bad housing more difficult to achieve, since partial and even full subsidy housing programs are required.

Subsidized housing programs are in short supply in Indian country. Moreover, just as Indian tribes were gaining experience in the federal housing subsidy programs, these programs were altered or eliminated. New forms of assistance will be necessary if Indian tribes are going to free themselves from the demoralizing constraints of bad housing.

²Michigan is also included in this figure.

³Census data from "American Indians", PC(2)-F, Bureau of Census, 1970.

⁴Indian Health Trends and Services, 1970 Edition, Dept. of Health, Education, and Welfare, Public Health Service.

A Federal Indian Housing Commitment of Sorts

Though public housing legislation was passed in 1937, Indians living on reservations could not participate in this program until 1961 when tribal governments were recognized as having sufficient "police" powers to create their own local housing authorities. Low-rent housing soon became the only major development program on Indian reservations, with the first project developed in South Dakota. Then in 1964, the Housing Assistance Administration (now HUD) created a new program specifically for Indians. This was the mutual help program, which offered homeownership opportunities to low-income Indians who would contribute their own labor to the building of their homes, thus lowering construction costs. At the close of 1972, this program accounted for 6100 completed units, while the conventional, low-rent program, Turnkey IIP, and leasing produced a comparable amount for a total of 12,094 units.⁵

None of the programs, however, could accommodate those Indian families with exceptionally low incomes, or no incomes at all. The Bureau of Indian Affairs (BIA) responded, also in 1964, with the creation of its own Housing Improvement Program (HIP), which authorized grants for repairs, major rehabilitation, down payments, and some new housing construction. In eight years of operation, the program repaired 19,600 homes, but new construction was limited to about 2780 units.⁶

Neither HUD nor the BIA have made a major dent in Indian housing need, although expectations for both programs have been great. In a 1969 Memorandum of Understanding signed by HUD, the Department of Interior, and the Department of Health, Education, and Welfare (for the Indian Health Service), a commitment was made for the yearly production of 6000 HUD Indian units through FY 74, as well as 1000 new or improved BIA financed houses.

HUD failed to meet its overall commitment by June 30, 1974, but pledged its fulfillment in the current fiscal year. Congress enacted in its 1974 housing legislation, P.L. 93-383, a special set-aside of conventional public housing funds for Indians. The two year set-aside is intended to produce up to 15,000 units of conventional public housing --- more than the total units that were actually completed in 10 years of Indian participation in that program.

Other federal agencies have no similar commitment to Indian housing. The Farmers Home Administration (FmHA) although a rural housing agency, only recently has expressed its concern for improving its loan activity to Indians. Improvement is surely needed. In South Dakota, where Indians comprise nearly 6 percent of the rural population, only 1.7 percent of the FmHA loans made there in fiscal years 1972 and 1973 were to Indian borrowers. This disparity is repeated throughout the Midwest and the nation, where FmHA loans to Indians in fiscal years 1972 and 1973 totaled only 902.

⁵ "Indian Programs", Development Program Directory, Department of Housing and Urban Development, December 31, 1972.

⁶ Data from BIA Consolidated FY 73 Area Housing Inventory; FY 74 data not available.

Issues in Indian Housing

Lower Income Exclusion: Although Congress has expressed the Federal intent to continue, at least for the short term, its responsibility to Indian housing development, the operation and management of conventional public housing programs under the new housing legislation could exclude from participation all but the higher income Indian families. This legislation contains such provisions as minimum rents; tenant selection criteria; and income mix. These provisions tend to exclude the neediest families, particularly when coupled with the provision that aggregate project income must equal 20 percent of tenant incomes. Although the legislation does not preclude HUD from establishing for the mutual help housing program "special schedules of required payments", these payments may be as potentially harmful to low-income families as are the minimum rent provisions.

If lower-income Indians are still going to participate in these important public housing programs, other subsidy assistance may be required; yet there are few tribes with any ability to offer this assistance. Additionally, the BIA's housing program, though remarkably versatile, and among the only full grant programs anywhere available, suffers from a static and small budget capable of assisting only a few poor families who cannot qualify for public housing.

Inadequate Training: New housing legislation further emphasizes good management practices, generally meaning timely rent collection and prompt evictions. For many reasons, often having to do with the sparse incomes of Indian families; and the difficulty of evicting families from land that they may have occupied for generations, these aspects of management have not characterized Indian public housing efforts. Recent correspondence to HAC from Wisconsin, for example, indicates that all the tribal housing authorities there are experiencing large accounts receivable, poor record keeping, poor management/tenant communication, and inadequate maintenance, among other problems. If good management practices become the key to receiving more housing units --- and there is every indication from HUD that they will --- then tribal housing authorities will need assistance in developing their management capabilities.

But the problem is who will provide the necessary training. HUD clearly recognizes that tribal housing development and management skills are sorely lacking, yet HUD pleads that it has neither the time nor the money for the necessary training.

It should be recognized that most tribal housing authorities represent small, understaffed, and largely inexperienced organizations. Most of the tribal housing authorities in the Midwestern states, with the exception of the larger tribes in South Dakota, operate small housing programs --- mostly with less than 100 units. Since the number of units determines the size of the staff --- and the salary levels --- these housing authorities are generally understaffed and their employees underpaid for the amount of work they must perform. Often the most talented employees, therefore, look for better jobs elsewhere.

Midwestern tribes, like others around the nation, only recently have had the opportunity to begin to communicate among themselves and to share solutions to common problems, due largely to the emergence of several regional Indian housing authority associations and the new National American Indian Housing Council. Still, these organizations have not yet developed the capacity to regularly monitor federal housing requirements, nor do they have staff to assist the tribal housing authorities in improving their development and management capabilities.

BIA has provided some minimal training in management by sending some LHA directors to housing management seminars; unfortunately, these seminars focus on urban housing problems which have little relevancy to the rural Indian situation.

HUD tenant and homebuyer training has thus far been limited to the Turnkey III program, although a draft mutual help manual proposes that homebuyer training funds be provided for that program also. While there is no HUD training assistance available to low-rent housing tenants, the BIA did fund a demonstration program for the training of Indian public housing tenants and homebuyers in the Dakotas this past year and concluded that the program, which was conceived and implemented entirely by the tribal housing authorities, was successful. But BIA funding for the continuation of the Dakota program, or expansion into other areas, is severely limited.

No Mortgage Financing Available: Indian families whose incomes exceed public housing guidelines, and who want to build their own housing, have nowhere to turn for construction or mortgage financing. Indian country suffers the irony of some higher income families living in as bad housing as their poorer brethren.

One reason for this is that the traditional sources of conventional mortgage money --- the savings and loan associations --- simply do not exist in Indian country. Nor are many commercial banks to be found on or even close to most Indian areas. And further, even where banks are physically accessible to reservations, the banks are generally fearful of making loans to Indian people. Banks do not find Reservations attractive markets for their capital. More importantly, the most widespread obstacle to private investment in Indian housing is the type of security Indian borrowers can offer in return for financing of their homes. If an Indian borrower who is living on trust or other restricted land defaulted on a housing loan, the bank could take possession of his home --- but not the land on which it stands. Most banks will not lend under these circumstances.

Land is the Indian peoples' last remaining asset; without it their hopes for economic independence are diminished, and the fabric which binds them together is unraveled.⁷ Such cultural or philosophical matters are of little concern to banks, however; their concern is with obtaining adequate security for their loans.

⁷In an 80 year period alone, the Indian land base dwindled from 138 million acres nationwide to a mere 55 million.

The Menominee tribe of Wisconsin can speak to the devastation caused its people when that tribe lost its federal status in 1961, and its land became taxable. Within several years, extreme poverty was pervasive, and Menominee County earned the dubious honor of becoming the poorest county in the nation. After several more years of appealing to the conscience of Congress, the Menominee tribe retrieved its federal status and began the slow, painful process of restoring economic and social health to its impoverished members.

Leaseholds on Indian land can be offered as mortgage security, but most banks also choose to ignore this alternative. As a result, conventional, as well as FHA subsidized loans which depend on bank financing, are denied to Indians. Farmers Home Administration, on the other hand, has legislative authority to make loans where leasehold interests are available, but many reservation Indians are not aware of this fact or are suspicious that the leasehold agreement with FmHA could result in alienation of Indian land. An extensive education program on the FmHA leasehold agreement, and on the benefits of FmHA's homeownership and repair loans, is generally needed to encourage Indian participation in these programs.

Summary

To summarize then, the development of housing for rural, reservation Indian families is complicated not only by problems which are common to rural people, such as low incomes and a severe lack of mortgage financing, but also by conditions which are peculiar to Indians --- such as their land status and their unique relationship to the federal government. These problems and conditions have made Indian people mostly reliant on the federal housing programs, particularly the public housing program. With the enactment of new housing legislation, however, public housing is undergoing several changes which will diminish its capacity to serve low income families and elderly; eventually, the neediest Indian persons may be excluded from participating in this important program. Moreover, increased emphasis on "good management practices" will penalize tribal housing authorities whose employees are inexperienced, and whose management effectiveness is often stymied by the poverty of their tenants.

Indian housing problems are not insurmountable. Continued and more extensive subsidy programs, mortgage credit programs, and improved training programs would certainly help overcome many of the current obstacles.

The Federal government has provided most of the housing assistance available to rural, reservation Indians in the past dozen years, but the level of assistance is not keeping pace with housing need. It is time for Indians to begin benefiting from other assistance resources, such as those of the state housing agencies.

Part B - THE RELUCTANT STATE ROLE IN INDIAN HOUSINGState Responsibility

Nationwide, most states are doing little, if anything, to aid Indian tribes in the development of badly needed housing projects. One notable exception is the Maine State Housing Authority which was given authority in 1973 to float \$1 million in general obligation bonds as collateral on mortgage insurance for Indian housing. A \$75,000 issuance is soon expected, since regulations for the bond issuance were recently approved. The Maine State Housing Authority can pick up portfolios of banks willing to invest in Indian housing, and is considering a loan to lenders program for the same purpose.

Maine is, as noted, an exception to general state inactivity in Indian housing assistance, but it also has a different relationship to the Indian tribes within its boundaries than do the other states. Maine Indians are under the jurisdiction of the state, not the federal government.

Many state governments no doubt feel that since tribes represent sovereign entities and generally relate only to the federal government, there is no state obligation to assist them. This is, however, an increasingly limited view. Indian people have been moving off the reservations, because of lack of decent housing and job opportunities, and into the worst slums of the nation's cities. In the cities they are barely able to survive on state administered public assistance and often poor health leads them to state hospitals.

Because many Indians don't pay taxes, state governments claim they have no obligation to assist them. But Indians do pay taxes -- particularly federal income tax which finds its way back to state and local treasuries for programs and projects which generally do not benefit Indian people. Some Indians pay state income taxes, and Indian fee simple land is also taxed. The Maine state government didn't concern itself with who does not pay property tax --- and Maine reservation land is not taxed --- when it approved a special program to aid its Indian residents. Housing need was of more concern to the state.

Non-Indians have long benefited from Indian people and their resources, through land expropriation, favorable leasing arrangements, and diversion of Indian waters. In some states, the chief tourist attraction is Indian country --- a multi-million dollar boom for non-Indians. It is time, therefore, for state governments to begin diverting their resources back to Indian people.

State Roles in Indian Housing Delivery

There are services states could be performing now, without new legislation and with little extra funds. These include:

Training and Technical Assistance

As noted earlier, most tribal housing authorities are in need of training to improve their housing development and management capabilities and most states already have at least financing and accounting experts on staff who could work with the tribes to improve their skills. In Nevada, for example, there is an effort underway to develop a statewide Indian housing management service to aid the numerous, and very small tribal housing programs to operate more efficiently. This type of assistance, as well as state funds to supplement the administrative budgets of tribal housing authorities, could be immensely beneficial to tribes in the Midwest.

In addition, those states with a housing staff familiar with federal housing programs could assist tribes in developing their applications, as well as seeking alternative sources of home financing. Tribal housing authorities, which work for the same purposes as other local housing authorities, should be able to call on State assistance in working out problems with HUD and other federal funding agencies. The State of California has employed an Indian Affairs specialist who has worked with tribal housing authorities to establish a statewide housing association, and has provided administrative funding, as well as technical expertise, to the association. The Wisconsin Department of Local Affairs and Development provides management assistance to tribal housing authorities around the state.

Planning Assistance

Every state has its own planning office, and there are usually sub-state planning agencies to which they relate. State government could marshal the services of these agencies in providing assistance to tribes in developing long-range housing and community development plans. These plans will become particularly important if tribes are going to compete for federal community development and subsidized housing funds. By coordinating their activities, states and tribes could begin to develop plans that would work to benefit each other, instead of working at cross purposes.

Enforcement of Nondiscrimination in Mortgage Lending

Many tribes claim that their members are not able to obtain bank loans simply because they are Indians. This discrimination prohibits Indian families, whose incomes are sufficient to repay bank loans, from improving their housing conditions. State governments should be monitoring lending institutions to insure that Indians, as well as other minorities, are given equal opportunity in obtaining mortgage credit. Particularly where states are providing funds to private lending institutions, enforcement of equal opportunity provisions should be of primary importance to the state.

Training and Technical Assistance

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Assistance to FmHA

Although the Farmers Home Administration has over 1700 county offices nationwide, it is continually experiencing staff cuts, while its program responsibility increases. State housing agencies could greatly assist this agency in reaching potential Indian borrowers by donating labor for this effort and, when needed, by assisting tribes in packaging loans.

Review of State Policies on Property Taxation

There are many tribes throughout the nation that either possess little trust land that is suitable for housing development or land that is not tied up in complicated heirship disputes. These tribes are often unable to assemble sufficient Indian land for housing development and actually need to purchase non-Indian land in order to develop public housing. But, unless the land is taken in trust, it does not achieve the tax exempt status necessary to the public housing program. State tax policies often work to inhibit the achievement of trust status, because the states do not want to lose the tax revenues of these former non-Indian lands. These policies should be reviewed in light of the desperate need for Indian housing, and revisions should be considered where long term benefits to the health and well-being of Indian residents could be achieved.

Other state activities in Indian housing may require new legislation, additional funds, or the addition of a new emphasis to ongoing state housing programs. These include:

Mortgage Insurance Program - To overcome the "risks" which banks say they experience in making loans to Indians, state housing agencies could provide mortgage insurance for such loans. In Maine, this insurance will be provided at less than the FHA rate, and the Maine State Housing Authority has already developed agreements with several tribal housing authorities enabling them to take possession of any foreclosed Indian units and resell them to tribal members. These agreements further tribal sovereignty, and assure the tribes that non-Indian families will not move onto Indian land.

Purchase of Mortgage Portfolios and Loans to Lenders - By freeing banks of old mortgages, or by providing banks with low-interest rate state funds, state housing agencies can increase the supply of mortgage money available for new housing. The State of Maine will soon have a mortgage portfolio purchase program specifically to benefit Indians. Participating banks will be required to reinvest the revenues from their mortgage sales in Indian housing.

Direct Loans to Indians - A growing number of States are developing their capacity to make direct loans to individuals or organizations,

to produce housing, or to rehabilitate structures. These loans are at generally lower interest rates than private loans, since their source is state bond financing. States with direct loan programs should establish goals for lending to Indian families, or for lending to developers who are willing to build in Indian country.

Conclusion

State housing agencies can have important roles in furthering the development of desperately needed Indian housing, by opening up financial resources previously denied Indians, and by providing expert assistance in the development and implementation of Indian housing programs. To deny these roles would be to deny the many contributions of Indian people to the economy and history of the states in which they live.

There is no question that state governments have a moral obligation to serve all of their residents, but there is some question as to whether Indian people want the states to provide them with public services. Many Indian tribes fear or resent state intrusion into their affairs, particularly state efforts to tax trust land. Similarly, federal attempts to funnel Indian money through State governments have met with strong Indian opposition. Undoubtedly, some tribes would resist any offer of assistance by state governments, but this doesn't mean that the assistance shouldn't be offered, and that agreements shouldn't be developed with tribes to ensure adequate cooperation and protection for all parties.

Federal housing assistance is receding in favor of greater reliance on private enterprise, and greater state control of funds for housing. States need to recognize that their new powers --- and greater financial resources --- should be put to work for all their people, and particularly for the most needy. Tribes, too, will need to recognize that their collective goal of Indian "self-determination" may never be reached if they continue to depend solely on diminishing federal resources. Substandard housing conditions will not improve without the cooperation of all potential housing resources.

APPENDIX VIII

Series of HUD Circulars and Legal Memoranda Forming
the Basis for Tribal Government Participation
in Public Housing Programs

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PUBLIC HOUSING ADMINISTRATION,
HOUSING AND HOME FINANCE AGENCY,
Washington, D.C.

To: Central Office Division and Branch Heads, Regional Directors.
Subject: Low-rent housing for Indian tribes on Indian reservations.

1. *Basis of Eligibility of Indian Tribes.*—Where an Indian Tribe has an established governing body with police power for the Reservation (that is, the legislative power to promote peace, health, safety, and morals on the Reservation), the governing body is analagous to a State legislature. Such a governing body (usually the Tribal Council) is legally competent to enact an ordinance creating a housing authority with the necessary powers to participate in the low-rent housing program. Such a situation usually exists where the Tribe is organized under a constitution adopted pursuant to Section 16 of the Indian Reorganization Act of 1934, provided that the police power jurisdiction has not been transferred to the State by or pursuant to an act of Congress.

2. *Eligibility Determinations for Specific Tribes.*—So far, the Bureau of Indian Affairs has not issued any legal opinion as to the eligibility of tribes in general, but has been following a practice of making such legal determinations on a case basis. Formal determinations are normally made when the tribal ordinance establishing a housing authority is submitted to the Bureau of Indian Affairs for its approval. However, to preclude the possibility of an ineligible tribe going through the steps of organizing a housing authority, advice as to eligibility should be requested at an early stage from the Central Office Legal Division, which maintains liaison with the Bureau of Indian Affairs. In some cases where preliminary examination indicates a tribe to be ineligible, the legal deficiencies may be corrected by amendment of the tribal constitution, and early submission of the question of eligibility makes it possible for such amendments to be considered and acted upon promptly.

3. *Regional Office Responsibility.*—Subject to provisions contained in the Circular dated 11-24-61, Coordination of Central Office-Regional Office Actions With Respect to Housing Program for Low-Income Families on Indian Reservations, and the question of legal eligibility, applications for financial aid for low-rent housing from Indian Tribes are to be processed by the Regional Office in the same manner as other applications.

4. *Forms of Tribal Ordinance and Organization Documents.*—

(a) Attached to this Circular are the following:¹

- (1) Form PHA-2904, Tribal Ordinance.
- (2) Form PHA-2905, Model Transcript for the Organization and establishment of Housing Authorities on Indian Reservations.
- (3) Form PHA-2906, Outline of Documents Required for Complete Organization Transcript for Housing Authorities on Indian Reservations, (including instructions as to the submittal of various documents).

¹ See pp. 247-82.

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These documents must be examined in each case to see that language which is inapplicable or inappropriate for the particular case is properly modified. Where changes of substance are proposed, they should be cleared with the Legal Division in the Central Office.

(b) In general, a cooperation agreement in the usual form will not be necessary because all the essential points of cooperation required of a governing body are included in Section VIII of the Ordinance. The following features of this section of the Ordinance warrant some comment:

(1) No provision is made for payments in lieu of taxes because there is usually no property tax applicable to any property on an Indian Reservation.

(2) No mandatory provision for equivalent elimination is included because communities on Indian Reservations are usually considered as rural non-farm areas. There is included a declaration of intention on the part of the Tribe to use its lawful powers to the extent feasible to eliminate substandard units as additional dwellings are provided by the low-rent program.

(3) The provision in paragraph 1(e) of Section VIII that the Tribe "will join in any disposition of project property . . . where such action is required in order to grant the maximum interest therein permitted by law" is needed where, as is usually the case, the housing authority constructs the dwellings on tribal lands leased to it by the Tribe. Under limitations of Federal law, a Tribe cannot convey title to tribal lands, but can only give a lease for 25 years with an agreement to renew the lease for a second term of 25 years.

5. *Economic and Social Characteristics.*—

(a) Experience so far indicates that housing conditions on the Indian Reservations are at the lowest level of substandardness. There is no question, therefore, as to the need for low-rent housing. There is a serious question relating to the number of low-income families who have sufficient income to enable them to pay the rents needed to cover operating costs including necessary reserves. This problem may be alleviated by taking into consideration welfare payments and, where occupancy by the elderly is involved, the additional subsidy for the elderly.

(b) Before providing guidance or initiating a program, it would be well for a Regional Office to ascertain the salient social and economic characteristics of the Reservation.

(c) In some instances, tribes have indicated a willingness to make financial contributions to meet operating deficits if thereby a larger number of low-rent units can be allocated. Where the Tribe has capital funds for this purpose it may be possible to create a trust fund, the principal and income of which would be pledged for the 40-year period for the purpose of meeting deficits. Where the Tribe has income, but not sufficient capital funds, the question of a tribal agreement to meet deficits would be posed. Since the PHA commitment to pay annual contributions for the protection of bond holders is irrevocable, a trust fund created by the Tribe, which would be similarly irrevocable, would be the appropriate vehicle for the tribal contribution. Therefore, in cases where the Tribe has income, it should be encouraged to consider means of converting such resources into a capital fund, as by obtaining a loan from another source. Forms of contract documents for such

special cases will be developed by the Central Office Legal Division, on the basis of future experience.

6. *Workable Program.*—Indian Tribes must meet the usual requirements of obtaining a workable program determination and certification by the Housing and Home Finance Administrator before any loan contract may be executed.

7. *Approval of Contracts.*—As indicated by Section IX of the form of ordinance, the authority is required to obtain the approval of the Secretary of Interior or his designee with respect to any financial assistance contract with the PHA.

MARIE C. MCGUIRE,
Commissioner.

UNITED STATES GOVERNMENT

Memorandum

TO : Commissioner

FROM : Legal Division, BIA

DATE: July 19, 1962

SUBJECT: Low-rent housing on Indian Reservations covered by Public Law 800

One of the key questions in the low-rent housing program for Indians, after the basic determination that Indian tribes may be eligible for Federal aid under the UHMA, has been the effect of Public Law 800 on tribal eligibility. This question has now been resolved.

Public Law 800, 83rd Congress, as amended (18 U.S.C. 1162 and 26 U.S.C. 1360), confers jurisdiction on the States of Alaska, California, Minnesota, Nebraska, Oregon, and Wisconsin with respect to criminal offenses and civil causes of action arising on Indian Reservations which are located within the borders of those States. The Act also provides that other states may assume such criminal and civil jurisdiction by affirmative legislative action. This has been done by the States of Washington and Nevada.

As a result of an inquiry received from a tribe located in Alaska, we presented to the Solicitor, Department of Interior, the question as to the effect of Public Law 800 on the legal capacity of Indian tribes to participate in the low-rent housing program, which he has now answered. On the basis of the Solicitor's opinion and a related letter of July 2, 1962, from the Commissioner, Bureau of Indian Affairs, it is now clear that this Act does not preclude an otherwise eligible tribe (see Commissioner's Circular dated 12-15-61) from participating in the low-rent housing program.

The pertinent provisions of Public Law 800 are:

18 U.S.C. 1162(a) Each of the States or Territories listed in the following table shall have jurisdiction over offenses committed by or against Indians in the areas of Indian country listed opposite the name of the State or Territory to the same extent that such State or Territory has jurisdiction over offenses committed elsewhere within the State or Territory, and the criminal laws of such State or Territory shall have the same force and effect within such Indian country as they have elsewhere within the State or Territory:

(217)

p. 216 blank

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28 U.S.C. 1360

(a) Each of the States or Territories listed in the following table shall have jurisdiction over civil causes of action between Indians or to which Indians are parties which arise in the areas of Indian country listed opposite the name of the State or Territory to the same extent that such State or Territory has jurisdiction over other civil causes of action, and those civil laws of such State or Territory that are of general application to private persons or private property shall have the same force and effect within such Indian country as they have elsewhere within the State or Territory:

* * *

(c) Any tribal ordinance or custom heretofore or hereafter adopted by an Indian tribe, band, or community in the exercise of any authority which it may possess shall, if not inconsistent with any applicable civil law of the State, be given full force and effect in the determination of civil causes of action pursuant to this section. * * *

The Solicitor's ruling established two points concerning Indian tribes whose area is affected by Public Law 280:

1. An Indian tribe which had the power to exercise governmental jurisdiction over its territory before Public Law 280 was enacted did not lose such power as a result of that enactment. This view is in accord with the above cited language of 28 U.S.C. 1360(c), which clearly shows that the Indian governments are expected to continue to exercise their general lawmaking powers.
2. Tribal governing bodies have the power to enforce the building codes and zoning ordinances which is required for a workable program. Although Public Law 280 apparently deprives the governing body of the power to impose criminal sanctions, it would still be able to exercise its proprietary powers (e.g. expulsion of members from the reservation) to achieve compliance with its enactments. This view assumes that tribal low-rent housing projects will be located on tribally owned lands.

The language contained in 28 U.S.C. 1360(a), which states that civil laws of the State that are of general application to private persons or private property are to have the same force and effect within Indian country, could raise a question as to whether a State Housing Authority Law is applicable to Indian Reservations. We think it is questionable whether a housing authority law is a law of general application "to private persons or private property". However, even if it were, this would not negate the governmental power of the Indian tribe but would merely mean that a housing

authority established pursuant to State law would also be legally empowered to develop low-rent housing projects on Indian reservations within the State. As a general procedure, however, it is recommended that the governing body of a tribe whose area is affected by Public Law 280 should advise the appropriate State law housing authority (if one has been organized) of its plans to create a housing authority for the Reservation. Any questions raised as to the power of the tribe to pursue such a program should be referred to the Central Office Legal Division.

Paul Bunton
General Counsel



PUBLIC HOUSING ADMINISTRATION

HOUSING AND HOME FINANCE AGENCY

WASHINGTON 25, D.C.

CIRCULAR
12-5-62

TO: All Regional Directors

SUBJECT: PHA Mutual-Help Housing for Indians

Enclosed is an opinion of the General Counsel dated November 30 which discusses in detail the nature of a mutual-aid home-ownership housing program under the United States Housing Act and the manner in which such a program can be undertaken in conjunction with the Bureau of Indian Affairs.

Since this is an entirely different type of program involving different concepts of programming, design, and management from those which have prevailed heretofore and on which our standards, procedures and legal documentation are based, each project will have to be considered on its own and will have to be individually reviewed and approved by the Central Office staff.

Because of the novelty of this program and the working relationships that must be developed between the BIA and the PHA in its execution, it is contemplated that a few sample projects will be developed first to gain experience.

You will be advised further in regard to PHA-BIA relationships and areas of responsibility. In the meantime, please cooperate with the field representatives of the BIA and with representatives of Indian tribes interested in this program in discussing it with them and referring any questions they may have to the Central Office staff.

Marie C. McQuinn
Commissioner

Enclosure

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OPTIONAL FORM NO. 10
5010-104

UNITED STATES GOVERNMENT

Memorandum

TO : Commissioner, PHA

DATE: November 30, 1962

FROM : Legal Division, PHA

SUBJECT: PHA Mutual-Help Housing Program in Conjunction with the Bureau of Indian Affairs

On August 27, 1962, you transmitted a letter to us dated August 24, 1962, and enclosure from the Bureau of Indian Affairs requesting a determination as to whether the PHA can engage in a "program for Mutual or Self-Help Housing on Indian Reservations." Should the PHA be unable to participate in this program, the BIA intends to submit a request for a grant under the Section 207 demonstration program and eventually request legislation to authorize such a housing program. (The enclosure with the BIA letter is their proposal for a demonstration grant.) Your note called for a determination of PHA's legislative authority to engage in such a program and, if such authority exists, an outline of "the precise way a self-help program could be worked into the ongoing low-rent public housing program under present legislative authorities."

We find that the PHA can legally engage in a housing program such as proposed by the BIA and that no new legislative authorization would be required. The Section 207 demonstration program could provide additional valuable assistance in determining the most suitable structures and in evaluating the program.

I. Factors Determining Characteristics of Program and the BIA's Proposals

The nature of an adequate housing program for American Indians living on Reservations must take into account the following factors:

1. The housing conditions on most of the Indian Reservations are deplorable and there is practically no supply of decent housing available.
2. The state of underdevelopment on the Reservations is comparable to the conditions in Puerto Rico and certain foreign countries where aided self-help housing programs have proven successful.
3. As deplorable as conditions are, the great mass of Indian families are owners and not renters. These are families who have been living in the poorest type of accommodations, who are accustomed to very low standards of maintenance, and who therefore must be given the incentive as well as the opportunity for becoming habituated to higher standards. It is highly

questionable whether a rental type program would have this effect. On the other hand, home ownership being traditional, they can be expected to respond to all of the incentives that individual ownership provides. (We are not here discussing the type of project desired by the Oglala Sioux Tribe and other tribes for rental by relatively higher income families and for congregate housing of elderly families on a rental basis.)

4. Under an earlier housing program of the BIA, houses were built utilizing force account Indian labor and were given to Indian families, but these homes deteriorated badly because the families felt no sense of responsibility due to lack of identification with or pride of participation in their construction.
5. The conventional low-rent program, with rents of about \$45 per month (such as in the first project for the Oglala Sioux Tribe), can meet no more than 15% of the need for decent housing on the Reservations because 85% (or approximately 60,000) of the Indian families have incomes of \$2,000 per annum or less.

Basically, the BIA proposes a program whereby "with relatively modest material assistance and guidance, Indian communities can be mobilized around their felt need for housing in an organized program of self help." The prospective low-income occupants of or, more precisely, participants in each project would be selected prior to the start of construction and the bulk of the construction work would be performed either on a full-time or part-time basis by members of the selected families. The objective of those participating in a project would be to gain a house which is "theirs."

In addition to the contribution of labor by the participants, the sites for the houses would be made available by the tribe or the participants, and, to the extent possible, the building materials (such as stabilized earth blocks, bricks, lumber, or logs) would be obtained and/or manufactured by the tribe or the participants. The design for the houses would be supplied to the participants by the BIA or the PHA, with the BIA contributing "personnel to organize and stimulate community action" and "to train and supervise during construction and give aid in social welfare problems, family selection, etc."

To aid in developing a sense of responsibility toward maintaining the house in good repair, the BIA proposes that the participants "pay a moderate, regular payment for five to ten years to cover at least part of the cost of the materials."

II. Principal Advantages of This Mutual-Help Program

The details of the PHA's proposed program are discussed below. In addition to the major advantage of reaching down into a much lower income category than is possible under the PHA's conventional program (it is estimated that, under optimum conditions, operating charges as low as \$10 per month, including utilities, can be achieved), the important advantages are as follows:

1. As noted above, under the previous housing program of the BIA, Indian families received houses as outright gifts which resulted in poor upkeep. Under

the proposed program, the participant would be motivated to maintain his house because he would have participated in building it himself and would be required to maintain it himself under penalty of postponement of his acquisition of ownership or even loss of the right to ownership. In addition, the local housing authority, assisted by the BIA, will have sufficient control of the houses to assure that they are properly maintained during the years the participants are tenants and, during this period, the participating families would have an opportunity to become habituated in proper maintenance of their houses.

2. A basic feature of the plan is the use of the land, labor and materials supplied by the participants to reduce the Federal subsidy that would otherwise be required to provide such low-rent housing. It also makes use of the same participant's contribution as a guarantee that the participant will maintain his dwelling under penalty that if he does not, and the local housing authority is required to do so for him, his acquisition of ownership will be deferred to the extent of the maintenance costs required to be incurred by the local housing authority.

The plan accomplishes these objectives by using the participant's contribution in the following manner. A portion of his contribution is applied to establish a reasonable operation and maintenance reserve which, if not used for such purposes, will be applied to payment for the dwelling. The remainder of the participant's contribution, although not applied immediately to the operation and maintenance reserve, will also be available for operation and maintenance expenses if needed, and if not used for those purposes, for ultimate payment for the dwelling. The result of this arrangement is that if the family maintains its own dwelling, the value of the amount that it has contributed as mutual help is applied to enable it to acquire ownership that much sooner. On the other hand, if the family does not maintain its property, that same contribution by it enables the local housing authority to continue to provide that family with decent housing at no additional subsidy cost to the Government until that source of funds is exhausted. This combination of Federal aid and participant's incentives--the participant's desire to conserve maintenance reserves and any excess mutual help credit to enable him to obtain ownership that much sooner--makes maximum use of individual self-help incentives and Federal subsidy to achieve the best value for every dollar of Federal subsidy in providing decent housing for low-income families.

3. As will be explained more fully below not only does this proposal enable the PHA subsidy to reach a much lower income group than would otherwise be possible but it does so at a fraction of the subsidy required to house low-income families under the conventional rental type of project.

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III. Outline of Mutual-Help Program

A. Financing Method

A key consideration is that for purposes of the proposed program, PHA's relationship would have to terminate earlier than the 40 years that is standard in the case of conventional low-rent projects. Because of the nature of the structures, participants and incentives involved in this program, the period before the participants will own their houses must be relatively short. The HIA proposal suggests a period of 5 to 10 years. Under this proposal a 10-year period can be achieved if the mutual-help contribution amounts to as much as 50% of development cost; 14 years if the contribution is 30%; and 16 years if it is 20%.

Annual Contributions. Section 10 of the United States Housing Act authorizes the PHA to make annual contributions for a period up to 40 years, at a rate not to exceed a certain percentage of the project's development or acquisition cost. The rate contracted for is in an amount sufficient to pay the principal and interest on the bonds sold to private investors to finance the project. In general, the PHA has followed a policy of contracting for payment of annual contributions over the full period of 40 years, thereby permitting the use of an annual rate substantially below the permissible maximum, which rate would be (under current interest rates) sufficient to pay off the development cost in 29 years.

The objective under the proposed mutual-help program is to obtain the maximum benefits out of the incentives of home ownership combined with mutual-help contributions to provide low-income families with decent housing at the lowest aggregate subsidy cost. This is achieved by reducing the amortization period to the minimum which is consistent both with the type of structure involved and the reasonableness of the length of time that the participant should be required to wait before he acquires ownership. Thus, under this proposal the amortization period is reduced to the minimum by increasing the rate of annual contributions to the maximum amount permitted under the Act. (It should be noted that the utilization of the maximum annual contributions rate permitted by the USEA in this instance does not depart from the principle we have maintained that annual contributions be limited to debt service. In this instance the debt service rate is increased by shortening the amortization period, thereby causing the annual contributions rate to be increased accordingly.)

As the discussion below will demonstrate, this combination of financing and incentives results in increasing the relative amount of each annual contribution, but results in reducing the aggregate contributions by 81% in comparison to the conventional project financed for 40 years by permanent bonds (the standard method) or by 74% if financed by temporary notes for 29 years at 2%, assuming, in each case, a 30% mutual-help contribution and the \$5370 dwelling unit cost used to illustrate this proposal below.

This savings in Federal subsidy as between the conventional program and the mutual-help program is explained more fully below using the following table:

Percent of Development Cost Provided by Mutual-Help Contributions	Number of Years Before Participant Acquires Ownership (Annual Contributions Period)		
	At FHA Loan Rate (3-7/8%)	At Temp. Note Rate (2-1/2%)	At Temp. Note Rate (1-3/4%)
None	29 yrs.	23 yrs.	21 yrs.
10%	24 yrs.	20 yrs.	18 yrs.
20%	20 yrs.	17 yrs.	16 yrs.
30%	17 yrs.	15 yrs.	14 yrs.
40%	14 yrs.	12 yrs.	12 yrs.
50%	11 yrs.	10 yrs.	10 yrs.
60%	9 yrs.	8 yrs.	8 yrs.
70%	6 yrs.	6 yrs.	6 yrs.
80%	4 yrs.	4 yrs.	4 yrs.
90%	2 yrs.	2 yrs.	2 yrs.

The fixed Annual Contribution (the maximum Federal subsidy commitment) for a conventional \$15,100 dwelling unit financed by a 40-year bond issue at a 3-3/8% interest rate (approximate average current construction costs and interest rates) would be \$695; and, if the current maximum contribution rate permitted by the Act (5-7/8%) was utilized, the Fixed Annual Contribution would be \$887 for 29 years. (In the latter case, the FHA loan would be refinanced by the sale of temporary notes at a lower interest rate, and this would shorten the annual contributions period to about 23 years). Under the proposed program, which contemplates payment of the maximum annual contribution permitted by the Act, the Fixed Annual Contribution for a \$5,370 dwelling unit (the cost shown in the example below) financed for 29 years by a 3-7/8% FHA loan would be \$315, or less than half the amount in the conventional program, even without the further reductions that the type of financing contemplated and the mutual-help contributions would bring about, as explained below.

As to the type of financing, FHA "temporary" financing would be used, that is, temporary notes sold to private investors, the market for which is already well established under the conventional program. (The relatively low development cost and small size of the proposed program would have only a minor impact on the \$1.5 billion FHA borrowing authority which would provide the security for the temporary notes.) As indicated in the table above, low interest rates on temporary financing would reduce the amortization period, and therefore, the aggregate annual contributions. Thus; under the current rate, which is about 1-3/4%, the 29-year period would be reduced to 21 years, and even under a temporary financing interest rate of 2-1/2% (should the current rates go up during the amortization period), the 29-year period would be reduced to 23 years.

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The "mutual-help" contribution would further reduce the amortization period and amount of annual contributions. For example, under the proposed program, if a 30% mutual-help contribution were made on a \$5,370 dwelling unit, and temporary financing were obtained at a rate even as high as 2½%, the annual contributions period would be shortened to 15 years, and the total amount of annual contributions would be \$4,725. In the conventional program, by contrast, where there is no mutual-help contribution, if a \$15,100 dwelling unit financed by PHA on a 29 year basis were held in temporary financing at the 2½% interest rate, the annual contribution period would be shortened to 23 years, and the aggregate amount of annual contributions (assuming that each annual contribution was reduced by 10% through "residual receipts", the approximate current reduction) would be \$18,361. On this basis, the subsidy per unit in the proposed program would be 74% less than that in the conventional program.

However, most dwelling units in the conventional program are financed by the sale of 40 year bonds. If the above-mentioned \$15,100 dwelling unit were financed by sale of such bonds with a 3-3/8% interest rate, the annual contribution period would remain 40 years and the total amount of annual contributions (assuming the same 10% rate of residual receipts) would be \$25,020. On this basis, the aggregate subsidy per unit in the proposed program would be 81% less than that in the conventional program.

Development Loan and Mutual-Help Funds

Section 9 of the United States Housing Act authorizes the PHA to make loans to cover development costs; but where, as in this case, annual contributions are involved, the total loan outstanding at any given time cannot exceed 90% of the development cost.

For simplification of discussion, the portion of the PHA development loan which is advanced, or obligated to be advanced, to pay for the portion of development cost representing the value of land, labor and material furnished by the tribe or participant will be referred to as "mutual-help funds." It is assumed that the value of land, material and labor furnished by the tribe or the participants would equal at least (a) the 10% required to satisfy the 90% limitation on development loans in section 9 above, and (b) an additional amount sufficient at least to establish a maintenance and operation reserve which would also cover vacancy and collection losses. Any additional amount representing labor and material in excess of these requirements would represent a credit in favor of the participant which over the years would guarantee fulfillment of his obligations and ultimately would be used to enable him to complete payment for his house.

Such use of development funds would be clearly authorized if the land, material and labor were purchased in the usual manner from persons not connected with the enterprise. We see no reason for making a distinction based on the fact that the local authority will purchase the items from the tribe and participants provided it pays fair value, especially since the ultimate result will be to reduce the risk and the total contributions paid by the Government.

B. Illustration of Plan in Operation

Actual development cost figures would, of course, vary with the locale of each particular reservation, the availability of suitable building materials, and the level of skill of the individuals participating in the construction of a project. The following example is used to illustrate how the development cost of a dwelling unit could be financed.

Based on discussions with the PHA Development staff, the estimated cost of a 700 square foot, two-bedroom, single-family, wood frame dwelling built under a mutual-help program could break down, in summary, as follows:

1. Materials (including electrical and plumbing fixtures) not purchased from tribe	\$3,360
2. Materials purchased from tribe	50
3. Site purchased from tribe	150
4. Labor of participants (923 Hrs. @ \$1.50)	1,385
5. Labor of non-participants (49 Hrs. @ \$3.00) ^{1/}	150
6. Miscellaneous expenses ^{2/}	<u>275</u>

Total development cost per unit \$5,370

^{1/} Includes half of plumbing labor and all electrical labor.

^{2/} Includes administrative expense, interest expense, architect and engineers fees, construction inspection fees and site survey fee.

In any given case the mutual-help funds would be items 2, 3, and 4. In this example, the mutual-help funds equal approximately 31% of the development cost. These funds, representing a credit for the participant, would be used as follows:

(a) The housing authority's operating reserve with respect to the unit would be established by a PHA advance. The amount in this example is assumed to be \$200.

(b) The remainder of the mutual-help funds (\$1,585 less \$200, or \$1,385) would not be advanced by the PHA unless needed by the housing authority because of depletion of operating reserves. Should this amount not be needed for that purpose, it will be used to enable the participant to complete payment of the purchase price and acquire ownership when the balance in the operating reserve (including any additional equity payments made by the participant - See C below) is sufficient to liquidate the outstanding debt on the property.

It should be noted that the important factor in reducing the amortization period is not the size of the cost figures involved, but rather the ratio of the amount of mutual-help funds to the total amount of the development cost. This is mentioned to point out the importance of planning the program and the structures so as to make possible the maximum utilization of labor and material furnished by the participant and the tribe.

C. Additional payments by participant toward home ownership (Equity Payments)

As indicated above, the BIA in presenting its proposal stated that the participant should make, in addition to his payment of operating charges, regular payments toward home ownership. This is consistent with the twin objectives of the plan: (a) that the participant achieve ownership in the fewest possible number of years, and (b) that the cost of annual contributions to the Government be reduced to the minimum. Accordingly, and in keeping with the BIA suggestion, each participant should be required to pay as much as he can afford toward home ownership.

This is consistent also with the principle under the United States Housing Act requiring limitation of annual contributions to the amount needed to maintain the low-rent character of the project. In the case of the conventional program, this is accomplished by increasing the tenant's rent according to his income until he reaches the point of ineligibility. The increased rent has the effect of reducing each annual contribution through application of "residual receipts," and ultimate eviction has the effect of cutting off the subsidy as to the over-income family enabling another low-income family to be housed. In this instance, the low-income tenant would be forced to apply a portion of his increased income toward amortization of his debt resulting in eventual reduction of the Federal contribution through shortening of the amortization period and thereby achieving the same objective of the Act but in a manner consistent with the home ownership incentive of this proposal. These payments would not constitute project income but would be deposited in the operating reserve and ultimately used in retiring the outstanding debt with respect to the property.

Thus, there would be a threefold pattern of commitment by the participant to his house: (a) land, labor and services in the development stage, (b) physical maintenance of the property with his own work and resources, and (c) regular payments in such amounts as are consistent with his ability to pay. We believe that this last feature enhances the pattern for a strong sense of participation and responsibility toward the house and makes more complete the favorable conditions for achievement of the purposes of the plan.

In the event that housing conditions in the locality and the participant's income should improve to such an extent that private enterprise is producing an adequate supply of decent housing in the locality at rates the participant can afford, he would be required to buy his dwelling or dispose of it to an eligible low-income family, thus terminating the annual contribution subsidy with respect to him.

D. Rights and Obligations of Participants.

Essentially, the contract between the participant and the housing authority would be a lease with an option to buy. The lease-purchase contract would provide that the participant may acquire ownership after amortization of the development loan is completed, if he pays the required operating charges and equity payments and meets his obligations for maintenance of the property. Thus, the time for acquisition of ownership would be delayed by depletion of the operating reserves and

unadvanced mutual-help funds attributable to the participant, and the right of acquisition might be terminated as explained below. On the other hand, the time for acquisition of ownership would be advanced in accordance with any equity payments by the participant out of increased income or assets, as explained in B and C above.

The participant's interest in the option to buy and mutual-help funds would be assignable by him to any qualified person acceptable to the housing authority. It would also be inheritable but if the heir should not be a qualified person acceptable to the housing authority he would have to exercise his option to buy or assign his interest to a qualified person acceptable to the housing authority or have his rights terminated in accordance with the rules stated below. Where the assignee or heir is a qualified person acceptable to the housing authority, he would have the same status and rights as the first participant, and the first participant would have no further rights or claims against the housing authority.

Should a participant breach his contract by failure to pay his operating charges or equity payments or by failure to maintain his house, the housing authority would have the right of first charging the amount against operating reserves and then against the portion of mutual-help funds remaining unadvanced by the PMA. The lease-purchase contract would provide further (1) that the housing authority would have the right to evict the participant and terminate his option to buy, and (2) that the option to buy shall terminate in the event the amount of the participant's mutual-help funds (exclusive of those derived from the tribe) is reduced to 10% of the development cost. Under such contract provisions, should the housing authority find that a participant's breach occurred through his fault, it would exercise its right to evict him and terminate his option to buy. Where, however, the housing authority finds that a participant's breach was without fault on his part, it could allow him to continue in occupancy, using his mutual-help funds to meet his obligations; and if the participant's mutual-help funds should be reduced to the 10% minimum mentioned above, resulting in termination of his option to buy, he could be continued as a tenant.

Where a participant's breach was without fault, it is assumed that arrangements could be made with the tribe or welfare agencies to continue his occupancy and option rights by paying maintenance and other operating charges, and thus preventing depletion of his mutual-help funds to the critical point. Since all that would be required would be extremely low payments and assigning the family should not be penalized, the lease-option arrangement could be continued for the full term.

Should a participant move out or be evicted, without assigning his rights to an acceptable person, he would lose a part of his mutual-help funds equal to 10% of the development cost. The remainder of his mutual-help funds would be withheld to cover operation and maintenance expenses, if needed, until a new occupant moves in, at which time the participant could be paid the amount of his unused mutual-help funds less 10% of development cost and the minimum required operating reserve. When the new occupant builds up the minimum required operating reserve, the unused portion of the operating reserve of the first participant would be paid to him.

A new occupant would not become entitled to an option to buy, and thus be a participant, until he had earned or paid in at least 40% of "fair value" plus an amount equal to the required operating reserve. ("Fair value", for this purpose, would be the fair value of the property as of the time he becomes a participant, or the amount of the outstanding debt if that be greater.) Where the property is in need of repairs, the new occupant might earn some or all of these amounts by doing the necessary work and furnishing necessary materials. The cost of such work and materials would be charged to the mutual-help funds withheld from the former participant, and the new occupant would receive a credit of a corresponding amount.

The new participant would not acquire ownership until the expiration of the time needed to amortize at the maximum rate of annual contributions a debt of the amount of the "fair value" less the contribution attributable to the new participant. For example, if the new participant's contribution is equal to 20% of the fair value, his waiting period would be 16 or 17 years (see Table on page 5). However, like an original participant, the new participant might make equity payments if his income warrants this, and the waiting period would be shortened in accordance with such payments. Similarly, if he should default in payment of operating charges or in maintenance, leading to depletion of the operating reserve, the waiting period would be lengthened.

Where a new participant acquires his interest at a time relatively late in the amortization period of the original participant, his waiting period will, if the housing authority follows the principles of this plan, extend beyond the termination of the original amortization period. So far as PEA is concerned, the waiting period of any successor participant need not extend beyond the point at which the PEA debt is paid off.

During the period of PEA relationship with the project, should any participant, after acquiring ownership, wish to sell or rent the property to someone other than an eligible participant or tenant acceptable to the housing authority, the transaction would be made subject to such regulations as the PEA will promulgate to prevent profiteering and speculation in respect to any increment in value attributable to the PEA participation in this program.

IV. Legal Basis of Mutual-Help Plan Under USHAut

The United States Housing Act of 1937, as amended, contains no provision restricting the rights of a local authority to dispose of a low-rent project owned by it after all PEA loans attributable to the project have been retired and annual contributions are no longer payable on the project by the PEA. (An exception to this, which is not pertinent here, is in the case of projects which were placed under contract during the period that Section 10(j) of the Act was in effect. That section was repealed by the Housing

Act of 1961.) Therefore, upon repayment of the PHA loan, which will discharge the PHA from its obligation to pay annual contributions, there is nothing in the USHAct that would prevent the local authority from conveying its interest in the project to the individual participants.

The application of this principle to the disposition of individual units within a project is logical because the PHA's interest has been satisfied by the discharge of the debt in respect to the particular unit and no further annual contributions would be payable in respect to that unit.

This conclusion was reached in an opinion of the PHA Legal Division dated September 19, 1939, and again in an opinion dated June 2, 1945. The 1945 opinion stated:

"...in my opinion the legal basis for permitting the sale of one dwelling unit in a project while obligations on the entire project are still outstanding is analogous to dividing a statutory project consisting of two developments into two separate statutory projects under separate contracts and the retirement of the entire loan on one of such projects. There appears to be no question as to the legality of retirement of the entire outstanding indebtedness on a project prior to the expiration of the maximum sixty-year period and, upon retirement of such indebtedness, the PHA would have no further interest in or control over the project."

All other factors of the plan fall within the provisions of the Act. Thus, there is no question that the families involved are "families of low income" within the meaning of section 2(2) because they "cannot afford to pay enough to cause private enterprise in their locality * * * to build an adequate supply of decent, safe and sanitary dwellings for their use." Nor is there any question that the dwellings are "low-rent housing" within the meaning of Section 2(1).

Since the plan contemplates the selection of a group among the low-income population of the tribe who would be considered suitable for participation in the plan, the question arises whether such a preference in selection is permissible. In our opinion any doubt that may have existed under the fixed preference provisions of the USHAct prior to its amendment by the Housing Act of 1961 has been removed by that amendment. Under the present provisions of section 10(g) of the Act "admission policies" are a matter of local determination and regulation after giving "full consideration" to the factors of the applicants being displaced by governmental action, status as veterans, age, disability, housing conditions, urgency of housing need, and source of income. There is no question that a local authority regulation conferring preference to a family which is willing to participate in a plan under which its own contribution will materially reduce the Government's subsidy would be based on reasonable grounds and would, therefore, be valid.

Nor is there any question that the establishment of the annual contributions rate at the maximum permitted by the Act, and the application of any resources to reduction of the contributions period (rather than reduction of each annual contribution, as under the conventional system), are authorized under the particular conditions of this plan.

The pertinent provisions of the Act are contained in section 10(b), as follows:

"Annual contributions shall be strictly limited to the amounts and periods necessary, in the determination of the Authority [FHA], to assure the low-rent character of the housing projects involved. Toward this end the Authority [FHA] may prescribe regulations fixing the maximum contributions payable under different circumstances, giving consideration to cost, location, size, rent-paying ability of prospective tenants, or other factors bearing upon the amounts and periods of assistance needed to achieve and maintain low rentals. Such regulations may provide for rates of contributions based upon development, acquisition or administrative cost, number of dwelling units, number of persons housed, or other appropriate factors: * * *."

Essentially, what this plan does is to transfer, as much as possible, within the legal framework of the USHA Act the local responsibilities and non-Federal participation from the housing authority and the local government to the individuals living in the houses, thereby making maximum use of the Federal funds as an energizer of the incentives of the individuals actually receiving the benefits. It is sought by means of the mutual-help feature and the incentives of home ownership to provide the type of housing and the type of circumstances which will induce the occupants to acquire and maintain an interest in their homes and, through their capital contribution and contribution in maintenance, reduce the Federal subsidy that would otherwise be required if the conventional system were used. There is even a question whether the conventional system would work in these circumstances in view of the past experience of the BIA with housing provided at no cost and without the incentives and self-interest built into this plan. There seems to be no question, therefore, that, under the broad provisions of the above-quoted section 10(b) and the special circumstances involved in this plan, the method of financing proposed here is authorized.

V. Development Standards and Requirements

The standards to be applied to the design and construction of these projects will, of necessity, be different from those of the conventional low-rent development. The following factors must be considered in developing standards appropriate for the proposed program:

1. Since the most important factor from the standpoint of the incentives of this program and cost to the Government is the size of the amount of mutual-help in relation to development

- cost, this factor should receive the utmost consideration in the programming and design of the project. From this standpoint it does not matter whether the mutual-help is derived from land, material or labor.
2. Since another equally important factor in this particular Indian program is the achievement of the lowest possible monetary cost for the participants, it is of the utmost importance that the project, units and equipment be designed for the greatest amount of self-maintenance and the lowest possible operating costs.
 3. In general, it is assumed that the greatest portion possible of the labor would be performed by the participants, who would probably be unskilled, and that materials available on the Reservation which could be contributed by the tribe or participant would be utilized to the fullest extent possible.

Some elements of dwelling design and equipment may have to be below the usual PHA standards. An example of this is in the utilities to be included in these dwellings. In many locations where these projects may be built, there are no water, sewer, or power lines. In many of these cases, these utilities may be brought to the site by the time the project is constructed or shortly thereafter (the provision of sewer and water is a function of the Public Health Service). It may, therefore, be necessary to approve a dwelling that has roughed-in plumbing and wiring but which will not have utilities immediately available.

Whatever standards are decided upon, they will have to meet the "decent, safe and sanitary" requirements of the United States Housing Act for housing in that locality. Since no project could go forward without approval by the HEFA Administrator of a "workable program," it is assumed that the standards will be worked out in the light of the code requirements of such workable program.

VI. Project Operation (Management)

The BIA proposal indicates that the income level of the families the proposed program would serve is \$2,000 per annum and below. Presumably, this would be the income limit used in selecting participants. Based on the proposition that a family can afford to spend 20% of its income for housing expenses (in many cases, the Indians whose living conditions we are trying to improve will not be spending anything for housing), the families with the highest incomes would be able to pay about \$30 per month for housing, while the majority of the potentially eligible participants will probably have a rent paying ability closer to \$15 per month. It should be noted, however, that the BIA proposal states that the participating Indians will not be able to afford more than \$5 to \$10 per month for housing.

In keeping with the homeownership incentives of the proposed program, the arrangements for meeting housing expenses should be such as will place the participant as nearly as possible, in the position of a homeowner rather than a tenant. Thus, the participant will provide the labor and materials for the maintenance of his house or be charged for the actual expenses incurred by the authority in maintaining the house. The other housing expenses would be, wherever feasible, charged to the participant as specific items rather than in a total figure such as fixed rent. Thus, the participants could be billed directly for their actual utility expenses, and could be charged specific amounts for other items such as the cost of insurance on their house (or a pro rata share of the cost of insurance on the project), and a pro rata share of any administrative and overall operation expenses of the housing authority.

The amount of the housing expenses to be charged the participants must not be so high that it will, for all practical purposes, exclude the majority of the very group the program is intended to serve. On the other hand, the amount charged must be sufficient to meet any project operating expenses which the participants can not eliminate by providing labor and materials.

When compared with the extremely low level of housing expense that must be achieved, it is apparent that the level of operating costs for a conventional, low-rent project cannot be maintained in this program. For example, the estimated operating cost of the conventional PHA aided project being developed for the higher income (but, by normal standards, low income) Indians at Pine Ridge, South Dakota (SD-1-1) is \$47.56 per unit per month, broken down as follows:

Administrative Expense - - - - -	\$ 7.00
Utilities Supplied by Project - - - - -	23.04
Water - - - - -	\$ 1.80 PUM
Sewer - - - - -	2.50 "
Electricity - - - - -	3.52 "
Gas - - - - -	15.22 "
Operation and Maintenance - - - - -	12.00
Insurance - - - - -	2.00
Vacancy and Collection Loss (3%) - - - - -	1.32
Creation of Operating Reserve (5%) - - - - -	2.20
	<u>\$47.56 PUM</u>

Many of the above items of expense could be eliminated or reduced in the proposed program to achieve the desired low rentals. The services and materials which result in the \$7.00 per month for "Administrative Expense" at Pine Ridge might be absorbed for the operation of a mutual-help project by the Tribal Government and/or the Bureau of Indian Affairs. The \$15.22 per month for "Gas," which is used as fuel, could be eliminated by providing for the use of wood which is plentiful and free on most reservations and which is also the fuel most of the participating families are accustomed to using. The \$12.00 for "Operation and Maintenance" should be governed by the provision of services and materials by the participants, possibly supplemented where necessary by the Tribal Government or the BIA.

As discussed above, each participant would be obligated under his lease-purchase contract with the housing authority to provide all the maintenance for his house, and any expenses for maintenance and vacancy and collection losses which are incurred because of the participant's failure to properly maintain the house or pay rent would, upon the participant's failure to pay such expenses, be reimbursed out of the mutual-help funds consisting of the operating reserve and the unadvanced portion of the PHA loan. (The proposed amount of \$200 for the operating reserve per unit is based on the PHA Management Manual requirement relating to projects consisting of 25 units or less.)

In view of the above, and if the Tribal Government and/or the BIA would provide for administration and overhead, the operating charges to the participant (exclusive of materials and supplies furnished by him) could be brought down to about \$10 per month based on the following estimate:

Water	\$1.80	PUM
Sewer	2.50	"
Electricity	3.52	"
Insurance	<u>2.00</u>	"
	\$9.82	"

If, however, it should be necessary to charge the participants for administration and overhead, the additional amount of \$7.00 shown above for "Administrative expense" would have to be added, bringing the total to about \$17 per month.

It should be noted that these figures are based upon the estimated expenses for the Pine Ridge project mentioned above, and therefore, would not necessarily be the same in other locations.

Joseph Bernstein
General Counsel

HPMC-PHA 7580.3

CIRCULAR**ATTENTION: REGIONAL OFFICE:** AHA for HPMC, Low-Rent Specialist
Regional Counsel**AREA OFFICE:** Operations Division Director
Program Managers, Area Counsel

Indian Housing Authority Organization and Sites in June 19, 1972

SUBJECT: Indian Areas

1. **PURPOSE.** To provide instructions and information regarding the organization of Indian housing authorities and the use of sites in Indian areas. This Circular supersedes (a) PHA Circular 12-15-61 "Low-Rent Housing for Indian Tribes on Indian Reservations," and (b) PHA Legal Division Book Memorandum of January 5, 1965, "Modification of Tribal Ordinance Form."
2. **LEGAL BASIS OF INDIAN HOUSING AUTHORITIES AND HUD'S ASSISTANCE.**
 - a. Under the United States Housing Act of 1937, as amended, HUD is authorized to provide financial and technical assistance to public housing agencies (usually identified as local housing authorities) for the development and operation of low-rent housing. Local housing authorities, typically, are corporate bodies established and authorized to function in a locality pursuant to State law for the purpose of providing low-rent housing for low-income families.
 - b. Where an Indian tribe under its Constitution and By Laws (or other recognized governing document) has an established governing body with governmental police power to promote the general welfare (i.e., peace, health, safety, and morals) on their Reservation, the governing body can perform the legal functions which are otherwise performed by the State legislature and local governments in connection with HUD-assisted low-rent housing. (As used herein, the term "tribe" includes a band, nation, community, group, pueblo, rancheria, or colony and the term "Reservation" includes a Pueblo, Colony, or Rancheria.) Specifically, a tribal governing body with sufficient governmental powers is legally competent to enact an ordinance creating a housing authority and providing for the necessary local governmental cooperation so as to qualify for HUD-assistance under the U. S. Housing Act of 1937, as amended. Sufficient governmental powers usually exist where a tribe is organized under a constitution adopted pursuant to section 17 of

DISTRIBUTION: O-2, W-1, W-3, W-3-1, R-1, R-2, R-3, R-3-2, R-3-1
R-5, R-5-1

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the Indian Reorganization Act of 1934 (25 U.S.C. 476) and sufficient powers have been found to exist for certain other tribes. In some cases, an election by the voting members of the tribe (usually referred to as the General Council of the tribe) has been necessary to enact such an ordinance.

- c. Certain Indian tribes may not have sufficient governmental powers to perform the above mentioned legal functions in connection with HUD-assisted low-rent housing. Such cases include situations where (1) the tribe's powers have been terminated or reduced by Act of Congress, (2) the tribe has no governmental relationship with the Federal government and is subject to and dependent upon a State government for any powers, and (3) the tribe's powers are not clearly enough established. The states of Alaska, Maine, Oklahoma, and Texas have enacted laws to specifically provide for the establishment of housing authorities to serve Indian (including Alaskan Native) areas. In addition, Indians may obtain HUD-assisted low-rent housing through county municipal, or regional housing authorities established pursuant to state law.
- d. Pursuant to Public Law 83-280 (28 U.S.C. 1360) and Title IV of the Civil Rights Act, of 1968 (25 U.S.C. 1321-1326), certain states have been ceded civil and criminal jurisdiction over certain tribes and further such cessions are legally possible. It is also possible under Section 403 of the Civil Rights Act of 1968 (25 U.S.C. 1323) for such jurisdiction to be retroceded (returned) to the Federal government. Where such jurisdiction has been so ceded to a state (and where there has not been a retrocession), a tribe which otherwise has sufficient governmental powers to engage in HUD-assisted low-rent housing may be precluded from enacting an ordinance establishing a housing authority or undertaking the development of low-rent housing independent of state law if it is found that such enactment or undertaking by the tribe would be in conflict with state law. (See 28 U.S.C. 1360 (c) and 25 U.S.C. 1322 (c) for statutory provisions regarding continued power of such tribes to enact ordinances.) Questions regarding the possibility of such conflicts should be forwarded by the Area Director to the HUD General Counsel if they cannot be resolved by the Area or Regional Counsel.

- e. Special provisions relating to California Indian reservations and rancherias are provided in Section 11 of Public Law 85-671 as amended by Public Law 88-419, usually referred to as the "Rancheria Act." Those tribes which have already been terminated under these provisions are only eligible for participation in the low-rent housing program through local housing authorities established under state law. However, those which have not been so terminated and which are determined to have sufficient governmental powers as described above may participate in the program but the tribal ordinance governing the operation of their housing authority should include the provision set out in paragraph 4f below.
3. ELIGIBILITY DETERMINATIONS FOR SPECIFIC TRIBES. A tribe shall be determined to be eligible for HUD-assistance pursuant to the United States Housing Act of 1937, as amended, either when it has a housing authority established pursuant to state law or when it has enacted an ordinance in a form approved by HUD (see paragraph 4 below) and where such ordinance and its enactment have been approved by a duly authorized official of the Interior Department. (This Interior Department approval authority has been delegated to the Commissioner, Deputy Commissioner, Area Directors, and, in some cases, Agency Superintendents of the Bureau of Indian Affairs.) However, to preclude the possibility of an ineligible tribe going through the steps of organizing a housing authority, advice as to eligibility may be requested from the HUD General Counsel who will obtain any necessary advice from the Interior Department. In some cases where preliminary examination indicates a tribe to be ineligible, the legal deficiencies may be corrected by an amendment of the tribe's constitution.
4. FORMS OF TRIBAL ORDINANCE AND-ORGANIZATION DOCUMENTS.
- a. Attached as Exhibits to this Circular are the following:
- (1) Form HUD-52904, Tribal Ordinance
 - (2) Form HUD-52905, Model Transcript for the Organization and Establishment of Housing Authorities on Indian Reservations, (including instructions as to the submission of various documents).

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- (3) Form HUD-52906, Outline of Documents Required for Complete Organization Transcript for Housing Authorities on Indian Reservations, (including instructions as to the submission of various documents).

These documents are for use in the establishment of Indian housing authorities independent of state law and must be examined in each case to see that language which is inapplicable or inappropriate for the particular case is properly modified. Except as provided below, any change of substance must be submitted to the HUD General Counsel who will obtain any necessary administrative approvals and determine the legality of such a change. References in Form HUD-52906 to HUD "Regional Office" shall be deemed to mean Area Office except in the case of the Denver Region (VIII).

- b. Since it is not anticipated that there will be a significant number of new Indian housing authorities organized in the future, no future revision or printing of a supply of these forms is contemplated. Therefore, the attached Exhibits may be reproduced or extracted from by Area Counsels as necessary to develop documents that comply with the provisions of this Circular.
- c. In general, a cooperation agreement in the usual form will not be necessary because all the essential points of cooperation required of a governing body are included in Article VIII of Form HUD-52906, Tribal Ordinance. The following features of this section of the Ordinance should be noted:
- (1) No provision is made for payments in lieu of taxes because there is usually no property tax applicable to any property on an Indian reservation.
 - (2) No mandatory provision for equivalent elimination is included because of the exemption from this mandatory requirement provided in section 10(a) of the U. S. Housing Act for Indian areas. There is included a declaration of intention on the part of the Tribe to use its lawful powers to the extent feasible to eliminate substandard units as additional dwellings are provided under the low-rent program.
 - (3) The provision in paragraph 1(e) of Article VIII that the Tribe "will join in any disposition of project property ***

where such action is required "in order to grant the maximum interest therein permitted by law" is needed where the housing authority constructs its projects on tribal lands leased to it by the Tribe. Under limitations of Federal law, generally a Tribe cannot convey title to tribal lands, but can only give a lease for 25 years with an agreement to renew the lease for a second term of 25 years. (See paragraph 6 below.)

- d. Article IX of Form HUD-52904, Tribal Ordinance, requires the Indian housing authority to obtain the approval of the Secretary of Interior or his designee with respect to any financial assistance contract (i.e., Preliminary Loan Contract or Annual Contributions Contract) with HUD. The Interior Department approval authority is delegated to the Commissioner, Deputy Commissioner, Area Directors, and, in some cases, Agency Superintendents of the Bureau of Indian Affairs.
- e. Ordinances enacted in the future should conform to Form HUD-52904 with the four modifications set out below. Ordinances previously enacted should include, or be amended to include, at least the first three modifications to enable the tribal housing authorities to undertake homeownership opportunity projects and participate in group financing.
- (1) Page 3, Article III e (2). Insert the following after the words "to provide":
- ", or assist in providing, (by any suitable method, including but not limited to: rental; sale of individual units in single or multi-family structures under conventional, condominium, or cooperative sales contracts; lease-purchase agreements; loans; or subsidizing of rentals or charges),"
- (2) Page 6, Article V, subsection 2 i. Insert the following in place of the words "or rent":
- ",rent, sell, or lease with option to purchase."
- (3) Page 7, Article V, section 2. Insert the following new subsection after subsection "o":

"p. To join or cooperate with any other public housing agency or agencies operating under the laws or ordinances of a state or another tribe in the exercise, either jointly, or otherwise of any or all of the powers of the Authority and such other public housing agency or agencies for the purpose of financing (including but not limited to the issuance of bonds, notes or other obligations and giving security therefor), planning, undertaking, owning, constructing, operating, or contracting with respect to a housing project or projects of the Authority or such other public housing agency or agencies. For such purpose the Authority may by resolution prescribe and authorize any other public housing agency or agencies, so joining or cooperating with the Authority, to act on the Authority's behalf with respect to any or all powers, as the Authority's agent or otherwise, in the name of the Authority or in the name of such agency or agencies."

(4) Page 13, Article VIII, section 3. The second line should be corrected to read as follows: "with respect to any project so long as (1) the project is owned by a".

- f. A Tribal Ordinance adopted by a tribe in California which may elect termination pursuant to the "Mancheria Act" described in paragraph 2e above should include in Article VIII, Section 1 of the Ordinance, and there should also be included in Part One of any Annual Contributions Contract with an Indian housing Authority established under such a modified ordinance, a provision such as the following:

"In the event that the Tribe should elect to terminate its governing body and adopt a plan for accomplishing such termination and for distribution of tribal assets (such as provided for by the Act of August 18, 1958, 72 Stat. 619, as amended August 11, 1964, 78 Stat. 390) the Tribe and the Authority shall convey the Authority's projects to (1) the Secretary of Housing and Urban Development or (2) a public housing agency of the State. Such conveyance shall be subject to (a) any obligations of the Authority incurred in connection with the projects, (b) any rights of tenants

or mutual help participants or homebuyers under contracts for the purchase, or options to purchase, of dwellings included in the project, and (c) such terms and conditions as may be approved by the Secretary of the Interior as part of the plan for termination of the Tribe and distribution of its assets."

5. SITE SELECTION.

- a. It should be noted that the selection of sites for projects by Indian housing authorities must be in accordance with the criteria in the HUD Low-Rent Housing Preconstruction Handbook 7410.8, Chapter 1, Section 1.
- b. The sites for projects undertaken by an Indian housing authority established by tribal ordinance must be within the governmental jurisdiction of the tribal governing body. Generally this means that such sites must be located within the boundaries of the Reservation on which the housing authority is authorized to operate. Off-reservation sites are usually beyond the governmental jurisdiction of the tribal governing body. However, it may be possible for a housing authority established under state law to undertake a project on such a site and contract for the development or operation of the project by the Indian housing authority.
- c. The HUD Area Office must assure that a housing authority's selection of sites is coordinated with and concurred in by the appropriate Indian Health Service Area Director in the case of projects where the IHS is to be involved in the provision of water and sewerage facilities. In addition, the selection of sites must be coordinated with and concurred in by the appropriate Area Director or Agency Superintendent of the Bureau of Indian Affairs where the BIA is to be involved in the provision of access roads, title or other services or facilities to the project or its occupants. These IHS and BIA officials should be advised of proposed sites at the earliest possible date to minimize delays in project planning where their concurrence is necessary.
- d. The following types of land status may be encountered in Indian areas.

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- (1) Tribal Trust Land (Land held in trust by the United States for the tribe). Sites on such land may be utilized under a 50-year lease (25 years automatically renewable for 25 years) to the housing authority. See paragraph 6a below.
 - (2) Allotted Land (Land held in trust by the United States and allotted to individual Indians). Sites on such land also may be utilized under a 50-year lease, see paragraph 6b below. However, in the case of a homeownership opportunity project where the homebuyer or participant is not the allottee of the site of his dwelling, it should be noted that upon expiration of the term of the lease from the allottee to the housing authority, the allottee will be legally entitled to possession of the site.
 - (3) Patent in Fee Land (Land owned under a patent in fee simple). Before such land may be used as a site by an Indian housing authority established by tribal ordinance, it usually must be returned to a trust status as tribal trust or allotted land. Although such a return can usually be accomplished by the BIA (assuming the owner is agreeable), as a matter of policy the BIA may not wish to have land returned to a trust status. Such land may be used as a site only (a) if the fee title is transferred to the housing authority and the tax exemption or tax remission requirements of Section 10(h) of the U. S. Housing Act of 1937, as amended, can be met and (b) if the Indian housing authority's powers are not jeopardized because of state jurisdiction over the site.
 - (4) Agency Reserve Land. Land on Indian reservations which is reserved for use by the Federal Government in connection with the administration of Indian Affairs may be returned to the use of the tribe. Use of such land for sites will depend on the status of the land after its return to the tribe.
 - (5) Sites Within Municipalities Incorporated Under State Law. There are serious doubts as to whether a tribe has the requisite governmental jurisdiction over lands within municipalities which are incorporated under State law.

Such lands could be sites for a project undertaken by a housing authority established under State law and, possibly, such a housing authority could contract for the development or operation of a project by an Indian housing authority established by tribal ordinance.

- e. It should be noted that 25 Code of Federal Regulations Section 1.4 provides that, without specific Interior Department adoption or other action--

"none of the laws, ordinances, codes, resolutions, rules or other regulations of any State or political subdivision thereof limiting, zoning or otherwise governing, regulating, or controlling the use or development of any real or personal property, including water rights, shall be applicable to any such property leased from or held or used under agreement with and belonging to any Indian or Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States."

6. SITE LEASES AND TITLE REPORTS.

- a. Attached as an Exhibit to this Circular is Interior Department Form 5-1471 which is suitable for the lease of tribal land to a housing authority for use as the site of a HUD assisted low-rent housing project. The form should be modified by (1) changing "Public Housing Administration hereafter called the PHA" in paragraph 2 to "the Department of Housing and Urban Development (or its successors) hereinafter called HUD" and (2) changing "the PHA" to "HUD" in paragraphs 3 and 5 and at the end of paragraph 2.
- b. Attached as an Exhibit to this Circular is Interior Department Form 5-1498a which is suitable for the leasing of individually owned Indian land for use as the site of a HUD-assisted mutual-help housing project. The form should be modified by changing paragraph 2 and 3 as described in subparagraph a above. It may also be modified for use in other types of low-rent public housing homeownership opportunity projects.
- c. Interior Department regulations regarding "Leasing and Permitting" of Indian lands are set out in Title 25 Code of

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Federal Regulations, Part 131.

- d. The HUD Area Director may utilize a "Title Status Report" furnished by the Bureau of Indian Affairs in lieu of obtaining other title information, opinions, certificates, or policies for sites on Indian lands for which the BIA has trust responsibilities.

7. CONSIDERATION FOR SITE ACQUISITION AND APPRAISALS.

- a. Where a proposed site is owned by the tribal government, it is customary for the tribe to donate the required 50-year leasehold interest to its housing authority for only a nominal rent (see paragraph 4 of Interior Form 5-1471) because of the tribe's interest in promoting the improvement of the housing conditions of its members.
- b. Where the proposed site of a unit in a homeownership opportunity project is owned by the prospective homebuyer or participant, the title or, in the case of trust or allotted land, a 50-year leasehold interest should be conveyed to the housing authority for a nominal consideration and a credit to the homebuyer's Earned Home Payments Account or the participant's Mutual-Help Contribution Account (see paragraph 4 of Interior Form 5-1498a).
- c. HUD appraisals are not required for contributed mutual-help or other homeownership opportunity project sites on Indian lands because HUD will accept the administrative determination of the Bureau of Indian Affairs Area Director (or BIA Field Administrator in the case of Reservations not under the immediate jurisdiction of a BIA Area Office) as to the amount (not to exceed \$500 per unit) to be included in the project's estimated Development Cost (1) as a mutual-help contribution or (2) a credit to the Earned Home Payments Account. Also, appraisals will not be required for other projects in Indian areas where the site is donated by the tribe with only a nominal or no amount included in the project's estimated Development Cost for site acquisition.
- d. Where an Indian housing authority is to acquire a site which is not donated or contributed (or where a site is proposed for contribution and credit at an amount in excess of \$500 per unit) as described above, the usual appraisal requirement shall prevail except that the HUD Area Director may accept a Bureau of Indian Affairs appraisal if he determines that such an appraisal meets HUD requirements and would be more economical than obtaining a HUD appraisal.

Form HUD-290A
November 1960
(Formerly PHA-290A)

Exhibit 1

TRIBAL ORDINANCE

Pursuant to the authority vested in the _____ Tribe, by its Constitution, and particularly by Article _____, Sections _____ thereof, and its authority to provide for the health, safety, morals and welfare of the Tribe, the Tribal Council of the _____ Tribe hereby charters a public corporation known as the _____ Housing Authority (hereinafter referred to as the Authority), and enacts this ordinance which shall constitute the charter of the Authority.

In any suit, action or proceeding involving the validity or enforcement of or relating to any of its contracts, the Authority shall be conclusively deemed to have become established and authorized to transact business and exercise its powers upon proof of the adoption of this ordinance. A copy of the ordinance duly certified by the Secretary of the Council shall be admissible in evidence in any suit, action or proceeding.

I. Explanation of Need

It is hereby declared:

- a. That there exist on the _____ Reservation insanitary, unsafe, and overcrowded dwelling accommodations; that there is a shortage of safe and sanitary dwelling accommodations available at rents or prices which persons of low income can afford; and that such shortage forces such persons to occupy insanitary, unsafe and overcrowded dwelling accommodations;
- b. That these conditions cause an increase in and spread of disease and crime and constitute a menace to the health, safety, morals and welfare of the residents of the Reservation; that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health and safety protection, fire and accident prevention, and other public services and facilities;
- c. That these slum areas cannot be cleared, nor can the shortage of safe and sanitary dwellings for persons of low income be relieved through the operation of private enterprise;
- d. That the clearance, replanning and preparation for rebuilding of these areas and the providing of safe and sanitary dwelling accommodations

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WVC-750 7500.3

Exhibit 1

Form HUD-8970
November 1968
(Formerly FHM-8906)

For persons of low income are public uses and purposes for which public money may be spent and private property acquired and are governmental functions of Tribal councils:

- e. That residential construction activity is an important factor to general economic activity and that the undertakings authorized by this ordinance to add the production of better housing and more desirable neighborhood and community development at lower costs will make possible a more stable and larger volume of residential construction activity which will assist materially in maintaining full employment; and
- f. That the necessity in the public interest for the provisions herein-after enacted is hereby declared as a matter of legislative determination.

II. Purpose

The Authority shall be organized and operated for the purpose of:

- a. Remedying on the Reservation unsafe and insanitary housing conditions, that are injurious to the public health, safety and morals;
- b. Alleviating the acute shortage of decent, safe and sanitary dwellings for families of low income; and
- c. Providing employment opportunities on the Reservation through the construction, rehabilitation, improvement, maintenance, alteration or repair and operation of such dwellings.

III. Definitions

The following terms, wherever used or referred to in this ordinance shall have the following respective meanings, unless a different meaning clearly appears from the context:

- a. "Board" means the Board of Commissioners of the Authority.
- b. "Council" means The _____ Tribal Council.
- c. "Federal government" includes the United States of America, the Department of Housing and Urban Development, or any other agency or instrumentality, corporate or otherwise of the United States of America.
- d. "Wet" means any area where dwellings predominate which by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitary facilities, or any combination of these factors, are detrimental to safety, health and morals.

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Exhibit 1

Form HUD-5292L
 November 1960
 (Formerly PHM-2924)

e. "Housing project" or "project" means any work or undertaking:

- (1) to demolish, clear, or reconstruct buildings from any slum area; or
- (2) to provide decent, safe and sanitary dwellings, apartments, or other living accommodations for persons of low income; or (3) to accomplish a combination of the foregoing. Such work or undertaking may include buildings, land, leaseholds, equipment, facilities, and other real or personal property for necessary, convenient, or desirable apartments, for streets, sewers, water service, utilities, parks, site preparation or landscaping, and for administrative, community, health, recreational, welfare, or other purposes. The term "housing project" or "project" also may be applied to the planning of the buildings and improvements, the acquisition of property or any interest therein, the demolition of existing structures, the construction, reconstruction, rehabilitation, alteration or repair of the improvements or other property and all other work in connection therewith, and the term shall include all other real and personal property and all tangible or intangible assets held or used in connection with the housing project.

f. "Persons of low income" means persons or families the low the amount of income which is necessary (as determined by the Authority) to enable them, without financial assistance, to live in decent, safe, and sanitary dwellings, without overcrowding.

g. "Bonds" means any bonds, notes, interim certificates, debentures, or other obligations issued by the Authority pursuant to this ordinance.

h. "Obligee" includes any bondholder, agent or trustee for any bondholder, or lessee claiming to the Authority property used in connection with a project, or any assignee or assignee of such lessee's interest or any part thereof, and the Federal government when it is a party to any contract with the Authority in respect to a housing project.

IV. Organization

1. The offices of the Authority shall be managed by a Board of Commissioners composed of five persons.

a. The Board members shall be appointed, and may be reappointed, by the Council. A certificate of the Secretary of the Council as to the appointment or reappointment of any commissioner shall be conclusive evidence of the due and proper appointment of the commissioner.

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HPMC-PMA 7580.3

ARTICLE I

Form HUD-5290a
November 1960
(Formerly PMA-2904)

b. The term of office shall be four years and staggered. When the Board is first established one member's term shall be designated to expire in one year, another to expire in two years, a third to expire in three years, and the last two in four years. Thereafter all appointments shall be for four years, except that in the case of a prior vacancy, an appointment shall be only for the length of the unexpired term. Each member of the Board shall hold office until his successor has been appointed and has qualified.

c. The Council shall name one of the commissioners as Chairman of the Board. The Board shall elect from among its members a Vice-Chairman, a Secretary, and a Treasurer; and any member may hold two of these positions. In the absence of the Chairman, the Vice-Chairman shall preside; and in the absence of both the Chairman and Vice-Chairman, the Secretary shall preside.

d. The Council may remove any member of the Board for cause.

e. The commissioners shall not receive compensation for their services but shall be entitled to compensation for expenses, including travelling expenses, incurred in the discharge of their duties.

f. Three members of the Board shall constitute a quorum for the transaction of business, notwithstanding the existence of any vacancies.

g. The Secretary shall keep complete and accurate records of all meetings and action taken by the Board.

h. The Treasurer shall keep full and accurate financial records, make periodic reports to the Board and submit a complete annual report, in written form, to the Council as required by Article VII, Section 1, of this ordinance. The Treasurer shall be bonded in such amount as is prescribed by the Council or by any agreement to which the authority in a party.

i. The Board shall have authority to exercise, by majority vote of those present and voting, any and all powers delegated to the authority by this ordinance or any amendments thereto, except as provided in Article VI, Section 5c, for the adoption of bond resolutions.

j. Meetings of the Board shall be held at regular intervals as provided in the bylaws. Emergency meetings may be held upon 24 hours actual notice and business transacted, provided that three or more members concur in the proposed action.

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FORM MDC-500-2
November 1978
(Formerly MPA-2580)

Exhibit 1

V. Powers

1. The Authority shall have perpetual succession in its corporate name.
2. The Authority shall have the following powers which it may exercise consistent with the purposes for which it is established:
 - a. The Council hereby gives its irrevocable consent to allowing the Authority to sue and be sued in its corporate name, upon any contract, claim or obligation arising out of its activities under this ordinance and hereby authorizes the Authority to agree by contract to waive any immunity from suit which it might otherwise have; but the Tribe shall not be liable for the debts or obligations of the Authority, except insofar as expressly authorized by this ordinance.
 - b. To adopt and use a corporate seal.
 - c. To enter into agreements, contracts and understandings with any governmental agency, Federal, state or local (including the Council) or with any person, partnership, corporation or Indian tribe; and to agree to any conditions attached to Federal financial assistance. Notwithstanding anything to the contrary contained in this ordinance or in any other provision of law, to agree to any conditions attached to Federal financial assistance relating to the determination of prevailing salaries or wages or payment of not less than prevailing salaries or wages or compliance with labor standards, in the development or administration of projects, and to include in any contract let in connection with a project, stipulations requiring that the contractor and any subcontractors comply with requirements as to minimum salaries or wages and maximum hours of labor, and comply with any conditions which the Federal government may have attached to its financial aid of the project. In any contract with the Federal government for annual contributions to the Authority, the Authority may obligate itself to convey to the Federal government possession of or title to the project to which such contract relates, upon the occurrence of a substantial default (as defined in such contract) with respect to the covenant or conditions to which the Authority is subject; and such contract may further provide that in case of such conveyance, the Federal government may complete, operate, manage, lease, convey or otherwise deal with the project and funds in accordance with the terms of such contract; Provided, That the contract requires that, as soon as practicable after the Federal government is notified that all defaults with respect to the project have

HHS-FAA 7500.3

Exhibit 1

Form HUD-529Ch
November 1968
(Formerly FAA-59Ch)

been cured and that the project will thereafter be operated in accordance with the terms of the contract, the Federal government shall recover to the Authority the project as then constituted. It is the purpose and intent of this ordinance to authorize the Authority to do any and all things necessary or desirable to secure the financial aid or cooperation of the Federal government in the undertaking, construction, maintenance or operation of any project by the Authority.

d. To lease property from the Tribe and others for such periods as are authorized by law, and to hold and manage or to sublease the same.

e. To borrow money, to issue temporary or long-term evidence of indebtedness; and to repay the same. Corporate bonds shall be issued and repaid in accordance with the provisions of Section VI of this ordinance.

f. To pledge the assets and receipts of the Authority as security for debts; and to acquire, sell, lease, exchange, transfer or assign personal property or interests therein.

g. To purchase land or interests in land or take the same by gift; to lease land or interests in land to the extent provided by law.

h. To undertake and carry out studies and analyses of the housing needs on the Reservation, to prepare housing plans, to execute the same, to operate projects and to provide for the construction, reconstruction, improvement, extension, alteration or repair of any project or any part thereof.

i. To lease or rent any dwellings, accommodations, lands, buildings or facilities embraced within any project; to establish and revise rents; and to make rules and regulations concerning the occupancy, rental, care and management of its low-rent housing units. Such rules and regulations may establish priorities for the admission of tenants, and provide for the eviction of tenants for failure to pay rent, for failure to comply with rules and regulations, or for failure to maintain the premises in satisfactory condition.

Form MFR-1029A
November 1968
(Formerly PRA-294c.)

Exhibit 1

The Board shall insure that dwelling accommodations in a housing project shall be made available only to families of low income at rentals within their financial reach by (A) establishing lower than average rentals for especially needy families, and (B) by establishing income limits for admission and continued occupancy by low income families. In making these determinations, the Board may take into consideration family size, composition, age, physical handicaps or other factors which might affect the financial ability of the family to pay rental and shall consider as well such economic factors as may affect the financial stability and solvency of the project.

3. To purchase insurance in any stock or mutual company for any property or against any risks or hazards.
 1. To invest such funds as are not required for immediate disbursement.
 1. To establish and maintain such bank accounts as may be necessary or convenient.
 - a. To employ an executive director, technical and maintenance personnel and such other officers and employees, permanent or temporary, as it may require; and to delegate to such officers and employees such powers or duties as the Board shall deem proper.
 - a. To take such further actions as are commonly engaged in by corporate bodies of this character as the Board may deem necessary and desirable to effectuate the purposes of the Authority.
 - a. To adopt such bylaws as the Board deems necessary and appropriate.
3. No ordinance or other enactment of the Tribe with respect to the acquisition, operation, or disposition of Tribal property shall be applicable to the Authority in its operations pursuant to this ordinance unless the Council shall specifically so state.

VI. Bonds

1. The Authority may issue bonds from time to time in its discretion for any of its corporate purposes and may also issue refunding bonds for the purpose of paying or retiring bonds previously issued by it. The Authority may issue such types of bonds as it may determine, including bonds on which the principal and interest are payable: (a) collectively from the income and revenues of the project financed with the proceeds of such bonds, or with such income and revenues together with a grant from the Federal government.

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WMC-PLA 7580.3

Exhibit 1

 Form WFD-5290A
 November 1968
 (Formerly PLA-290A)

in aid of such project; (b) exclusively from the income and revenue of certain designated projects whether or not they were financed in whole or in part with the proceeds of such bonds; or (c) from its revenue generally. Any of such bonds may be additionally secured by a pledge of any revenue of any project, projects or other property of the Authority.

2. Neither the commissioner of the Authority nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof.

3. The bonds and other obligations of the Authority shall not be a debt of the Tribe and the bonds and obligations shall so state on their face.

4. Bonds of the Authority are declared to be issued for an essential public and governmental purpose and to be public instrumentalities and, together with interest thereon and income therefrom, shall be exempt from taxes. The tax exemption provisions of this ordinance shall be considered part of the security for the repayment of bonds and shall constitute, by virtue of this ordinance and without necessity of being recited in the bonds, a contract between (a) the Authority and the Tribe, and (b) the bondholders and each of them, including all transferees of the bonds from time to time.

5. Bonds shall be issued and sold in the following manner:

a. Bonds of the Authority shall be authorized by a resolution adopted by the vote of an absolute majority of the Board and may be issued in one or more series.

b. The bonds shall bear such dates, mature at such times, bear interest at such rates, be in such denominations, be in such form, either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be secured in such manner, be payable in such medium of payments, at such places and be subject to such terms of redemption, with or without premium, as such resolution may provide.

c. The bonds may be sold at public or private sale at not less than par.

d. In case any of the commissioners of the Authority whose signatures appear on any bonds or coupons cease to be commissioners before the delivery

- 4 -

Exhibit 1

Form 7580-3
November 1968
(Formerly PMA-7924)

of such bonds, the signature shall, nevertheless, be valid and sufficient for all purposes, the same as if the commissioners had remained in office until delivery.

6. Bonds of the Authority shall be fully negotiable. In any suit, action or proceedings involving the validity or enforcement of any bond of the Authority or the security therefor, any such bond reciting in substance that it has been issued by the Authority pursuant to this ordinance shall be conclusively deemed to have been issued for such purpose and the project for which such bond was issued shall be conclusively deemed to have been planned, located and carried out in accordance with the purposes and provisions of this ordinance.

7. In connection with the issuance of bonds or incurring of obligations under leases and in order to secure the payment of such bonds or obligations, the Authority, subject to the limitations in this ordinance, may:

a. Pledge all or any part of its gross or net rents, fees or revenues to which its right then exists or may thereafter come into existence.

b. Provide for the payment and duties of obligees and limit their liabilities; and provide the terms and conditions on which such obligees may enforce any covenant or rights securing or relating to the same.

c. Covenant against pledging all or any part of its rents, fees and revenues or against mortgaging any or all of its real or personal property to which its title or right then exists or may thereafter come into existence or permitting or suffering any lien on such revenues or property.

d. Covenant with respect to limitations on its right to sell, lease or otherwise dispose of any project or any part thereof.

e. Covenant as to what other or additional debts or obligations may be incurred by it.

f. Covenant as to the bonds to be issued and as to the issuance of such bonds in whole or otherwise, and as to the use and disposition of the proceeds thereof.

g. Provide for the replacement of lost, destroyed or mutilated bonds.

h. Covenant against extending the time for the payment of its bonds or interest thereon.

HHS-PIA 1580 3

Table 1

 Form HHS-5290A
 November 1968
 (Formerly PIA-2906)

1. Redem the bonds and covenant for their redemption and provide the terms and conditions thereof.
3. Government concerning the redemption fees to be charged in the operation of a project or projects, the amount to be raised each year or other period of time by rents, fees and other revenues, and as to the use and disposition to be made thereof.
 - a. Create or authorize the creation of special funds for moneys held for construction or operating costs, debt service, reserves or other purposes, and covenant as to the use and disposition of the moneys held in such funds.
 1. Prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or changed, the properties of outstanding bonds the holders of which must consent thereto, and the manner in which such consent may be given.
 2. Covenant as to the use, maintenance and replacement of its real or personal property, the insurance to be carried thereon and the use and disposition of insurance moneys.
 3. Covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenant, condition or obligation.
 4. Covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds or obligations issued or may be declared due before maturity, and as to the terms and conditions upon which such declaration and its consequences may be waived.
 5. Vest in any obligee or any properties of them the right to enforce the payment of the bonds or any covenants covering or relating to the bonds.
 6. Exercise all or any part or continuation of the powers granted in this section.
 7. Make covenants other than and in addition to the covenants expressly authorized in this section, of like or different character.
 8. Make any covenants and do any acts and things necessary or convenient or desirable in order to secure its bonds, or, in the absolute discretion of the Authority tending to make the bonds more marketable although the covenants acts or things are not enumerated in this section.

Form HUD-5290a
November 1965
(Formerly PMA-290a)

Exhibit 1

VII. Malfeasance

1. The Authority shall submit a detailed annual report, signed by the Chairman of the Board, to the Council showing (a) the names of occupants of all the housing units, (b) the number of vacancies, if any, (c) the status of construction, maintenance and repair of all housing units, and (d) such other information as the Authority or the Council shall deem pertinent.
2. During his tenure and for one year thereafter, no officer or employee of the Authority shall voluntarily acquire any interest, direct or indirect in any project or in any property included or planned to be included in any project, or in any contract or proposed contract relating to any project. If any such officer or employee involuntarily acquires any such interest, or voluntarily or involuntarily acquired any such interest prior to appointment or employment as an officer or employee, the officer or employee, in any such event, shall immediately disclose his interest in writing to the Authority and such disclosure shall be entered upon the minutes of the Authority, and the officer or employee shall not participate in any action by the Authority relating to the property or contract in which he has any such interest. Any violation of the foregoing provisions of this section shall constitute misconduct in office. This section shall not be applicable to the acquisition of any interest in notes or bonds of the Authority issued in connection with any project, or to the execution of agreements by banking institutions for the deposit or handling of funds in connection with a project or to act as trustee under any trust instrument, or to utility services the rates for which are fixed or controlled by a governmental agency.
3. All projects of the Authority shall be subject to the planning, zoning, sanitary and building regulations applicable to the locality in which the planned project is situated.
4. The Authority shall not construct or operate any project for profit.
5. The property of the Authority is declared to be public property used for essential public and governmental purposes and such property and the Authority are exempt from all taxes and special assessments of the Tribe.

WPC-PMA 7500-3

Exhibit 1
 Form HUD-529X
 November 1968
 (Formerly PMA-2904)

6. All property including funds acquired or held by the Authority pursuant to this Ordinance shall be exempt from levy and sale by virtue of an execution, and no execution or other judicial process shall issue against the same nor shall any judgment against the Authority be a charge or lien upon such property: Provided, however, that the provisions of this section shall not apply to or limit the right of obligees to pursue any remedies for the enforcement of any pledge or lien given by the Authority on its rents, fees or revenues or the right of the Federal Government to pursue any remedies conferred upon it pursuant to the provisions of this ordinance.

VIII. Cooperation in Connection with Projects

1. For the purpose of aiding and cooperating in the planning, undertaking, construction or operation of projects, the _____

Wrote agree that:

- (a) It will not levy or impose any real or personal property taxes or special assessments upon the Authority or any project.
- (b) It will furnish or cause to be furnished to the Authority and the tenants of projects all services and facilities of the same character and to the same extent as the Tribe furnishes from time to time without cost or charge to other dwellings and inhabitants on the Reservation.
- (c) Insofar as it may lawfully do so, it will grant such deviations from any present or future building code of the Tribe as are reasonable and necessary to promote economy and efficiency in the development and administration of any project, and at the same time safeguard health and safety, and make such changes in any zoning of the site and surrounding territory of any project as are reasonable and necessary for the development and protection of such project and the surrounding territory.
- (d) It will do any and all things, within its lawful powers, necessary or convenient to aid and cooperate in the planning, undertaking, construction or operation of projects.
- (e) It will join in any disposition of project property or interest therein by the Authority and make assignments or other appropriate disposition of the underlying land as permitted by law, where such action is required in order to grant the maximum interest therein permitted by law.
- (f) This section will not be abrogated, changed, or modified without the consent of the Department of Housing and Urban Development.

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Form HUD-999A,
November 1963
(Formerly PHA-280A)

Section 1

2. The Tribe declares its intention to use its lawful powers, to the extent feasible, to eliminate unsafe or insanitary dwelling units on the Reservation, as additional dwellings are provided by projects of the Authority.

3. The provisions of paragraph 1 of this section shall remain in effect with respect to any project so long as the project is either (i) owned by a public body or governmental agency and is used for low-rent housing purposes, (ii) any contract between the Authority and the Department of Housing and Urban Development for loans or grants, contributions, or both, in connection with such project remains in force and effect, or (iii) any bonds issued in connection with such project or any notes due to the Department of Housing and Urban Development in connection with such project remain unpaid, whichever period is the longest. If at any time title to, or possession of, any project is held by any public body or governmental agency authorized by law to engage in the development or administration of low-rent housing or slum clearance projects, including the Federal Government, the provisions of this section shall inure to the benefit of and be enforced by such public body or governmental agency.

(1. Approval by Secretary of the Interior

With respect to any financial assistance contract between the Authority and the Federal Government, the Authority shall obtain the approval of the Secretary of the Interior or his designee

Exhibit

HRD-52905
April 1968
Page 1
(Formerly PLA-2905)

MODEL MANUSCRIPT
FOR THE ORGANIZATION AND ESTABLISHMENT OF
HOUSING AUTHORITIES ON
INDIAN RESERVATIONS

This is only a suggested form. It should
be checked carefully and adapted where
necessary to the particular conditions
of each case.

0251

HPM-PA 7500.3

Exhibit 2
 HPM-52905
 April 1968
 Page 2
 (Formerly HPM-52905)

CERTIFICATE OF APPOINTMENT

OF

COMMISSIONERS

I, the undersigned, as Secretary of the _____
 hereby certify that the _____
 is composed of _____ voting members of whom _____ members, constituting
 a quorum, were present at a regular meeting duly called and held on _____
 at _____ and that at such meet-
 ing, the Council, acting under Ordinance No. _____ adopted on _____
 appointed the following five persons Commissioners of the _____
 Housing Authority, to serve for the number of _____
 years appearing after their names, respectively, from the _____ day of _____

_____ four years
 _____ four years
 _____ three years
 _____ two years
 _____ one year

The Council then, acting under the aforementioned Ordinance
 designated _____ as chairman of the Board of
 Commissioners.

Dated _____

*Insert name of governing body of town.

0252

NYPC-PA 2580.3

Exhibit 2

WPA-51795
April 1968
Page 3
(Formerly PMA-8946)

OATH OF COMMISSIONERS OF

I, _____, do solemnly swear that I am
fully qualified, according to Ordinance No. _____ adopted _____
of the _____ to exercise the duties of the
office of Commissioner of the _____
to which I have been appointed, and that I will, to the best of my ability,
discharge the duties thereof, and preserve, protect, and defend the Constitu-
tion of the United States and abide by the Constitution of the _____

Subscribed and sworn to before me this _____ day of _____

SEAL

(Separate Oath for Each Commissioner)

HPHC-PSA 7588.3

Exhibit 2
HP-52905
April 1948
Page 4
(Formerly HP-2945)

Notice of Organisation Meeting

To: _____
_____ 19____

You and each of you are hereby notified that I have called a meeting of the _____ to be held at the _____ in the _____ of _____ State of _____ at _____ o'clock _____ A.M. on _____ 19____, for the purpose of organizing said Housing Authority, adopting by-laws and a seal therefor, electing officers, designating the regular meeting place, designating the location of the office of the Authority and to take such other action concerning the organization of said Housing Authority as the members thereof may determine.

Chairman

I hereby certify that I caused the above and foregoing notice to be communicated to each of the Commissioners of _____

Chairman

* Insert names of all Commissioners.
** Insert place of meeting.

0254

Exhibit 2

WPC-67905
April 1968
Page 5
(Formerly WPC-67905)

Minutes of the Organization Meeting of

For the purpose of organizing a meeting of the _____
was held on _____ at _____
o'clock _____ H. at _____ in the city of _____
State of _____

All members of the Authority were present as follows:

There was also present by invitation the following:

_____ Chairman of the Authority presided and
_____ was appointed Temporary Secretary of the meeting
and kept the minutes.

The Secretary read the Notice of Meeting which was ordered agreed upon the
minutes as follows:

Notice of Organization Meeting

_____, 19____
To: _____

You and each of you are hereby notified that I have called a meeting of the
to be held at the _____ on _____ in the
of _____ State of _____ at _____ o'clock _____ H.
on the _____ day of _____, 19____. For the purpose of organizing said
Meeting Authority, adopting by-laws and a seal therefor, electing officers, designating
the regular meeting place, designating the location of the office of the
Authority, and to take such other action concerning the organization of said
Meeting Authority as the members thereof may determine

* Insert name of all Council members
or insert place of meeting.

CHIEF

WPMC-PMA 7500.3

Exhibit 2
 WPA-52905
 April 1948
 Page 6
 (Formerly PMA-5905)

CONSENT TO MEETING

We, the undersigned Commissioners of the _____
 _____ hereby accept service of the foregoing call of meeting, waiving any
 and all irregularities in such service and such call, and consent and agree that
 said Commissioners of the _____ shall
 meet at the time and place therein mentioned, and for the purpose therein stated.

(signature)

(signature)

(signature)

(signature)

(signature)

There were presented to the meeting copies of the certificate of appoint-
 ment by the _____ of the different members of
 the Authority, duly verified, showing the names, dates of appointments and the
 times of the commencement and the end of the terms of office; said certificate
 also shows that _____ was designated to serve as the first
 Chairman of the Authority. Copies of these papers were directed to be attached
 to the minutes of this meeting. It also appears from the statement of the dif-
 ferent Commissioners of the Authority that each Commissioner has taken the oath
 of office and duly accepted the appointment, and the following Commissioners
 filed their respective oaths of office: _____

It appearing that there were present all of the Commissioners of the
 _____ as appointed, the following
 resolution was then introduced by Commissioner _____
 read aloud and in full by the Temporary Secretary, and considered:

0256

WFO-52905
 April 1948
 Page 7
 (Formerly PIA-2905)

Exhibit 2

RESOLUTION NO. _____

RESOLUTION RELATING TO THE ESTABLISHMENT OF

RESOLVED, that the _____
 _____, be and it hereby is established pursuant to Ordinance No. _____
 adopted _____ of the _____
 and is now authorized to transact business and exercise its functions in
 accordance with said Ordinance.

Commissioner _____ moved that said resolution be finally
 adopted as introduced and read. The motion was seconded by Commissioner _____
 _____. The question being put upon the final adoption of said
 resolution, the roll was called with the following result:

Ayes: 0 _____

Nays: 0 _____

The Chairman declared such motion carried and the resolution finally adopted.

The following resolution was then introduced by Commissioner _____
 _____, read aloud and is fill by the Temporary Secretary, and consid-
 ered by the Board of Commissioners:

Insert name of Commissioners on appropriate lines.

NPMC-PMA 1580.3

Exhibit 2
 ND-2905
 April 1948
 Page 8
 (Formerly PMA-2905)

RESOLUTION NO. _____
 RESOLUTION ADOPTING BY-LAWS OF

BE IT RESOLVED BY _____

That the following by-laws be and they are hereby adopted and approved
 as and for the by-laws of the _____

BY-LAWS OF

ARTICLE I - THE AUTHORITY

Section 1 - Name of Authority. The name of the Authority shall be _____

Section 2 - Seal of Authority. The seal of the Authority shall be in the form
 of a circle and shall bear the name of the Authority and the year of its organization.

Section 3 - Office of Authority. The office of the Authority shall be at such
 place as the _____ Reservation
 to the Authority day from time to time designate by resolution.

ARTICLE II - OFFICERS

Section 1 - Officers. The officers of the Authority shall be a Chairman, a
 Vice Chairman, a Secretary and a Treasurer.

Section 2 - Chairman. The Chairman shall preside at all meetings of the Board
 of Commissioners (herein called "Board"). Except as otherwise authorized by resolu-
 tion of the Board, the Chairman shall sign all contracts, deeds and other instruments
 made by the Authority. At each meeting, the Chairman shall submit such recommenda-
 tions and information as he may consider proper concerning the business, affairs and
 policies of the Authority.

Section 3 - Vice Chairman. The Vice Chairman shall perform the duties of the
 Chairman in the absence or incapacity of the Chairman; and in case of the resigna-
 tion or death of the Chairman, the Vice Chairman shall perform the Chairman's duties
 until such time as a new Chairman is appointed.

MS-47905
April 1968
Page 9
(Formerly PM-4948)

EXHIBIT 2

Section 4 - Secretary. The Secretary shall keep the records of the Authority, shall act as secretary of the meetings of the Board of Commissioners and record all votes, and shall keep a record of the proceedings of the Board in a Journal of proceedings to be kept for such purpose, and shall perform all duties incident to his office. He shall keep in safe custody the seal of the Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Board. In the absence of both the Chairman and Vice Chairman, the Secretary shall preside.

Section 5 - Treasurer. The Treasurer shall have the care and custody of all funds of the Authority and shall deposit the same in the name of the Authority in such depository as the Board may select. He shall sign all orders and checks for the payment of money and shall pay out and disburse such moneys under the direction of the Board. Except as otherwise authorized by resolution of the Board, all such orders and checks shall be countersigned by the Chairman. He shall keep regular books of accounts showing receipts and expenditures and shall render to the Board, at each regular meeting (or oftener when requested), an account of his transactions and state of the financial condition of the Authority. He shall give such bond for the faithful performance of his duties as is required. He shall submit a complete annual report, in written form, as required by the Tribal Ordinance so adopted.

Section 6 - Executive Director. The Executive Director of the Authority shall be appointed by the Board. Subject to the direction of the Board, he shall have general supervision over the administration of the business and affairs of the Authority, and shall be charged with the management of its housing projects.

Section 7 - Additional Duties. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Board or the by-laws or rules and regulations of the Authority.

Section 8 - Election or Appointment. The Vice Chairman, Secretary and Treasurer shall be elected at the Annual meeting of the Board of Commissioners from among the Commissioners, and shall hold office for one year or until their successors are elected and qualified.

Section 9 - Vacancies. Should the offices of Vice Chairman, Secretary or Treasurer become vacant, the Board shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office.

HWC-PA 7500.3

Exhibit 2
 HWC-52905
 April 1948
 Page 10
 (Formerly HWC-52905)

Section 10 - Additional Personnel. The Authority may from time to time employ such personnel as it deems necessary to carry out its powers, duties and functions as prescribed by law and Tribal Resolution. The selection and compensation of such personnel (including the Executive Director) shall be determined by the Board.

ARTICLE III - MEETINGS

Section 1 - Annual Meeting. The annual meeting of the Board shall be held on the _____ day of _____ at _____ o'clock _____ M. at the regular place of the Board, which place shall be designated by resolution. In the event such date falls on a Sunday or a legal holiday, the annual meeting shall be held on the next succeeding secular day.

Section 2 - Regular Meetings. Monthly meetings shall be held on the _____ day of every month at _____ o'clock _____ M. at the regular meeting place of the Board. In the event such date falls on a Sunday or a legal holiday, the regular meeting shall be held on the next succeeding day. Regular meetings may be held without notice.

Section 3 - Emergency Meetings. The Chairman of the Board may, when he deems it expedient, and shall, upon the written request of two members of the Board, call an emergency meeting of the Board for the purpose of transacting any business designated in the call. Actual notice must be given to each member of the Board at least 24 hours prior to the time of such emergency meeting. At such emergency meeting no business shall be considered other than as designated in the call, and no action may be taken without the concurrence of three Commissioners, but if all of the members of the Board are present at an emergency meeting any and all business may be transacted at such meeting.

Section 4 - Quorum. The powers of the Authority shall be vested in the Commissioners thereof in office from time to time. Three Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action may be taken by the Authority upon a vote of a majority of the Commissioners present except with respect to emergency meetings as provided in Section 3 of this Article, and with respect to the adoption of and resolutions which require adoption by the vote of an absolute majority of the Board.

10

61-2794
 April 1968
 Page 21
 (Formerly PA-2700)

Section 5 - Order of Business. At the regular meeting of the Authority the following shall be the order of business:

1. Roll Call
2. Reading and approval of the minutes of the previous meeting.
3. Bills and communications.
4. Report of the Secretary.
5. Report of the Treasurer.
6. Reports of Committees.
7. Unfinished business.
8. New business.
9. Adjournment.

All resolutions shall be in writing and shall be copied to a journal of the proceedings of the Authority.

Section 6 - Manner of Voting. The voting on all questions coming before the Board shall be by roll call, and the yeas and nays shall be entered upon the minutes of each meeting, except in the case of elections when the vote may be by ballot.

ARTICLE IV - AMENDMENTS

Section 1 - Amendments to By-Laws. The By-Laws of the Authority shall be amended only with the approval of at least three Commissioners at any Board meeting provided that at least seven days written notice thereof has been previously given to all Commissioners.

Commissioner _____ moved that said resolution be finally adopted as introduced and read. The motion was seconded by Commissioner _____. The question being put upon the final adoption of said resolution, the roll was called with the following result:

Yeas: _____

Nays: _____

The Chair was declared such motion carried and the resolution finally adopted.

A corporate seal was then submitted to the meeting. The following resolution was then introduced by Commissioner _____, read in full by the Temporary Secretary, and considered by the Authority.

* Insert names of Commissioners as an appropriate time.

0261

ERIC PMA 2905 1

EDUCATION
 WEDNESDAY
 APRIL 1968
 PAGE 12
 (FORMERLY PMA-2905)

RESOLUTION NO. _____
 RESOLUTION ADOPTED EARLY

BE IT RESOLVED BY

1. That the seal submitted to this meeting is hereby adopted as the seal of this Authority and the Temporary Secretary of this Authority is hereby authorized and directed to imprint said seal on the margin of the minutes opposite this resolution.

2. That the Secretary is hereby authorized to affix the seal of the Authority to all appropriate papers.

Commissioner _____ moved that said resolution be finally adopted as introduced and read. The motion was seconded by Commissioner _____. The question being put upon the final adoption of said resolution, the roll was called and the following result:

Ayes, _____

Nays, _____

The Chairman declared such motion carried and the resolution finally adopted.

The Chairman announced that it was in order to elect the officers of the Authority to carry until the next annual meeting or until their successors are chosen and qualify in their stead.

Commissioners _____ and _____ having been nominated to the office of Vice-Chairman, upon motion made, seconded, and adopted, the nominations were closed. A vote being taken, Commissioner _____ was declared by the Chairman to be elected to the office of Vice-Chairman:

Commissioners _____ and _____ having been nominated to the office of Secretary upon motion made, seconded, and adopted, the nominations were closed. A vote being taken, _____ was declared by the Chairman to be elected to the office of Secretary.

Commissioners _____ and _____ having been nominated to the office of Treasurer upon motion made, seconded and adopted, the nominations were closed. A vote being taken, _____ was declared by the Chairman to be elected to the office of Treasurer.

A dissenting opinion of Commissioner _____ on appropriate time.

EXHIBIT 2

WD-52905
 April 1968
 Page 13
 (Formerly PBA-2905)

The following resolution was then introduced by Commissioner _____
 read aloud and in full by the Secretary and considered by the Authority;

RESOLUTION NO _____
 RESOLUTION DESIGNATING REGULAR MEETING PLACE OF _____

WHEREAS, Article III of the by-laws provides that Annual and regular meetings shall be held at a regular meeting place as may be designated by resolution of the Board; now, therefore,

BE IT RESOLVED BY _____

That until otherwise provided by resolution, the regular meeting place of the _____ shall be _____

After discussion of the resolution, Commissioner _____ moved that said resolution be finally adopted as introduced and read. The motion was seconded by Commissioner _____. The question being put upon the final adoption of said resolution, the roll was called with the following result:

Ayes: _____
 Nays: _____

The Chairman thereupon declared the motion carried and said resolution finally adopted.

The following resolution was then introduced by Commissioner _____
 read aloud and in full by the Secretary and considered by the Authority;

* Insert names of Commissioners on appropriate lines.

EPIC - PIA 1580.3

RESOLUTION NO. _____
 WED-2905
 April 1968
 Page 14
 (Formerly PIA-2905)

RESOLUTION NO. _____
 RESOLUTION DESIGNATING OFFICE OF _____

WHEREAS, Section 3 of Article I of the By-Laws provides that the offices of the Authority shall be at such place on the _____ reservation as may be designated by Resolution; now, therefore,

BE IT RESOLVED BY _____

that until otherwise provided by resolution, the office of _____ shall be at _____

After discussion of the resolution, Commissioner _____ moved that said resolution be finally adopted as introduced and read. The motion was seconded by Commissioner _____. The question being put upon the final adoption of said resolution, the roll was called with the following result:

Yeas: _____

Nays: _____

The Chairman thereupon declared the motion carried and said resolution finally adopted.

* Insert names of Commissioners on appropriate lines.

HUD-42905
 April 1948
 Page 15
 (Formerly PM-2905)

Exhibit C

CERTIFICATE

I, _____, Secretary of the _____

hereby certify that I have compared and examined extracts of the minutes
 of a meeting of the said Authority held on _____, 19____
 containing Resolutions Nos. _____ with the
 original minutes recorded in the official minute book of said Authority
 and that it is a correct transcript therefrom and that the aforesaid
 Resolutions are true and correct copies of the originals.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of
 said Authority this _____ day of _____, 19____.

Secretary

(SMAL)

887799-1

15

MHC-FBA 1580-3

U.S. GPO
1964 O-710

MHC-FBA 1580-3

**LIST OF DOCUMENTS REQUIRED FOR COMPLETE ORGANIZATION TRANSCRIPT
FOR HOUSING AUTHORITIES ON INDIAN RESERVATIONS**

Four copies of each of the following should be submitted to the appropriate Regional Office of the Department of Housing and Urban Development as soon as possible after the meeting of the governing body of the tribe or each the Housing Authority is held:

1. Certified copies of proceedings of the governing body of the tribe (a) adopting an ordinance (see model Tribal Ordinance) providing for the establishment of a Housing Authority and the governing structure to be followed by the governing body with respect to the appointment of the trustees of the Housing Authority. The following should be included with these extracts:
 - a. Certified copies of extracts from the rules, regulations, resolutions or ordinances of the governing body of the tribe relating to the procedure for the adoption of ordinances.
 - b. Certified copies of extracts from the general resolutions of the tribe which fix the date, time and place of regular meetings of the governing body of the tribe. If the tribe can show no regular meeting, if the time for such meeting has been determined by custom, then the facts of the tribe as to this effect is sufficient.
 - c. The area described in paragraph 1 above shall be included with respect to the requirements for holding special meetings of the tribe as outlined in such a meeting.
2. Legal opinion of the tribal attorney as to the legality of the meeting and ordinance.
3. Certificate of membership, status of reservation, including as to the office of the tribal or president of the tribal council, going date of election or appointment of each, date of member's term of term of each and the end of the term of each.
4. Certificate of appointment of trustees from the Housing Authority (see model form).

Also, as soon as possible after the meeting of the tribal governing body, four certified copies of the ordinance providing the Housing Authority should be sent to the Bureau of Indian Affairs, and the following reasons:

1. That the four copies of the ordinance be received by the Director of the Bureau of Indian Affairs and be sent to the office of General Counsel, HHS, Washington, D.C.
2. That four copies of the ordinance be received by the Director of the Bureau of Indian Affairs, and be sent to the office of General Counsel, HHS, Washington, D.C.

III

As soon as possible after the organizational meeting of the Housing Authority, four copies of each of the following should be submitted to the appropriate HHS Regional Office:

1. Certified copy of copies of organizational meeting of the Housing Authority.
2. Certificate of the steps of the organizational meeting including (a) forming, establishing the Housing Authority, adopting bylaws, adopting a seal, establishing a regular meeting date, establishing the office of the Authority, and (b) designating the members of the Authority (see model transcript for the organizational meeting of Housing Authority as set out as Reference 1).
3. General Certificate of Housing Authorities Form HHS 100-1586.

0266

Exhibit 4

Form 5-1973
Aug 1967UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs

LEASE

This lease is made and entered into this _____ day of _____
196____, by and between the _____
_____, an Indian Tribe hereinafter called the "Lessor", and the
_____.

_____ hereinafter
called the "Lessee". This lease shall be subject to the approval of the
Secretary of the Interior, or his authorized representative.

WITNESSETH

The Parties hereto for the consideration hereinafter mentioned do covenant
and agree as follows:

1. Premises. The Lessor hereby leases to the Lessee the following real
property situated _____
described as follows:

HPMC-PHA 7580.3

Exhibit 4

2. Use of Premises. The premises shall be used for the purpose of constructing and operating a low rent housing project, and its appurtenances, known as _____, with the financial assistance of Public Housing Administration hereinafter called the PMA, under the provisions of the United States Housing Act of 1937 (50 Stat. 888) as amended, and for such other purposes, not inconsistent with the foregoing, as may be approved by the Lessor and the PMA.
3. Term. Lessee shall have and hold the described premises with their appurtenances for a term of 25 years beginning on the date first above written. This lease shall automatically and without notice renew for an additional term of 25 years on the same terms and conditions contained herein. This lease may not be terminated by either or both parties during the initial or renewal term of the lease without the consent of the PMA until the PMA's interest in the project has been terminated.
4. Rent. The housing of families of low income has heretofore been declared a public purpose of the Lessor; therefore, Lessee shall pay the Lessor, for the use of the premises, rent at the rate of one dollar (\$1.00) for each 25 year term, payment to be made each term in advance. It is agreed that there shall be no adjustment of the rent in the event that any part of the leased premises is taken by condemnation for highway or other public purposes.
5. Limitation on Assignment. Lessee shall not assign this lease without the prior consent of the Lessor and the approval of the PMA and the Secretary of the Interior, or his designee; except that the Lessee may assign this lease or deliver possession of the leased premises to the PMA or its successors in the event of the issuance by the PMA of a Notice of a Substantial Default or Substantial Breach of the Annual Contributions Contract by the Lessee. Nothing in this lease shall prevent the Lessee from executing and recording a mortgage and/or declaration of trust as may be necessary and appropriate under the Lessee's Annual Contributions Contract with the PMA.
6. Improvements. All improvements shall be the property of the Lessee during the term of this lease including any renewal or extension thereof.
7. Insurance. Lessee shall obtain and pay for owners', landlords', and tenants' public liability insurance, excluding property damage, in amounts acceptable to the Lessor. It is understood and agreed that the term "owners" includes both the United States and the Lessor.
8. Subletting. Lessee may sublet dwelling units to any person or persons who qualify for low rent housing.

Exhibit 4

9. Termination of Federal Supervision. Nothing contained in this lease shall operate to delay or prevent a termination of Federal trust responsibilities with respect to the land by the issuance of a fee patent or otherwise during the term of the lease; however, such termination shall not serve to abrogate this lease. The owners of the land and the Lessee and its surety or sureties shall be notified by the Secretary of any such change in the status of the land.
10. Share of Benefit from Lease. No member of Congress or any delegate thereto or any Resident Commissioner shall be admitted to any share or part of this lease or to any benefit that may arise herefrom.
11. Quiet Enjoyment. Lessor agrees to defend the title to the leased premises and also especially agrees that Lessee and its tenants shall peaceably and quietly hold, enjoy and occupy the leased premises for the duration of this lease without any hindrance, interruption, ejection or molestation by Lessor or by any other person or persons whomsoever.
12. Surrender of Possession. Upon expiration or other termination of this lease, the Lessee shall, upon demand, surrender to the tribe complete and peaceable possession of the premises, and all improvements thereon shall become the property of the tribe.
13. Unlawful Conduct. The Lessee agrees not to use or cause to be used any part of said premises for any unlawful conduct or purpose.
14. Obligations to the United States. It is understood and agreed that while the leased premises are in trust or restricted status, all of the Lessee's obligations, under this lease, and the obligation of its sureties, are to the United States as well as to the Lessor.

In witness whereof, the parties hereto have subscribed their names as of the date first above written.

ATTEST .

HOUSING AUTHORITY

 . Chairman

 . Secretary

3

HPMC-FE 7580.3

Exhibit 4

ATTEST

TRIBE

The within lease is hereby approved: The within lease is hereby accepted:

Secretary of the Interior

(Acknowledgment Form)

3-1-78

0270

Exhibit 5

Form 5-240A
Oct 1944UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs

LEASE NO.

CONTRACT NO.

LEASE

(MUTUAL HELP HOUSING PROJECT - INDIVIDUALLY-OWNED LAND)

THIS LEASE, made and entered into this _____ day of _____
194____, by and between _____
hereinafter called the "LESSOR," and the _____ Housing
Authority, hereinafter called the "LESSEE." This lease shall be subject to the approval of the
SECRETARY OF THE INTERIOR, or his authorized representative.

WITNESSETH:

The parties hereto for the consideration hereinafter mentioned do covenant and agree as follows:

1. PREMISES. The Lessor hereby leases to the Lessee the following real property situated _____

described as follows:

The above property will comprise approximately _____ dwelling sites.

2. USE OF PREMISES. The premises shall be used for the purpose of constructing and operating a Mutual-Help Housing Project, and its appurtenances, known as _____, with the financial assistance of the Public Housing Administration, hereinafter called the "PHA," under the provisions of the United States Housing Act of 1937, 50 Stat. 981, as amended, and for such other purposes, not inconsistent with the foregoing, as may be approved by the Lessor and the PHA.

3. TERM. Lessee shall have and hold the described premises with their appurtenances for a term of 25 years beginning on the date first above written. This lease shall automatically and without notice renew for an additional term of 25 years on the same terms and conditions contained herein. This lease may not be terminated by either or both parties during the initial or renewal term of the lease without the consent of the PHA or until the PHA's interest in the project has been terminated.

1

HPMC-PHA 7580.3

Exhibit 5

4. **CONSIDERATION FOR LEASE.** In consideration of the Lessor entering into the lease, the Lessee agrees to pay \$_____ with respect to each dwelling unit completing the property, such payment to be collected by the Lessor or the amount of \$_____ as a mutual-help contribution to each Mutual-Help Participant or his successor in interest who will occupy each of the dwelling units completing the property. In addition, the Lessee shall pay the Lessor for the use of the premises rent at the rate of one dollar (\$1.00) for each 25 years term, payment to be made for each term in advance. It is agreed that there shall be no adjustment of these payments in the event that any part of the leased premises is taken by condemnation for highway or other public purposes. If it is further agreed that this lease or any part thereof including this paragraph shall not be construed to prejudice the rights or to limit the jurisdiction of any state of the Lessee arising out of such condemnation proceedings.

5. **SUBLEASES AND ASSIGNMENTS.** The primary purpose of this lease is to provide participants in the Mutual-Help Housing Project with access for housing. The Lessee is hereby authorized to make subleases and assignments of its leasehold interests in connection with its development and operation of the Mutual-Help Housing Project. During the term of any sublease, should the participant begin to own an owner of the land it is hereby agreed that a merger of interest shall not occur.

6. **IMPROVEMENTS.** All improvements shall remain the property of the Lessee or its assigns until the expiration of the lease.

7. **INSURANCE.** Lessee shall obtain and pay for owners', landlords', and tenants' public liability insurance, excluding property damage, in amounts acceptable to _____ . It is understood and agreed that the term "owners" includes both the United States and the Lessee.

8. **TERMINATION BY FEDERAL DEPARTMENT.** Whatever contained in this lease shall operate to delay or prevent a termination of Federal trust responsibilities with respect to the land by the lessee. It is the intent of the parties during the term of the lease; however, such termination shall not seem to terminate the lease. The owners of the land and the Lessee shall be notified by the Secretary of any such change to the status of the land.

9. **CHANGE OF BENEFIT FROM LEASE.** No member of Congress or any delegate thereto or any Resident Commissioner shall be admitted to any share or part of this lease or to any benefit that may arise herefrom.

10. **QUIET ENJOYMENT.** Lessee agrees to defend the title to the leased premises and also explicitly agrees that Lessee and its tenants shall peaceably and quietly hold, enjoy and occupy the leased premises for the duration of this lease without any hindrance, interruption, eviction or molestation by Lessee, or by any other person or persons whatsoever.

11. **SURRENDER OR FORFEITURE.** In any event or other termination of this lease, further use rights are not granted to the Lessee or its assigns by the Lessor, said Lessee or its assigns shall, upon demand, surrender to the Lessor complete and peaceful possession of the premises.

12. **UNLAWFUL CONDUCT.** The Lessee agrees not to use or cause to be used any part of said premises for any unlawful conduct or purposes.

13. **OBLIGATIONS TO THE UNITED STATES.** It is understood and agreed that while the leased premises are in trust or restricted status, all of the Lessee's obligations under this lease are to the United States as well as to the Lessor.

HEPC - FEA 7580.3

Exhibit 5

In witness whereof, the parties hereto have subscribed their names as of the date first above written.

ATTEST:

HOUSING AUTHORITY

_____, Chairman

_____, Secretary

LEASER

The within lease is hereby approved:

SECRETARY OF THE INTERIOR

(Acknowledgment Form)

APPENDIX IX
Various Agreements and Memoranda of Understanding
Entered Into by HUD, BIA, and IHS
Between 1963 and 1969

HON. PHILLED NASH,
Commissioner, Bureau of Indian Affairs,
Washington 25, D.C.

DEAR MR. NASH: Your agency has requested us to develop a program that could meet the housing needs of low-income Indian families on reservations, stressing their desire for home ownership, their extremely meager financial resources, and their potential for contributing personal resources in the construction and maintenance of housing. To meet the needs of the Indian families, we have developed a Mutual-Help housing program under the United States Housing Act of 1937 under which the financial and technical aid available under that Act would be combined with mutual-help contributions by the Indians and the Indian tribes, and with services and assistance of the Bureau of Indian Affairs, to provide housing which would meet such needs.

In the course of the development of this program, we and representatives of our agencies have consulted from time to time with respect to both the features of the program and the responsibilities which should be borne by our respective agencies. As a result of these consultations and correspondence, we have arrived at certain understandings of a suitable division of responsibilities between the PHA and the BIA in the development and operation of the first mutual-help housing project. The purpose of this letter is to outline the elements of our understanding so that, if it meets with your agreement, we can pass it on to our respective Regional and Area offices with the further understanding that it is subject to modification as we gain experience in the program.

It is recognized that, in this mutual-help housing program for Indians, there are substantial differences from the conventional PHA-aided low-rent housing program. Some of these differences stem from (1) unique living patterns and ways of living, (2) land tenure patterns, (3) the element of "tenancy" and the effect of "ownership" incentives, (4) extremely low economic base, (5) rural rather than urban attitudes, and (6) the unique relationships between the occupants, the local housing authority, and the Federal Government. Because of these factors, it is important that the PHA Regional Directors and the BIA Area Directors work in close cooperation and that contacts with tribal governments, various agencies, and individual tribal members be made at the field level in cooperation with and through the superintendents of the reservations.

A. BUREAU OF INDIAN AFFAIRS

In relation to mutual-help housing projects, the BIA will do the following:

1. Designate, for each mutual-help project, a representative of the BIA to act as a coordinator with the PHA and tribal housing authority.
2. Assist the tribal government in the preparation of the Workable Program for submission to the Housing and Home Finance Agency.

(257)

2-10-64

3. Aid the tribal housing authority in the preparation of the Application for Program Reservation for submission to the PHA. To support the application, the BIA will conduct and prepare or assist the tribal housing authority in the conduct and preparation of, sample surveys and reports on income, existing housing, family sizes, and attitudes toward mutual-help participation.

4. Assist the tribal housing authority in the preparation of the Development Program including site selection and descriptions, preliminary sketches, outline specifications, utility analyses, budgets (including costs for materials, participant contribution, and non-participant leadsmen and skilled craftsmen), and data on financial feasibility.

5. Assist the tribal housing authority to prepare dwelling unit designs, site plans, engineering studies, and preliminary and final working drawings and specifications.

6. Assist the tribal housing authority with site selection and land acquisition services, including appraisals, engineering surveys, soil investigations, maps, title evidence, negotiations, and other actions and documents, as necessary.

7. To the extent they are not adequately provided by the tribal housing authority or otherwise without charge to the mutual-help project or participants, the BIA will provide the tribal housing authority with adequate construction services, including overall superintendence, inspection (including quality of materials and construction and adherence to specifications), working documents, purchasing, accounting, cost control, and security of materials, equipment, and tools.

8. Assist the tribe in encouraging, within the limits of economy and feasibility, the use in the projects of locally developed or manufactured materials or products.

9. Upon request of the tribal housing authority or the PHA, the BIA will assist the authority in the establishment, subject to approval of the PHA, of maximum income limits, operating charges, and other conditions of eligibility and occupancy applicable to participants, and in the selection and organization of qualified participants and replacements for any of the participants.

10. Determine, or assist the tribal housing authority in establishing, wage rates for the participants and for any non-participants employed in the development of the projects.

11. To the extent that the BIA or the PHA determines that administrative services are not adequately provided by the tribal housing authority or otherwise without charge to the mutual-help project or participants, the BIA will provide for administration of the project. The expenses of such administration may be repaid in whole or in part by the tribal housing authority from the monthly service charges paid by the mutual-help participants. Such administration will include selection and certification of eligibility of participants; collection of participant payments; maintenance of book of accounts; preparation of budgets; preparation of required reports and financial statements; periodic reexamination of participants' income; inspection of dwellings to assure proper housekeeping and maintenance; maintenance and repair in case of participants' failure to take such action; obtaining of required insurance coverage; provision of legal services, when necessary; and enforcement of all requirements of the agreement between the participant and the housing authority.

12. Upon request by the PHA, the BIA will review and approve operating budgets and insurance policies for the project and transmit them to the PHA; conduct fiscal audits, management reviews, occupancy audits and maintenance engineering surveys; certify to the PHA that the low-rent character of the project is being maintained and that the other requirements of the tribal housing authority's annual contributions contract are being met; and take any steps necessary to obtain correction of any deficiencies found.

13. Coordinate with the Public Health Service for the provision of health and sanitary facilities for anticipated or proposed projects. Where the PHS will not be able to provide such facilities in time for the completion of an anticipated or proposed project, the BIA, the PHA, and the tribe will arrive at a mutually satisfactory arrangement for the provision of such health and sanitary facilities as a condition to proceeding with the project. The BIA will certify to PHA that PHS specifications for installation, inspection, and performance of such facilities have been met.

14. Endeavor to formulate training programs for the mutual-help participants in order to obtain the highest level of competence in the construction and maintenance of their homes.

B. PUBLIC HOUSING ADMINISTRATION

In relation to mutual-help housing projects, the PHA will do the following:

1. Assist the tribal government and the tribal housing authority in the performance of the organizational steps to qualify for financial assistance from the PHA.

2. Furnish advice to the tribal housing authority and the BIA on the analysis of the market surveys made to support the Application for Program Reservation.

3. Determine the number of dwelling units for each Program Reservation.

4. Furnish advice to the tribal housing authority and the BIA on all aspects of site selection.

5. Furnish advice to the tribal housing authority and the BIA on the preparation of the Development Program.

6. Prepare an annual contributions contract (providing, among other things, for loans and annual contributions from the PHA), and provide loans and annual contributions in accordance therewith.

7. Prepare contract forms for use by the tribal housing authority in contracting with mutual-help participants.

8. Approve each project from the standpoint of minimum health, safety, and occupancy standards, and consult with the BIA concerning standards of livability.

9. Provide initial training in development and management procedures for personnel of the tribal housing authority and the BIA who will be working on mutual-help projects.

10. Conduct periodic visits for inspection of the projects during construction to ensure that the PHA's requirements are being met (the tribal housing authority will be charged a fee for this service, as required by law, such fee to be included in the development cost of the project).

11. Prepare forms of resolutions to be adopted by the tribal housing authority which will establish operating policies, procedures, and guidelines for the authority's operations.

If the foregoing is in accord with your understanding, I would appreciate your signing this letter in the space indicated below and returning it to me for duplication, so that we may provide printed copies for use by personnel in our agencies. Enclosed is a signed copy of this letter which may retain as your copy of our agreement.

Sincerely yours,

MARIE C. MCGUIRE,
Commissioner, Public Housing Administration.

AGREEMENT CONCERNING CONVENTIONAL LOW-RENT HOUSING ON INDIAN RESERVATIONS

The following agreement is entered into between the PUBLIC HOUSING ADMINISTRATION and the BUREAU OF INDIAN AFFAIRS bearing in mind that the financial and contractual relationships involved are between the Public Housing Administration, the housing authorities, and the tribal governments, and that the agreement contemplates promotion of the independent initiative and responsibility of the housing authorities and tribal governments involved.

A. The responsibilities of the Bureau of Indian Affairs shall be as follows:

1. Determine whether or not the Indian tribe has the legal capacity to engage in the PHA-aided program.

2. Designate, for each project, a representative of the BIA to act as a coordinator with the PHA and the housing authority.

3. Assist the tribal government, as necessary, in the preparation and implementation of a Workable Program, including application for planning assistance.

4. Assist the housing authority in the preparation of the Application for Program Reservation and Preliminary Loan for submission to the PHA. To support the application, the BIA will conduct and prepare, or assist the housing authority in the conduct and preparation of, sample surveys and reports on income, existing housing, and family sizes.

5. Coordinate with the Public Health Service for the provision of health and sanitary facilities for anticipated or proposed projects. Where the PHS will not be able to provide such facilities in time for the completion of an anticipated or proposed project, the BIA, the PHA, and the housing authority will arrive at a mutually satisfactory arrangement, where possible, for the provision of such health and sanitary facilities as a condition to proceeding with the project. In this case, BIA will certify to PHA that PHS specifications for installation, inspection, and performance of such facilities have been met.

6. Assist the housing authority, as necessary, in the selection of an architect and in the preparation of the Development Program, including site selection and description, community and neighborhood planning, preliminary sketches, outline specifications, utility analyses, budgets, and data on financial feasibility.

7. Assist the housing authority with site selection and land acquisition services, including appraisals, engineering surveys, soil investigations, maps, title evidence, negotiations, and other actions and documents, as necessary.

8. Assist the housing authority and its architect, as necessary, in the preparation of design, site plans, engineering studies, and working drawings and specifications.

9. Assist the housing authority in complying, and in obtaining compliance by contractors and subcontractors, with prevailing salary and wage rate requirements.

10. Assist the housing authority or architect in the provision of adequate construction services, including overall superintendence, inspection (including quality of materials and construction and adherence to specifications), purchasing, accounting, cost control, and security of materials, equipment, and tools. (Only construction by the contract method is covered. Additional details of agreement will be necessary when construction is by force account.)

11. Assist the housing authority in the establishment of conditions of eligibility and, subject to specific approval of the PHA, of maximum income limits and rents.

12. Assist the housing authority in the administration of the project, including the selection and certification of eligibility of tenants; collection of rents; maintenance of books of account, preparation of financial statements; periodic reexamination of tenants' income; inspection of dwellings to assure proper housekeeping and maintenance; obtaining of required insurance coverage; provision of legal services when necessary; preparation of budgets; personal property procurement; investment of excess funds; and enforcement of all requirements of the agreement between the tenant and the housing authority.

13. Review and approve operating budgets and insurance policies for the project and transmit them to the PHA, conduct fiscal audits; management reviews, occupancy audits, and maintenance engineering surveys; and certify to the PHA that the low-rent character of the project is being maintained and that the other requirements of the housing authority's annual contributions contract are being met.

14. Identify any deficiencies that may exist in the operations of the housing authority and take any steps possible to obtain correction of such deficiencies, clearing such action in advance with the PHA in any particularly complex or aggravated situations.

15. Furnish an annual report of the program to the PHA covering the operations, in all phases, of PHA-assisted housing programs on Indian reservations, and assist the housing authority in the preparation of all other reports required by the PHA.

B. The responsibilities of the Public Housing Administration shall be as follows:

1. On request, assist the tribal government and the housing authority in the performance of the organizational steps to qualify for financial assistance from the PHA.

2. Approve the application for program reservation, prepare a preliminary loan contract, and advance funds in accordance therewith.

3. Prepare an annual contributions contract (providing, among other things, for loans and annual contributions from the PHA), and provide loans and annual contributions in accordance therewith.

4. Furnish specimen forms of contract, resolutions, and the like, and other guidelines, for use by the housing authority.

5. Provide initial training in development and management procedures for personnel of the housing authority and the BIA who will be working on the projects.

6. Provide for periodic visits by a Construction Representative during construction. The housing authority will be charged a fee for this service, as required by law, such fee to be included in the development cost of the project.

This agreement entered into this 12th day of February, 1965.

MARIE C. MCGUIRE,
*Commissioner,
Public Housing Administration.*

PHILEO NASH,
*Commissioner,
Bureau of Indian Affairs.*

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C.

Memorandum of Understanding:

Provision of Sanitation Facilities for Indian Housing

Public Law 86-121 (the Indian Sanitation Facilities Act), enacted in 1959, authorizes the provision of assistance by the Indian Health Service, Department of Health, Education, and Welfare in the construction of water supplies, waste disposal facilities and other sanitation facilities for Indian houses and communities. Construction of Indian housing, however, is supported by the Departments of Housing and Urban Development and Interior. As a result of the separation of responsibilities for these related activities, problems have arisen in providing sanitation facilities proportionate to the number of housing units being constructed. To ensure the provision of adequate sanitation facilities for new and rehabilitated housing for Indians and Alaska natives for fiscal year 1970, the Department of Housing and Urban Development, the Department of Health, Education, and Welfare, and the Department of the Interior agree to the conditions set forth in this memorandum.

I. DIVISION OF RESPONSIBILITY

In a January 16, 1969, letter to the Secretary of HEW establishing the fiscal allowance for the 1970 President's budget, the Budget Bureau stated:

"The estimate for the Indian Health Sanitation Program is based on the agreement that the costs of wells and septic tanks, where applicable, will be included as part of the development cost of low-rent housing. Continued close coordination between the Department of Interior and the Department of Housing and Urban Development will be necessary to assure appropriate scheduling of the provision of housing and supporting facilities."

As a result of this policy decision, the Department of Housing and Urban Development will provide individual water and waste facilities (wells, septic tanks, etc.) for new Indian houses constructed through the Housing Assistance Administration which do not have access to community sanitation systems.

The Department of Health, Education, and Welfare will continue to provide water distribution and sewage disposal systems for communities of new homes, and sanitation facilities for rehabilitated homes which lack adequate facilities.

II. LEVEL OF EFFORT FOR FY 1970

As part of efforts to alleviate funding problems associated with the provision of sanitation facilities for Indian housing in fiscal 1969, an interagency task force consisting of Department representatives from

HEW, HUD, and Interior was formed to provide top level coordination and guidance for housing and sanitation facilities construction programs. This task force developed a projection that 8,000 housing units can be constructed and renovated during each of fiscal years 1970-1974. The needs for water and waste facilities during this period will be based on this projection, subject to revisions to meet changing conditions. For fiscal 1970, 8,000 Indian housing units will be constructed and renovated as follows:

1. Housing and Urban Development—6,000 units of new housing
2. Bureau of Indian Affairs—1,000 units of new or improved housing
3. Tribal groups—1,000 units of new housing

The 1970 budget for HEW requests \$13,130,000 to provide sanitation facilities for 7,100 units of new or improved housing. Individual water and waste facilities for the remaining 900 units of new housing will be provided by HUD at a cost of \$2 million. These figures are the best estimates available at this time and are subject to Congressional action on appropriation requests.

III. REVISION

This memorandum of understanding may be revised when deemed appropriate by the participating parties.

WILLIAM H. STEWART, *March 17, 1968.*
Acting Assistant Secretary for Health Service Affairs, Department of Health, Education and Welfare.

LAWRENCE M. COX, *April 7, 1968.*
Assistant Secretary for Rental and Housing Assistance, Department of Housing and Urban Development.

HARRISON LOESCH, *April 15, 1968.*
Assistant Secretary, Public Land Management, Department of the Interior.

MEMORANDUM OF UNDERSTANDING PERTAINING TO THE PROVISION OF WATER SUPPLY AND SEWERAGE FACILITIES BY THE INDIAN HEALTH SERVICE FOR INDIAN HOUSING PROJECTS SUPPORTED BY THE HOUSING ASSISTANCE ADMINISTRATION AND THE BUREAU OF INDIAN AFFAIRS

INTRODUCTION

The Indian Health Service has the general responsibility to provide water supply and sewerage facilities for those Indians and Alaska Natives who are eligible to receive such benefits under P.L. 86-121. The Indian Health Service will exercise this responsibility with respect to facilities required to serve Indian houses constructed or improved with the support of the Housing Assistance Administration or the Bureau of Indian Affairs to the extent that funds are specifically appropriated by the Congress for such facilities and as agreed upon under the terms of this Memorandum of Understanding, which sets out the specific functions and procedures of each agency concerned.

PLANNING FOR BUDGET PURPOSES

By March 1 of each year the HAA and the BIA will advise the IHS with respect to the number and, where possible, the location of housing starts and units of housing improvement that will be initiated in the fiscal year beginning a year from the following July, for which the IHS will be required to provide sanitation facilities. The IHS will use this information in developing its budget request to assure that adequate funds are included to support all necessary sanitation facilities construction for new and improved Indian housing units.

EVALUATION OF HOUSING SITE AND DETERMINATION OF TYPE OF FACILITY TO BE PROVIDED

1. Since the ability of the IHS to provide needed water supply and waste facilities is dependent largely on the availability of a water source of suitable quantity and quality and the ability to handle the resulting sewage safely, both within reasonable cost limits, it is imperative that the IHS be consulted with respect to the general site plan for new housing units and concur in the site selection before being committed to providing assistance.

2. It shall be the responsibility of the IHS to determine, following its review of the site in each case, whether community or individual type facilities or a combination of these shall be provided to serve the housing units concerned. In arriving at this decision the IHS will be guided by the basic decision as to whether the Indian houses are to be located on widely separated plots or whether they will be arranged in more compact groups or clusters. In the interest of economy of facilities development and operation, whenever conditions and circumstances permit, site plans will be chosen which allow for buildings to be arranged in such compact groups or clusters.

TECHNICAL REQUIREMENTS

1. To minimize the cost of providing water supply and sewerage facilities the following criteria shall apply:

(a) Wherever possible, project sites will be on or adjacent to existing community water and sewer systems.

(b) Unless agreed upon in advance by the IHS, project sites shall not be selected which require sewage lift stations, costly or complicated water pumping stations, sewage treatment plants or other expensive and complex utility installation.

(c) Whenever possible and practicable, dwelling units within a clustered project site will be located on both sides of the street.

2. Water supplies constructed for Indian housing will provide a minimum water pressure of 15 pounds per square inch in each dwelling unit to be served, whether the supply is from a well, storage tank, spring, main or pumping plant.

SPECIFIC REQUIREMENTS OF THE LOCAL HOUSING AUTHORITY, THE BIA, THE BIA, AND THE IHS

1. *Test well drilling*—Whenever it is determined by the IHS that test drilling for wells to provide water for individual water facilities for housing projects supported by the HAA is necessary before a decision on site concurrence can be given, such test drilling shall be performed by and at the expense of the HAA program. All test drilling shall be carried out in accordance with accepted practice in the area concerned, and the data obtained shall be furnished to the IHS. The IHS will perform any test drilling required for individual wells to be provided for BIA sponsored houses, and for all community water facilities.

2. *Soil percolation tests*—Whenever it is determined by the IHS that soil percolation tests are necessary to ascertain the suitability of a home site for septic tank and drainfield facilities, the tests will be required by, or at the expense of, the IHS. The data obtained will be provided to the local housing authority.

3. *Individual home facilities*—In those instances where the IHS determines that the home sites are suitable for individual water and/or waste facilities, recommendations regarding location and design of the facilities will be furnished by the IHS to the local housing authority and the HUD Regional Office.

4. *Community facilities*—When community type facilities are installed by the IHS, water mains and sewer will be extended through the streets or other public elements of the project site and lateral connections will be extended to the curb line or edge of the home site of each project structure. Curb stop will be provided and installed by the IHS on water service lines. House service lines located on the building lot will be provided by the local housing authority or, in the case of HF housing, by the BIA.

5. *Outside connections*—Where the IHS has agreed, after review of the home sites, that individual water and/or water supply facilities are feasible and should be provided the following general considerations will apply:

(a) The agency financing the home construction or improvement will be responsible for the installation of all plumbing

facilities within the dwelling and the service lines to a point five feet outside the building.

(b) In accordance with a determination made by the Bureau of the Budget, the local housing authority will be responsible for installing any water supply and/or sewage disposal facilities which are to be located on the individual house sites for those housing units supported by funds from the HAA. These facilities would include individual water supplies, septic tank installations or service lines connecting the house to community systems. All such work is to be carried out in accordance with guides to be provided by the IHS, Item 3, above.

PLAN REVIEW AND APPROVAL

1. In those instances where the housing authority is to be responsible for the installation of individual facilities on house sites, approval must be obtained from the IHS on all final plans before construction. The IHS will also inspect the construction during the installation of these facilities and upon completion of the work to assure the housing authority that the installation has been done in conformance with the plans and specifications and may be accepted.

2. If connection to a BIA water and/or sewerage system is contemplated, a joint feasibility study will be conducted by the BIA and IHS to determine the adequacy of existing facilities to meet the additional requirements, to recommend necessary improvements or additions and to determine points of master or individual metered connections, valving, flushing hydrants, etc., in order to insure compatibility with existing systems. If the system is currently inadequate, the IHS and BIA will develop a mutually agreed upon program for providing additional capacity.

3. Responsibility for the purchase of land excess to the housing needs in connection with the provision of water and sewerage facilities for HAA-assisted housing cannot be assumed by the IHS, BIA, or the HAA.

Approved:

EMERY JOHNSON, M.D., *May 8, 1969.*
Director, Indian Health Service.

T. W. TAYLOR, *May 15, 1969.*
Commissioner, Bureau of Indian Affairs.

L. M. COX, *May 26, 1969.*
*Assistant Secretary for
General and Housing Assistance, DHEW*

APPENDIX X
Portions of HUD Handbook and Circulars Relating to
Indian Housing Procedures

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CIRCULAR

HPMC-FHA 7410.7

ATTENTION: REGIONAL OFFICE: ARA-HPMC: Low
Rent Housing Specialist
AREA OFFICE: Director Operations
Division; Program Managers; Multi-
family Housing Representatives;
Chief, Technical Services Branch

January 14, 1972

SUBJECT: Responsibility for Planning and Development of Low-Rent
Public Housing in Indian Areas

1. PURPOSE. To clarify that HUD is the Federal agency responsible for the planning and development of housing under the United States Housing Act of 1937, as amended, and that the provision of assistance by other agencies, such as the Bureau of Indian Affairs and the Indian Health Service, does not relieve HUD of its responsibilities for all aspects of such planning and development.
2. BACKGROUND.
 - a. On October 12, 1971, the Comptroller General of the United States submitted a report to the Congress entitled "Slow Progress in Eliminating Substandard Indian Housing" (B-114868). The report indicated a need to clarify responsibilities between HUD and the Department of the Interior (Bureau of Indian Affairs) and to
 - strengthen the reviews of housing designs to ensure that housing plans adequately consider local climatic conditions,
 - place increased emphasis on inspections during construction to reduce construction problems, and
 - clearly establish which agency will be responsible for ensuring that known construction defects and incomplete items of construction are corrected on a timely basis.
 - b. The report also indicated a need for better coordination where the Department of Health, Education and Welfare (Indian Health Service) is involved in the provision of water and sewerage facilities and where the Department of Interior (Bureau of Indian Affairs) is involved in construction of roads or streets in connection with the planning and development of public housing projects.

DISTRIBUION: O-1, O-3-1, P-1, P-2, P-5, P-3-2
and 25 copies B-11 to each Area Office

(301)

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3. HUD RESPONSIBILITIES.

- a. The provision by the Bureau of Indian Affairs of plans and specifications for housing projects developed by Indian housing authorities under an annual contributions contract with HUD does not relieve HUD of its usual responsibilities for the review of plans and specifications for public housing projects generally. Similarly, the provision of construction supervision assistance by the Bureau of Indian Affairs to Indian housing authorities does not relieve HUD of its usual responsibilities for inspection of construction of public housing projects and for assuring that construction defects and incomplete items of construction are corrected on a timely basis.
- b. In cases where the Indian Health Service or Bureau of Indian Affairs are involved in assisting an Indian housing authority with the planning or development of a public housing project, the HUD Area Director through his Director of Operations shall be responsible for the establishment of schedules for initiation and completion of the assistance provided by such agencies to avoid delays in construction and to assure that construction of the housing and necessary related facilities is completed on a timely and coordinated basis. Also see Circular HPMC-FHA 7581.1A.
- c. Where feasible and mutually agreeable, HUD Area Office Directors may arrange with Agency Superintendents or Area Directors of the Bureau of Indian Affairs or the Indian Health Service for employees of those agencies to provide (on a non-reimbursable basis) supplemental construction inspection or other assistance in the fulfillment of HUD's responsibilities in the planning and development of public housing projects in Indian areas. However, the provision of any such assistance (1) does not relieve HUD of any of its responsibilities, (2) in the case of construction inspection, is not to be substituted for inspection otherwise provided by the Indian housing authorities or by the HUD Construction Representatives, and (3) is not to be accomplished in a manner which impairs the direct relationship and communication between the Indian housing authority and its contractors.
4. COVERAGE. The provisions of this Circular are applicable to all low-rent public housing projects (including conventional rental, Turnkey III, and Mutual-Help housing) located in Indian (including Alaskan Native) areas regardless of the method of development.
-

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**TRANSMITTAL
NOTICE** No. 2

HM 7495.1

3/2/70

1. This Notice Transmits the Following:
Circular HM 7495.1, Utilization of Additional Annual Contributions Subsidy by Indian Housing Authorities for Homeownership Programs.
2. Explanation of Material Transmitted:
This Circular points out the availability of the additional annual contributions subsidy for large families and families of unusually low income for Indian Housing Authorities which may be operating homeownership programs with deficits.
3. Applicability. The provisions of this Circular are applicable to Indian Housing Authorities which are operating either the Homeownership Program for Low-Income Families (HOPLIF) or a Mutual-Help Housing Program.
4. Filing Instructions: File this Circular in Handbook HM 7495.1.

R. C. Cananang
Acting Director
Office of Housing Management

DISTRIBUTION: A and E-3, 6, 9, 23,
E-3; HA-8, I-1
W-1, W-3-1, R-1, R-2

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CIRCULAR

HM 7495.1

3/2/70

Cancellation
Date:

SUBJECT: Utilization of Additional Annual Contributions Subsidy by
Indian Housing Authorities for Homeownership Programs

1. **PURPOSE.** To describe the utilization of additional annual contributions by Indian Housing Authorities for homeownership programs.
2. **BACKGROUND.** It has come to our attention that a number of Indian Housing Authorities operating homeownership programs (either the Homeownership Program for Low-Income Families (HOPLIF) or the Mutual-Help Program) are administering their programs with deficits and yet have not utilized the additional annual contributions subsidy which is now available for families with four or more minors or with unusually low income.
3. **EXISTING POLICY.** To the extent that HUD-approved administrative budgets require monthly payments in excess of what participants can afford to pay, the additional subsidy of up to \$120 per year per dwelling unit can be requested in order to permit the project to operate on a solvent basis.

U. S. DEPARTMENT OF HOUSING AND URBAN-DEVELOPMENT

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KC Canavanigh
Acting Director
Office of Housing Management

DISCRIPUTION: A and E-3, 6, 9, 23
E-3, HA-8, I-1
W-1, W-3-1, R-1, R-2

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CIRCULAR

HM 7495.1.

3/2/70

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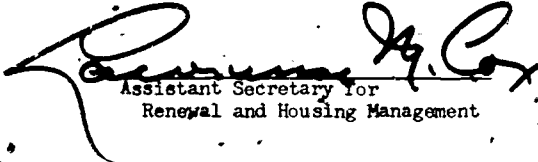
U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**TRANSMITTAL
NOTICE** No. 1

RHM 7690.1

6/11/70

1. This Notice Transmits the Following:
Alaska Remote Housing Handbook RHM 7690.1.
2. Explanation of Material Transmitted:
This Handbook prescribes the accounting procedures to be used by the Alaska State Housing Authority to administer the loan and grant program in connection with housing and related facilities for Alaska natives and residents.
3. Filing Instructions:
File directly after RHA 7560.1.



Assistant Secretary for
Renewal and Housing Management

DISTRIBUTION: W-1, W-2, W-3-1, I-1

0294



RHM 7690:1

ALASKA REMOTE HOUSING HANDBOOK

June 1970

A HUD HANDBOOK

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D. C. 20410

FOREWORD

This Handbook prescribes the accounting procedures to be followed by the Alaska State Housing Authority in connection with the loan and grant program for the development of housing and related facilities for Alaska natives and other Alaska residents; all such housing to be developed pursuant to Section 1004 of the Demonstration Cities and Metropolitan Development Act of 1966 and the "Loan and Grant Contract for Alaska Remote Housing Program" between HUD and the Alaska State Housing Authority.

The procedures prescribed herein do not include any provision for the accounting for the receipt and expenditure of funds provided by the State of Alaska for administrative costs incurred in connection with this program nor do they include accounts for recording the value of land, labor, and materials contributed by the recipients (herein referred to as participants) of loans and grants made by the Local Authority. Separate accounts which are not to be included in financial reports to be submitted to HUD (see Chapter 8) shall be used (a) to record administrative costs and to segregate and control funds received from the State of Alaska for this purpose and (b) to record the value of land, labor, and materials contributed by the participants. However, the procedures herein do include provisions for the accounting for loans and grants made by the Local Authority to eligible participants, and for grants and/or donations received by the Local Authority from the local government, private organizations, or others.

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 - Appendix 1. Illustration of Format

CHAPTER 1. BOOKS OF ACCOUNT AND RECORDS

1. The following is a brief description of the books of account and records considered to be a minimum required for recording transactions relating to the loan and grant program. However, the Local Authority may establish any additional accounting records it considers necessary to provide adequate financial control of its assets and liabilities and to account for development cost.
2. General Ledger: A general ledger shall be maintained in which to record a summary of all financial transactions relating to the program and to classify all such transactions according to the accounts prescribed in Chapter 2.
3. Cash Receipts Register. A cash receipts register shall be maintained for recording monies received in connection with the loan and grant program. A combined cash receipts and disbursements register may be used in lieu of separate cash receipts and disbursements registers. All funds received shall be recorded and deposited promptly.
4. Cash Disbursement Register. A cash disbursements register shall be maintained for recording checks issued for the withdrawal of funds from the program bank account. A combined cash receipts and disbursements register may be maintained in lieu of a separate cash receipts and disbursements register. All disbursements shall be made by prenumbered checks, used in numerical sequence and supported by appropriate documentation such as payrolls, invoices, vouchers, contracts, etc. All documents shall be approved by an authorized official, employee, or representative of the Local Authority. Any checks that are voided shall be listed in the cash disbursements register by number and retained and filed in proper numerical sequence.
5. Development Cost Ledger
 - a. A development cost ledger shall be maintained as a subsidiary to General Ledger Account 1400, Development Cost, in which to record the costs incurred for the development of the dwellings and related facilities and to classify such costs according to the subsidiary development cost accounts prescribed. A separate ledger shall be established and maintained by projects, Village Native Councils, or other designation, in order to properly distribute cost to specific location or group of dwellings.
 - b. The development cost ledger may consist of a separate ledger sheet for each subsidiary development cost account or a columnar ledger sheet which includes a separate column for each

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subsidiary account.

6. Journal Vouchers. Journal vouchers shall be used to document and record transactions in the general ledger and/or subsidiary ledgers which are not recorded from the cash receipts and disbursements registers. Journal vouchers shall be numbered consecutively and shall include adequate explanation with respect to the reason for issuance. All journal vouchers shall be approved by an authorized official.
7. Payroll Records. Basic payroll records shall be maintained to accumulate the payroll data required by Federal and State law with respect to each employee, such as gross earnings, federal income tax withheld, State income tax withheld, FICA tax deductions, etc. The records shall also include data relating to deductions for Savings Bonds, the purchase and delivery of bonds to the employee, and such other data as may be required by local personnel policies. The payroll records shall be maintained in a way that will permit the determination of the accounts and the amounts for making proper distribution of charges and credits.
8. Property Records. Complete and accurate records shall be established and maintained for the accounting and control of all personal property purchased and charged to:

Account 1260, Inventories - Materials
 Account 1270, Inventories - Equipment
 Account 1400.17, Dwelling Equipment
 Account 1400.21, Construction Equipment and Tools

The method used for the accounting for property shall be based on sound principles of accounting and property management. The method which will meet this requirement will depend upon various factors, such as the average values of materials, supplies, and equipment to be maintained in inventory; and the physical facilities for storage and its location. In any event, the method used should, as a minimum, include provision for (a) a physical inspection and count, by a responsible employee, of all materials, supplies, and equipment received, (b) proper custodial care of materials, supplies, and equipment in inventory to prevent misuse, waste, damage, or pilferage, and (c) charging the cost of the items in inventory to the dwelling or group of dwellings for which such items are actually used. A physical inventory of all items of personal property shall be taken periodically, but not less often than semiannually, and reconciled with the applicable control account.

9. Notes Receivable Ledger. A ledger shall be maintained as a subsidiary to Account 1190, Notes Receivable - Participants, and

Account 1140, Accrued Interest Receivable - Participants, in which to record all transactions relating to the loans made to participants and the accrued interest thereon. A separate ledger sheet shall be maintained for each participant. At the end of each month, a trial balance of the notes receivable ledger shall be prepared and a determination made that (a) the sum of the principal balances of the loans is in agreement with the balance in the general ledger control Account 1130 and (b) the sum of the balances of accrued interest due on such loans is in agreement with the general ledger control Account 1140.

CHAPTER 2. CLASSIFICATION OF ACCOUNTS

1. These accounts are prescribed for the classification of transactions in connection with the loan and grant program. If the Local Authority desires, or finds it necessary, to establish accounts other than those prescribed, they should be established as subdivisions of the prescribed accounts.

AssetsCash

1110 Cash - Loan and Grant Fund (RHPA)
1115 Imprest Fund

Notes Receivable

1130 Notes Receivable - Participants

Accrued Receivable

1140 Accrued Interest Receivable - Participants

Investments

1160 Loans and Grants Fund

Deferred Charges

1260 Inventories - Materials
1270 Inventories - Equipment
1290 Other

Land, Structure and Equipment

1400 Development Cost
1401 Development Cost - Contra
1405 Finished Homes - Land, Structure and Equipment

Liabilities, Capital, and SurplusAccounts Payable

2111 Vendors and Contractors
2117 Payroll Deductions and Contributions
2119 Other

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Notes Payable

2120 Notes Payable - HUD

Accrued Liabilities

2131 Interest on Notes Payable - HUD
 2135 Salaries and Wages
 2139 Other

Deferred Credits

2250 Unearned Grants - Federal

Capital

2700 Federal Grant
 2725 Grants and Donation - Other

Surplus

2805 Earned Surplus
 2815 Grants to Participants
 2815.1 Finished Homes Conveyed
 2815.2 Loans - Finished Homes Conveyed

Income

3000 Operating Income

Expenses

4000 Operating Expense

Subsidiary Accounts to Account 1400Development Cost

1400.1 Land
 1400.5 Labor
 1400.9 Materials
 1400.13 Contract Costs
 1400.17 Dwelling Equipment
 1400.21 Construction Equipment and Tools

CHAPTER 3. DESCRIPTION OF ACCOUNTS

SECTION 1. GENERAL LEDGER

- 1110 Cash - Loan and Grant Fund (Remote Housing Program Account). The debit balance of this account represents cash on deposit or to be deposited in the "Remote Housing Program Account" with a bank or banks representing receipts from HUD for loans and grants, collections from participants; and from any other sources relating to the loan and grant program.
- 1115 Imprest Fund. The debit balance of this account represents amount of cash set aside, not in excess of the amount authorized by the Local Authority Resolution, as an imprest fund for the purpose of making payment of various expenses for development costs of dwellings and related facilities, excluding any administrative expense.
- 1130 Notes Receivable-- Participants. The debit balance of this account represents the amounts due the Local Authority on account of loans to participants for the purchase of dwellings as evidenced by notes or other instrument of indebtedness. This account shall be supported by a subsidiary ledger showing the amount due from each participant.
- 1140 Accrued Interest Receivable.- Participants. The debit balance of this account represents accrued interest on participants' notes receivable. This account shall be supported by a subsidiary ledger showing the amount due from each participant.
- 1160 Investments - Loans and Grants Fund. This account shall be debited with the cost of securities purchased from the Loan and Grant Fund and with the amount of the Loan and Grant Fund deposited in time or savings accounts with banks or other institutions. This account shall also be debited with the interest earned on time or savings accounts at the time such interest is credited to the account by the depository. This account shall be credited with the cost of securities sold and with amounts withdrawn from time or savings accounts.
- 1260 Deferred Charges Inventories - Materials. The debit balance of this account represents the cost of materials and supplies purchased and held in storage for future use. As the materials are used in the construction of the dwellings and related facilities, this account shall be credited and Account 1400.9 shall be debited for the cost of such materials and supplies.
- 1270 Deferred Charges Inventories - Equipment. The debit balance of this account represents the cost of dwelling equipment purchased

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and held in storage. When the equipment is actually placed in the construction of the dwelling or related facilities, this account shall be credited and Account 1400.17 debited.

- 1290 Deferred Charges - Other. The debit balance of this account represents the amount of prepayments of expenses not specifically chargeable to other accounts.
- 1400 Development Cost. This account shall be debited with all costs incurred in connection with the development of dwellings and related facilities which are more specifically detailed in the descriptions of the subsidiary accounts to Account 1400. This account shall not be charged with any administrative costs. This account shall be supported by a development cost ledger. At the close of each reporting period, the cumulative total of the amounts recorded in the development cost ledger shall represent total Development Cost incurred to date regardless of whether such costs have or have not been paid. The charges to this account shall include the value of grants and/or donations in kind and costs paid from cash grants and donations. This account shall not include the value of participants contributions for land, labor or materials.
- 1401 Development Cost - Contra. This account shall be credited (and Account 1405 debited) with the actual development cost of those dwellings and related facilities which are finished and ready for occupancy.
- 1405 Finished Homes - Land, Structure and Equipment. This account shall be debited (and Account 1401 credited) with the actual development cost of those dwellings and related facilities which are finished and ready for occupancy. This account shall be credited (and Account 2815.1 debited) with the actual development cost of the dwelling and related facilities conveyed to the participant. If a dwelling is subsequently repossessed, this account shall be debited (and Account 2815.1 credited) with the actual development cost of such dwelling. When the repossessed dwelling is reconveyed, this account shall be credited (and Account 2815.1 debited) with the actual development cost. This account shall be supported by a property ledger.

Liabilities, Capital, and SurplusLiabilities

- 2111 Accounts Payable - Vendors and Contractors. The credit balance of this account represents amounts payable on open accounts and contract billings for materials received or services rendered.

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- 2117 Accounts Payable - Payroll Deductions and Contributions. The credit balance of this account represents the amount of payroll deductions and contributions which have not been disbursed and applied to the purpose for which such deductions and contributions were made. This account shall include payroll deductions for income taxes, Federal Insurance Contributions Act (FICA) taxes, unemployment insurance taxes, pension funds, and deductions for purchase of U.S. Saving Bonds, etc. It shall also include employer contributions for pension funds, FICA taxes, unemployment taxes, etc. This account may be subdivided for the purpose of maintaining separate accounts for each classification of payroll deduction and contribution. In preparing financial statements, however, the total of the credit balances of the subaccounts shall be included in Account 2117.
- 2119 Accounts Payable - Other. The credit balance of this account represents sundry payable items not applicable to other specific accounts.
- 2120 Notes Payable - HUD. The credit balance of this account represents the amount of outstanding notes payable to HUD.
- 2131 Accrued Liabilities - Interest on Notes Payable - HUD. The credit balance of this account represents accrued interest on notes payable to HUD.
- 2135 Accrued Liabilities - Salaries and Wages. The credit balance of this account represents the amount of salaries and wages accrued and unpaid.
- 2139 Accrued Liabilities - Other. The credit balance of this account represents accrued liabilities not applicable to other specific liability accounts.
- 2250 Deferred Credits - Unearned Grants - Federal. The credit balance of this account represents funds which have been advanced by HUD but have not been earned.

Capital

- 2700 Capital - Federal Grants. This account shall be credited quarterly with an estimated amount of Federal Grants earned. The estimate is based on 75% of the development cost incurred (not to exceed the maximum of \$10,875 per completed dwelling). When the determination is made as to the actual Federal Grant earned under the program, this account shall be adjusted accordingly.

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2725 Capital - Grants and Donations - Others. The credit balance of this account represents the amount of grants and/or donations which have been provided in the form of cash, services, or property, by a local government, an organization or agency (other than the Federal Government), but shall not include the value of participants' contributions of land, labor, and material.

Surplus

2805 Surplus - Earned Surplus. The credit or debit balance of this account represents the amount of surplus (or deficit) from the operation of the loan and grant program.

2815 Surplus - Grants to Participants. The debit balance of this account represents the amount of grants provided to the participant. This account shall be subdivided as follows:

2815.1 Surplus - Finished Homes Conveyed. This account shall be debited (and Account 1405 credited) with the actual development cost of the home conveyed to the participant.

2815.2 Surplus - Loans - Finished Homes Conveyed. This account shall be credited (and Account 1130 debited) with the amount of the loan made to the participant for the purchase of a home.

3000 Operating Income. This account shall be credited with income derived from interest earned on Loan and Grant Fund investments; interest earned on participant's notes; loan servicing fee collected from participants; and all other income, if any, from the loan and grant program. This account may be subdivided to classify the items of income from various sources. At the end of the fiscal year, the credit balance in Account 3000 shall be transferred to Account 2805, Earned Surplus.

4000 Operating Expenses. This account shall be debited with the amount of interest on loans, if any, which have been determined to be uncollectible and which have been written off; expenses for servicing or collecting of loans; amount of interest payable on HUD loans; and any other expenses involved in the loan and grant program. Administrative costs incurred in connection with this program shall not be charged to this account. This account may be subdivided to classify the various types of expenses. At the end of the fiscal year, the debit balance in the 4000 account shall be transferred to Account 2805, Earned Surplus.

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CHAPTER 3. DESCRIPTION OF ACCOUNTS

SECTION 2. SUBSIDIARY ACCOUNTS TO GENERAL LEDGER

ACCOUNT 1400 DEVELOPMENT COST

1. These accounts are prescribed for classifying costs incurred for developing the dwellings and related facilities and are to be established and maintained in the development cost ledger as a subsidiary to the General Ledger Account 1400.
 2. The development cost ledger shall be established promptly upon receipt of the first advances of funds from HUD under the Loan and Grant Contract.
 3. The charges to this account shall not include any administrative costs nor the value of participants' contributions for land, labor, or material. However, it shall include the value of grants and/or donations in kind and costs paid from cash grants and donations.
 4. At the close of each reporting period, the cumulative total of the amounts recorded in the development cost ledger shall represent total Development Cost incurred to date regardless of whether such costs have or have not been paid.
 5. The development cost ledger shall be maintained in such a way that Development Costs, classified by the prescribed classification of accounts, can be determined separately for each project, Village Native Council, or other designation used.
 6. This account shall not be closed but shall be retained as a permanent record of the total cumulative development costs.
- 1400.1 Land. This account shall be charged with the cost of land and existing improvements purchased for the development of the dwellings and related facilities.
- 1400.5 Labor. This account shall be charged with the gross salaries and wages earned by employees engaged in the construction of the dwellings and related facilities, including site improvements.
- 1400.9 Materials. This account shall be charged with the cost of all materials and supplies used in the construction of the dwellings and related facilities. (See description of Account 1260 relating to materials and supplies in inventory.)
- 1400.13 Contract Costs. This account shall be charged with all contract costs (i.e. the cost of services for labor, materials

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and supplies furnished by a firm or by persons other than Local Authority employees) incurred for developing the dwellings and related facilities.

- 1400.17 Dwelling Equipment. This account shall be charged with the cost of stoves, heaters, pumps or other equipment used in the dwellings or related facilities. (See description of Account 1270 relating to equipment in inventory.)
- 1400.21 Construction Equipment and Tools. This account shall be charged with the cost of power saws, hammers, hand saws, and other power and hand tools. If the equipment and tools are used at more than one project, Village Native Council, or other development, the cost should be prorated.

CHAPTER 4. IMPREST FUND

1. An imprest fund may be established for use by the community or Native Council for making payments of various expenses in connection with the development of dwellings and related facilities under the program.
2. It is the responsibility of the Local Authority to provide adequate instructions and assistance to the individual handling the fund, to assure that he will be qualified and knowledgeable. All individuals handling funds shall be properly bonded.
3. The following entry shall be made upon establishment of the imprest fund:

General Ledger

Debit: 1115 Imprest Fund
 Credit: 1110 Cash - Loan and Grant Fund (RHEPA)

Subsidiary

The control Account 1115 shall be subdivided to show the amount of the fund assigned to each custodian.

4. Each disbursement shall be supported by a receipted bill or invoice. Adequate records shall be maintained to assure control of the funds disbursed and for making proper distribution of costs.
5. The Local Authority shall make a periodic inspection and audit of the fund to assure fund is in balance and disbursements are justified.
6. The imprest fund shall be replenished at the end of each month and as frequently as may otherwise be required.
7. When requesting replenishment of the fund, the custodian of the fund shall submit supporting vouchers and documents.
8. The following entry shall be made to record the expenditures at the time the imprest fund is replenished:

General Ledger

Debit: 1400 - Development Cost
 Credit: 1110 - Cash - Loan and Grant Fund (RHEPA)

Subsidiary:

Debit appropriate subsidiary development cost accounts

CHAPTER 5. ADVANCE OF FUNDS

1. Funds advanced to the Local Authority by HUD shall be recorded as an unearned grant. Upon receipt of these advance funds, the following entry shall be made:

Debit: 1110 Cash - Loan and Grant Fund (RHPA)
 Credit: 2250 Unearned Grants - Federal

2. At the end of each quarter, the following entry shall be made to record the estimated amount of Federal Grants earned to date. This amount is computed by multiplying the total development costs incurred to date (not to exceed \$10,875 per completed dwelling) by .75%, and deducting therefrom the amount previously credited as Federal Grants:

Debit: 2250 Unearned Grants - Federal
 Credit: 2700 Federal Grants

3. As provided for in the Alaska Remote Housing Implementation Plan and in the Loan and Grant Contract, a determination shall be made at a later date as to what portion of the total funds advanced under the program constitutes the actual amount of Federal Grant. The balance will represent a loan. At the time this determination is made, the following entry shall be made to record the amount of the loan and to adjust the actual amount of the grant.

Debit: 2250 Unearned Grants - Federal
 Credit: 2700 Federal Grants
 Credit: 2120 Notes Payable - HUD

CHAPTER 6. TRANSFER OF DWELLING TO PARTICIPANT

1. When all of the costs which have been incurred have been paid in full and the dwellings and related facilities are completed and ready for occupancy, an entry shall then be made to debit Account 1405, Finished Homes, and credit Account 1401, Development Cost - Contra, to record the actual development cost of the finished homes.
2. The Local Authority shall make a determination as to the amount of the loan and grant it will provide the participant. A note or other document will be executed by the participant for the amount of the loan.
3. The following entries shall be made in connection with the above:

(1)

Debit: 2815.1 Grants to Participants - Finished Homes
Conveyed
Credit: 1405 Finished Homes

To record cost of home conveyed to participant

(2)

Debit: 1130 Notes Receivable - Participants
Credit: 2815.2 Grants to Participants - Loans - Finished
Homes Conveyed

To record amount of loan to participant

CHAPTER 7. REPOSSESSION OF PROPERTY

In the event of any repossession and resale of property, the following entries shall be made:

Repossession of Property

(1)

Debit: 1405 Finished Homes
 Credit: 2815.1 Grants to Participants - Finished
 Homes Conveyed

To record actual development cost of dwelling repossessed

(2)

Debit: 2815.2 Grants to Participants - Loans - Finished
 Homes Conveyed
 Credit: 1130 Notes Receivable - Participants

To write off balance of note for dwelling repossessed

(3)

Debit: 4000 Operating Expense
 Credit: 1140 Accrued Interest Receivable - Participants

To write off the amount of interest accrued on the defaulted,
 note

Resale of Property

(1)

Debit: 2815.1 Grants to Participants - Finished
 Homes Conveyed
 Credit: 1405 Finished Homes

To record actual development cost of dwelling reconveyed

(2)

Debit: 1130 Notes Receivable - Participants
 Credit: 2815.2 Grants to Participants - Loans - Finished
 Homes Conveyed

To record new note on sale of repossessed dwelling

CHAPTER 8. SECTION 2

CHAPTER 8. REPORTING REQUIREMENTS

SECTION 2. BALANCE SHEET

1. At the end of each calendar quarter, when all entries have been posted and the General Ledger has been balanced, a Balance Sheet shall be prepared and submitted.
2. Appendix 1, at the end of this Section, illustrates the format which shall be used for preparing the Balance Sheet.
3. The Balance Sheet shall reflect only the financial condition relating to the loan and grant program and shall not include the value of land, labor, and materials contributed by the participants.
4. An original and 2 copies shall be prepared and submitted quarterly to offices designated below, not later than the 20th of the month following the end of the reporting period.

Original	-	Office of Financial Systems and Services Washington, D. C. 20410
1st Copy	-	Assistant Regional Administrator for Housing Assistance
2nd Copy	-	Regional Audit Manager

FORM 7690.1

CHAPTER 6, SECTION 1
APPENDIX 1

ALASKA REMOTE HOUSING PROGRAM			
STATEMENT OF COSTS INCURRED AND FEDERAL GRANT EARNED			
Year	Quarter Ending	No. Dwellings Under Construction	No. Finished Homes
COSTS INCURRED			Amount of Loan & Grant Contract
			Current Quarter
			Cumulative To Date
1.	1400.1	Land	
2.	1400.5	Labor	
3.	1400.9	Materials	
4.	1400.13	Contract Costs	
5.	1400.17	Dwelling Equipment	
6.	1400.21	Construction Equipment and Tools	
7.	1400	Total Development Cost	
FEDERAL GRANTS EARNED			
		<u>Finished Homes</u>	
8.	1405	Finished Homes	
9.	2815.1	Finished Homes-Conveyed	
10.		Total Cost of Finished Homes	
11.		Development Cost of Homes Under Construction (Line 7 minus Line 10)	
12.		Maximum Costs Subject to Federal Grant. (\$10,000, multiplied by "Number of Finished Homes")	
13.		Total Cost Subject to Grant (Total of Lines 10 and 11 or the total of Lines 11 and 12, whichever is lesser)	
14.	2700	Federal Grant Earned	
15.		a. Total To Date (70% of Line 13)	
16.		b. Total to End of Preceding Quarter (Amount shown on Line 14 for preceding quarter)	
		c. Total for this Quarter (Line 14 minus Line 16)	
<p><input checked="" type="checkbox"/> In no event shall the Federal Grant exceed the total Development Cost (Account 1400) less "Other Grants and Donations" (Account 2725).</p>			
_____ (Signature of Authorized Official)		_____ (Title)	_____ (Date)

CHAPTER 8. SECTION 1

CHAPTER 8. REPORTING REQUIREMENTS

SECTION 1. STATEMENT OF COSTS INCURRED AND FEDERAL GRANT FUND EARNED

1. As of the end of each calendar quarter, when all entries have been posted and the subsidiary records have been totaled and reconciled with the related General Ledger control accounts, the Statement of Costs Incurred and Federal Grant Earned shall be prepared and submitted.
2. Appendix 1, at the end of this Section, illustrates the format which shall be used for preparing the Statement.
3. This statement shall reflect costs pertaining to the loan and grant program. It shall not include amounts for participants' contribution for the value of land, labor, and materials, nor administrative costs incurred.
4. An original and 2 copies shall be prepared and submitted quarterly to the office designated below, not later than the 20th of the month following the end of the reporting period.

Original	-	Office of Financial Systems and Services Washington, D.C. 20410
1st Copy	-	Assistant Regional Administrator for Housing Assistance
2nd Copy	-	Regional Audit Manager

MM 7690.1

 CHAPTER 6, SECTION 2
 APPENDIX 1

 ALASKA HOMEOWNERS HOUSING PROGRAM
 BALANCE SHEET

As of _____

<u>ASSETS</u>			
	<u>Cash</u>		
1110	Loan and Grant Fund (NHPA)	_____	
1115	Imprest Fund	_____	
	<u>Notes Receivable</u>		
1130	Notes Receivable - Participants	_____	
	<u>Accrued Receivable</u>		
1140	Accrued Interest Receivable - Participants	_____	
	<u>Investments</u>		
1160	Loan and Grant Fund	_____	
	<u>Deferred Charges</u>		
1260	Inventories - Materials	_____	
1270	Inventories - Equipment	_____	
1290	Other	_____	
	<u>Land, Structures, and Equipment</u>		
1400	Development Cost	_____	
1401	Less: Development Cost - Contra	_____	
1405	Finished Homes - Land, Structures, and Equipment	_____	
	Total Assets	_____	_____
	<u>LIABILITIES, CAPITAL AND SURPLUS</u>		
	<u>Accounts Payable</u>		
2111	Vendors and Contractors	_____	
2117	Payroll, Deductions, and Contributions	_____	
2119	Others	_____	
	<u>Notes Payable</u>		
2120	Notes Payable - HUD	_____	
	<u>Accrued Liabilities</u>		
2131	Interest on Notes Payable - HUD	_____	
2135	Salaries and Wages	_____	
2139	Other	_____	
	<u>Deferred Credits</u>		
2250	Unearned Grants - Federal	_____	
	Total Liabilities	_____	_____
	<u>Capital</u>		
2700	Federal Grant	_____	
2725	Grants and Donations - Other	_____	
	<u>Surplus</u>		
2805	Earned Surplus	_____	
2815.1	Finished Homes Conveyed	_____	
2815.2	Less: Loans - Finished Homes Conveyed	_____	
	Grants to Participants	_____	
	Total Liabilities, Capital and Surplus	_____	_____

(Signature of Authorized Official)_____
(Title)_____
(Date)

0316

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CIRCULAR

HPMC-FHA 7580.1

November 2, 1970

Cancellation
Date:**SUBJECT:** Indian Employment, Training, and Economic Benefits from
Public Housing Development

1. **PURPOSE.** This Circular sets forth the HUD policy, authorities and requirements relating to proposals by Indian tribes and their local housing authorities to make special provision for Indian employment, training, and economic benefits in connection with the development of HUD-assisted public housing. This Circular shall apply to proposals by Indian housing authorities involving the waiver or variation of annual contributions contract and other HUD requirements to achieve such ends.

2. **BACKGROUND.**

a. Federal law. Section 3 of the Housing and Urban Development Act of 1968 provides:

"In the administration by the Secretary of [HUD] of programs providing direct financial assistance in aid of housing * * * the Secretary shall--

- (1) require, in consultation with the Secretary of Labor, that to the greatest extent feasible opportunities for training and employment arising in connection with the planning and carrying out of any project assisted under any such program be given to low income persons residing in the area of such projects; and
- (2) require, in consultation with the Administrator of the Small Business Administration, that to the greatest extent feasible contracts for work to be performed in connection with any such project be awarded to business concerns, including but not limited to individuals or firms doing business in the field of planning, consulting, design, architecture, building construction, rehabilitation, maintenance, or repair, which are located in or owned in substantial part by persons residing in the area of such project." (underscoring supplied)

Distribution: O-1, F-2, R-1,
R-5, W-3-1

0317

HPMC-FHA 7580.1

In addition, the special treatment accorded Indians living on or near reservations because of the special Federal interest and responsibility in the promotion of employment opportunities for them is reflected in Title VII (Equal Employment Opportunity) of the Civil Rights Act of 1964. Section 701(b) of that Act excludes Indian tribes (as well as Federal, State, and local governments) from the nondiscrimination requirements of Title VII. In addition, Section 703(1) of that Act provides:

"Nothing contained in this title shall apply to any business or enterprise on or near an Indian reservation with respect to any publicly announced employment practice of such business or enterprise under which a preferential treatment is given to any individual because he is an Indian living on or near a reservation." (underscoring supplied)

- b. President's Indian Policy. The President's July 8, 1970, Message to the Congress set forth the Administration's policies and legislative proposals in the field of Indian Affairs. In addition to increasing economic and social development program accomplishments, the President proposed that Indian tribes be given the right by statute to take over and operate (without the necessity of approval by any Federal official) any of the programs (including the related Federal funds which would continue to be appropriated without penalty because of such takeover) operated on their reservation by the Bureau of Indian Affairs and the Indian Health Service. In general, the Message indicated a clear Federal policy of maximum cooperation with and reliance on Indian tribes in the application of Federal assistance programs to their needs.
 - c. State law. With the current exception of those in the states of Oklahoma, Maine, and Texas, Indian housing authorities are authorized and created by tribal ordinance independent of state law. If an Indian housing authority was authorized and established under state law, any pertinent requirements of that state's laws must be considered and complied with in connection with any proposal described in paragraph 1 above from such housing authority.
3. HUD RESPONSE TO INDIAN HOUSING AUTHORITY PROPOSALS.
- a. Adequacy of regular requirements and procedures. In some cases, the employment, training, and economic benefit objectives of an Indian housing authority's proposal may be satisfied by proper application of the provisions of paragraphs 3(c)(2)(e) and 4 of the Low-Rent Housing Turnkey Handbook, FHA 7420.1. Where Area Directors or Regional Administrators (or their

Deputies) determine such is the case, no special provision need be made under the terms of this Circular.

- b. Inclusion of special requirements in Invitations for Bids, Construction Contracts, Invitations for Turnkey Proposals, and Contracts of Sale. In some cases, the Area Director or Regional Administrator (or their Deputies) may determine the need for and approve such modification of normal procedures and requirements as is necessary to achieve the employment, training, and economic benefit objectives of an Indian housing authority's proposal. However, any such modifications must be in accord with the requirements of subparagraph (d) below. Such modifications may include the addition of specific language to the Invitation for Bids, Construction Contract, Invitation for Turnkey Proposals, and Contract of Sale requiring the provision of preferential employment, training, and economic benefits for local Indian residents. An example of one type employment preference provision is attached to this Circular.
- c. Waiver of Competitive Bidding and Advertising Requirements. Area Directors and Regional Administrators (and their Deputies) are authorized to waive the provision of Section 109(B) of Part Two of the Annual Contributions Contract to permit the negotiation of a Construction Contract or Contract of Sale in exceptional cases where he determines that such action is the only way of achieving the employment, training, and economic benefit objectives of the Indian housing authority and such action will be consistent with the requirements of subparagraph (d) below.
- d. Additional requirements upon which approvals must be based. Approval by the Area Director or Regional Administrator (or their Deputies) of any waivers or modifications under subparagraphs (b) and (c) above shall be made only where he has determined that:
- (1) There is no reason to expect that such approval will result in a higher HUD-assisted development cost than if the regular requirements or procedures were followed.
 - (2) All developers and contractors located on or owned in substantial part by residents of the Indian reservation or the housing authority's area of operation are given an equal opportunity to meet any special employment, training, and economic benefit requirements to be approved.
 - (3) All potential Indian employees and trainees living on or near the reservation shall be provided equal opportunity under any preferential employment or training practice.

HPMC-FHA 7580.1

- (4) The project site is on an Indian reservation or on land owned in trust by the United States for the tribe or individual Indians.
 - (5) If an Indian or tribal developer or contractor is to be selected on a preferential basis, any subcontracting to non-Indian contractors will be accomplished in such a manner as to assure that the arrangement is not in fact or appearance one in which the Indian or tribal organization is a front for the purpose of obtaining a contract for the non-Indian developer or contractor.
 - (6) The Indian housing authority's proposal and the final arrangement to be approved by HUD shall have the concurrence of the tribal council or other executive committee or official authorized to provide such concurrence.
4. The provisions of this Circular should be brought to the attention of each Indian housing authority by the appropriate Area Director or Regional Administrator.

This provides an example of one employment preference provision for Indians and is not to be considered as the only acceptable type of provision.

The Instructions to Bidding could include a provision such as the following:

"Employment Preference to Local Indian Residents"

The attention of bidders is directed to Section _____ of the Special Conditions which, in accordance with established employment practices of the Local Authority, and as permitted in Section 703(1) of Title VII of the Civil Rights Act of 1964, requires the Contractor and each of his subcontractors to give preference in the hiring of workers for the project to qualified Indians living on or near the reservation. A list furnished by the _____ (tribal) Housing Authority setting out laborers and mechanics entitled to such preference, together with the trades or skills represented, will be furnished to all bidders by the _____ Housing Authority."

In line with the foregoing, the Special Conditions of the construction contract would include a provision such as the following:

"Employment Preference to Local Residents"

The Contractor and each of his subcontractors shall give preference in the hiring of workers for the project to qualified local Indian residents. The term "local Indian residents" means Indians living on or near the reservation whose names appear on a List furnished to the Contractor by the _____ Housing Authority. Upon initial hiring and whenever a job opening occurs thereafter, the Contractor or subcontractor shall give written notice of such opening to the President of the Tribal Council of the _____ Tribe, stating the time when, and the local place where, job applications will be accepted. Except in cases of emergency, no one other than a local Indian resident shall be hired for any job until 48 hours (not counting Saturdays and Sundays) following the delivery of such notice to the President. The Contractor or subcontractor shall have the right to reject the application

HPMC-FHA 7580.1

Attachment A

for valid reason, or to terminate the employment, of any local Indian resident, but in either such event, the Contractor or subcontractor shall within three days send a written statement of the reasons for such action to the President of the _____ Tribe. Nothing contained herein shall require the displacement of a non-Indian employee because a local Indian resident becomes available after such employee had been hired for the project"

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CIRCULAR

HPMC-FHA 7580.2A

January 14, 1972

ATTENTION: REGIONAL OFFICE: ARA-HPMC; Low
Rent Housing Specialist
AREA OFFICE: Director Operations
Division; Program Managers; Multi-
family Housing Representatives;
Chief, Technical Services Branch

SUBJECT: Expediting Construction of Mutual-Help Projects in
Indian Areas

1. **PURPOSE.** To expedite the development of housing in Indian areas and provide a better control on costs by limiting the development of mutual-help housing to the bid or turnkey method, and eliminating the force account method of development, to reduce the minimum required amount of mutual-help contributions and to supersede and revise Circular HPMC-FHA 7580.2 dated February 26, 1971.
2. **BACKGROUND.**
 - a. An October 12, 1971 report by the General Accounting Office entitled "Slow Progress In Eliminating Substandard Indian Housing" (B-114868) points up that the average construction time for mutual-help projects developed under the force account method is considerably longer than for mutual-help and other public housing projects of larger size which are developed under the turnkey and competitively bid methods of development. The report also states that the longer construction periods and smaller size projects are detrimental to the goal of eliminating substandard Indian housing conditions in the 1970's and, further, that such longer periods result in increased costs to the Federal government for construction supervision, overhead, and materials damages and losses.
 - b. The complete or partial construction of a mutual-help project by the force account method generally involves the provision by the Bureau of Indian Affairs of a construction superintendent. However, the use of developers or contractors who are responsible to the Indian housing authority (rather than the use of federal construction superintendents) for the construction of HUD-assisted low-rent public housing projects is consistent with (1) current HUD policy for the public housing program generally, (2) current efforts to limit the level of federal employment, (3) the recommendations of the above mentioned October 12, 1971 report of the General Accounting Office, (4) the provisions of Section 1 of the U. S. Housing Act, as amended, providing for maximum local responsibility in the administration of the low-rent public housing program, and

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and 25 copies Bulk to each Area Office

HPMC-FHA 7580.2A

(5) the current federal policy of developing the capabilities of Indian governments and investing them with the maximum responsibility and control over the operation of federally assisted programs on their reservations.

3. AREA OFFICE ACTION.

- a. Every effort should be made to expedite the completion of mutual-help projects now under construction, including the adjustment of development cost budgets where necessary to provide for additional paid labor and additional materials needed for expeditious completion of construction. Such adjustments should involve a decrease in the amount of mutual-help contribution (but not to less than \$1,500 per unit) where the total amount previously provided for such contribution would no longer be justified as the result of the increased use of paid labor or labor saving materials.
- b. Mutual-help housing units hereafter placed under annual contributions contract and such units now under annual contributions contract but not yet under construction should not be developed (either partially or entirely) under the force account method. Current development cost budgets and mutual-help contribution amounts may be adjusted as described in paragraph 3a above to accommodate the use of other than the force account method of development.
- c. No further development programs or annual contributions contracts for mutual-help housing projects are to be approved involving complete or partial development under the force account method. Such development programs must provide for a mutual-help contribution of at least \$1,500 per unit. However, advertisements for bids or turnkey proposals for mutual-help housing should seek to achieve the highest possible amount of mutual help contribution.
- d. The provisions of this Circular are not to be construed as requiring the termination of existing annual contributions contracts for mutual-help housing projects or portions thereof which are not yet under construction. However, this caveat does not preclude the termination of such contracts where the local housing authority is found to be failing to meet its

contractual obligations to HUD by not proceeding diligently or on a timely basis with the development of the housing.

4. ANNUAL CONTRIBUTION CONTRACT WAIVERS. In line with the provisions of paragraph 3 of this Circular, HUD Area Directors may waive the following annual contributions contract provisions with respect to projects now or hereafter placed under such contracts:
- a. The 90 percent limitation on loans contained in Section 7 of Part One of the Annual Contributions Contract for Mutual-Help Projects, Form HUD-53040.
 - b. The 10 percent minimum required Mutual-Help Contribution provisions of Sections 203(C) and 406(D) of Part Two of the Annual Contributions Contract for Mutual-Help Projects, Form HUD-53041.

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CIRCULAR

HPMC-FHA 7580.2A

January 14, 1972

ATTENTION: REGIONAL OFFICE: ARA-HPMC; Low
Rent Housing Specialist
AREA OFFICE: Director Operations
Division; Program Managers; Multi-
family Housing Representatives;
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2. **BACKGROUND.**
 - a. An October 12, 1971 report by the General Accounting Office entitled "Slow Progress In Eliminating Substandard Indian Housing" (B-114868) points up that the average construction time for mutual-help projects developed under the force account method is considerably longer than for mutual-help and other public housing projects of larger size which are developed under the turnkey and competitively bid methods of development. The report also states that the longer construction periods and smaller size projects are detrimental to the goal of eliminating substandard Indian housing conditions in the 1970's and, further, that such longer periods result in increased costs to the Federal government for construction supervision, overhead, and materials, damages and losses.
 - b. The complete or partial construction of a mutual-help project by the force account method generally involves the provision by the Bureau of Indian Affairs of a construction superintendent. However, the use of developers or contractors who are responsible to the Indian housing authority (rather than the use of federal construction superintendents) for the construction of HUD-assisted low-rent public housing projects is consistent with (1) current HUD policy for the public housing program generally, (2) current efforts to limit the level of federal employment, (3) the recommendations of the above mentioned October 12, 1971 report of the General Accounting Office, (4) the provisions of Section 1 of the U. S. Housing Act, as amended, providing for maximum local responsibility in the administration of the low-rent public housing program, and

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and 25 copies Bulk to each Area Office

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HPMC-FHA 7580.2A

(5) the current federal policy of developing the capabilities of Indian governments and investing them with the maximum responsibility and control over the operation of federally assisted programs on their reservations.

3. AREA OFFICE ACTION.

- a. Every effort should be made to expedite the completion of mutual-help projects now under construction, including the adjustment of development cost budgets where necessary to provide for additional paid labor and additional materials needed for expeditious completion of construction. Such adjustments should involve a decrease in the amount of mutual-help contribution (but not to less than \$1,500 per unit) where the total amount previously provided for such contribution would no longer be justified as the result of the increased use of paid labor or labor saving materials.
- b. Mutual-help housing units hereafter placed under annual contributions contract and such units now under annual contributions contract but not yet under construction should not be developed (either partially or entirely) under the force account method. Current development cost budgets and mutual-help contribution amounts may be adjusted as described in paragraph 3a above to accommodate the use of other than the force account method of development.
- c. No further development programs or annual contributions contracts for mutual-help housing projects are to be approved involving complete or partial development under the force account method. Such development programs must provide for a mutual-help contribution of at least \$1,500 per unit. However, advertisements for bids or turnkey proposals for mutual-help housing should seek to achieve the highest possible amount of mutual help contribution.
- d. The provisions of this Circular are not to be construed as requiring the termination of existing annual contributions contracts for mutual-help housing projects or portions thereof which are not yet under construction. However, this caveat does not preclude the termination of such contracts where the local housing authority is found to be failing to meet its

contractual obligations to HUD by not proceeding diligently or on a timely basis with the development of the housing.

4. **ANNUAL CONTRIBUTION CONTRACT WAIVERS.** In line with the provisions of paragraph 3 of this Circular, HUD Area Directors may waive the following annual contributions contract provisions with respect to projects now or hereafter placed under such contracts:
- a. The 90 percent limitation on loans contained in Section 7 of Part One of the Annual Contributions Contract for Mutual-Help Projects, Form HUD-53040.
 - b. The 10 percent minimum required Mutual-Help Contribution provisions of Sections 203(C) and 406(D) of Part Two of the Annual Contributions Contract for Mutual-Help Projects, Form HUD-53041.
-

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CIRCULAR

HPMC-FHA 7581.1A

October 29, 1971

ATTEN: REGIONAL OFFICE: ARA for HPMC,
 Low-Rent Housing Specialist;
AREA OFFICE: Director, Operations
 Division, Program Managers, and
 Multifamily Housing Representatives

SUBJECT: Development Cost for Housing Projects in Indian Areas

1. **PURPOSE.** To state HUD policy and authorization for the inclusion in HUD-assisted development cost of certain necessary costs of water and sewerage facilities, streets, curbs, street lights and sidewalks for low-rent public housing projects located in Indian (including Alaskan Native) areas. This Circular cancels and supercedes HIA Circular 3-27-69, "Development Cost for Certain Indian Housing May Include Wells and Septic Tank Systems."
2. **BACKGROUND.**
- a. The Indian Health Service (Department of Health, Education and Welfare) administers a program under which water and sewerage facilities are provided to Indian homes. The Bureau of Indian Affairs (Department of the Interior) administers a program under which roads are constructed in Indian areas. Under the U. S. Housing Act, the development cost of HUD-assisted low-rent public housing projects may include the costs of water and sanitation facilities, streets and sidewalks necessary for such housing.
 - b. The planning and development of housing in Indian areas must be coordinated with the above Indian Health Service (IHS) and Bureau of Indian Affairs (BIA) programs so that the facilities and roads to serve the housing are available when needed and so that the development of the housing may be taken into account in the plans of those agencies. Assistance available to Local Housing Authorities in Indian areas from the IHS and BIA should supplement that which is available from HUD in connection with the planning and development of low-rent public housing to expedite production and provide the maximum benefit from the combined Federal investment in connection with the development of the housing.

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 R-3-1,R4FA,R-1,R-2,R-3-2

HPMC-FHA 7581.1 A

3. REGIONAL AND AREA OFFICE ACTION.

- a. The HUD-assisted development cost of low-rent public housing in Indian areas shall include the planning, construction, and inspection costs of providing within the housing project boundaries all needed (1) water and sewerage facilities (including distribution systems, wells, septic tank systems, connections, etc.) and (2) all-weather streets, sidewalks, curbing and street lights. Connections to water distribution and sewerage collection systems are generally more desirable than the provision of on-site wells or septic tank facilities. Therefore, the development cost of a project should include connection fees (or other costs) necessary to cover the project's pro rata share (based on the total design number of homes served by the system) of the construction costs for water distribution and sewerage collection systems if the resulting total development cost of the project would not be greater than if on-site facilities were provided under the terms of this Circular. Inclusion of any of the foregoing costs is not required in those cases where the Area Director or Regional Administrator can determine that the facilities will be otherwise provided in a timely manner which will not inhibit or delay the development or occupancy of the housing.
- b. In implementing the above policy, Area Directors and Regional Administrators should utilize the following formula or guidelines. The selection and planning of sites should be accomplished in a manner which will result in HUD-assisted development costs for on-site utilities and streets which are reasonable in comparison to similar types of projects generally throughout the area or region involved. Where the Area Director or Regional Administrator determines that such costs for a project would not be reasonable because of the use of scattered sites or the low density use of the site or sites, the HUD-assisted development cost should be held to a reasonable level by (1) changing sites or site density or (2) arranging for part or all of the facilities involved or their cost to be provided by the IHS, BIA, tribal government, or other source.
- c. To the maximum extent feasible, the technical assistance or advice of the appropriate IHS and BIA Area or Agency Offices should be utilized in connection with the provision of facilities under the authorization provided by this Circular.
-

CIRCULAR

HPMC-FHA 7581-2

June 18, 1971

SUBJECT: Housing Assistance in Indian Areas

1. **PURPOSE.** To provide a current statement on HUD authority and policy in connection with the provision of housing assistance in Indian areas under the low-rent public housing program and to supersede the FHA Circular of 3-27-69 "Housing Assistance for Indian Families in Rural Farm Areas."
2. **HUD AUTHORITY AND RESPONSIBILITY.** Section 206 of the Housing and Urban Development Act of 1968 amended the Section 1 of the U. S. Housing Act to emphasize HUD's authority and responsibility for assisting in the provision of housing for all low-income families in Indian areas, including those families engaged in farming activities.
3. **REMOTE AREAS HOUSING STANDARD.** The provision of housing in remote areas of Indian reservations requires special consideration with respect to strict conformance to the requirements of Minimum Property Standards for One and Two Living Units. (FHA No. 300) and for Multifamily Housing (FHA No. 2600). Indian Housing Authorities should be encouraged to develop new design and program concepts so as to overcome the factors that make it difficult to economically provide such housing, and to obtain housing that might better conform to local patterns of living. The mandatory provisions of the Minimum Property Standards shall be complied with. Otherwise, field offices shall use their discretionary authority to accept equivalent variations from the standards, taking full cognizance of the definition of "low-rent housing," contained in Section 2 of the U. S. Housing Act of 1937: "decent, safe, sanitary dwellings within the financial reach of families of low income, and developed and administered to promote serviceability, efficiency, economy, and stability, and embraces all necessary appurtenances thereto." Consideration shall be given to extra durability required for economical maintenance of assisted housing as well as the provision of amenities designed to guarantee safe and healthy family life and neighborhood environment. Good design should be encouraged as an essential component of such housing to reflect the architectural and cultural standards of the community.

OPR :FS:DISTRIBUTION:A-3,A-6,A-9,A-23,B-3,B-6,B-9,B-23,
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HPMC-FHA 7581.2

-
4. FEASIBILITY CONSIDERATIONS. Housing Authorities should be urged to recognize the need to ensure that housing to be located in remote areas will be operated during the duration of the Annual Contributions Contract on a financially and administratively feasible basis. Authorities should consult HUD Area or Regional Office staff as to whatever steps might be necessary at the earliest possible stage to minimize the risks involved.
-

APPENDIX XI

1974 Housing and Community Development Act
(P.L. 93-383)

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An Act

To establish a program of community development block grants, to amend and extend laws relating to housing and urban development, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing and Community Development Act of 1974".

Housing and
Community De-
velopment Act
of 1974.
42 USC 5301
note.

TITLE I—COMMUNITY DEVELOPMENT

FINDINGS AND PURPOSE

SEC. 101. (a) The Congress finds and declares that the Nation's cities, towns, and smaller urban communities face critical social, economic, and environmental problems arising in significant measure from—

42 USC 5301.

(1) the growth of population in metropolitan and other urban areas, and the concentration of persons of lower income in central cities; and

88 STAT. 633
88 STAT. 634

(2) inadequate public and private investment and reinvestment in housing and other physical facilities, and related public and social services, resulting in the growth and persistence of urban slums and blight and the marked deterioration of the quality of the urban environment.

(b) The Congress further finds and declares that the future welfare of the Nation and the well-being of its citizens depend on the establishment and maintenance of viable urban communities as social, economic, and political entities, and require—

(1) systematic and sustained action by Federal, State, and local governments to eliminate blight, to conserve and renew older urban areas, to improve the living environment of low- and moderate-income families, and to develop new centers of population growth and economic activity;

(2) substantial expansion of and greater continuity in the scope and level of Federal assistance, together with increased private investment in support of community development activities; and

(3) continuing effort at all levels of government to streamline programs and improve the functioning of agencies responsible for planning, implementing, and evaluating community development efforts.

(c) The primary objective of this title is the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income. Consistent with this primary objective, the Federal assistance provided in this title is for the support of community development activities which are directed toward the following specific objectives—

(1) the elimination of slums and blight and the prevention of blighting influences and the deterioration of property and neighborhood and community facilities of importance to the welfare of the community, principally persons of low and moderate income;

(2) the elimination of conditions which are detrimental to health, safety, and public welfare, through code enforcement, demolition, interim rehabilitation assistance, and related activities;

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(3) the conservation and expansion of the Nation's housing stock in order to provide a decent home and a suitable living environment for all persons, but principally those of low and moderate income;

(4) the expansion and improvement of the quantity and quality of community services, principally for persons of low and moderate income, which are essential for sound community development and for the development of viable urban communities;

(5) a more rational utilization of land and other natural resources and the better arrangement of residential, commercial, industrial, recreational, and other needed activity centers;

(6) the reduction of the isolation of income groups within communities and geographical areas and the promotion of an increase in the diversity and vitality of neighborhoods through the spatial deconcentration of housing opportunities for persons of lower income and the revitalization of deteriorating or deteriorated neighborhoods to attract persons of higher income; and

(7) the restoration and preservation of properties of special value for historic, architectural, or esthetic reasons.

It is the intent of Congress that the Federal assistance made available under this title not be utilized to reduce substantially the amount of local financial support for community development activities below the level of such support prior to the availability of such assistance.

(d) It is also the purpose of this title to further the development of a national urban growth policy by consolidating a number of complex and overlapping programs of financial assistance to communities of varying sizes and needs into a consistent system of Federal aid which—

(1) provides assistance on an annual basis, with maximum certainty and minimum delay, upon which communities can rely in their planning;

(2) encourages community development activities which are consistent with comprehensive local and areawide development planning;

(3) furthers achievement of the national housing goal of a decent home and a suitable living environment for every American family; and

(4) fosters the undertaking of housing and community development activities in a coordinated and mutually supportive manner.

DEFINITIONS

42 USC 5302.

SEC. 102. (a) As used in this title—

(1) The term "unit of general local government" means any city, county, town, township, parish, village, or other general purpose political subdivision of a State; Guam, the Virgin Islands, and American Samoa, or a general purpose political subdivision thereof; a combination of such political subdivisions recognized by the Secretary; the District of Columbia; the Trust Territory of the Pacific Islands; and Indian tribes, bands, groups, and nations, including Alaska Indians, Aleuts, and Eskimos, of the United States. Such term also includes a State or a local public body or agency (as defined in section 711 of the Housing and Urban Development Act of 1970), community association, or other entity, which is approved by the Secretary for the purpose of providing public facilities or services to a new community as part of a program meeting the eligibility standards of section 712 of the Housing and Urban Development Act of 1970 or title IV of the Housing and Urban Development Act of 1968.

42 USC 4512.

42 USC 4513.

42 USC 3401

note.

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(2) The term "State" means any State of the United States, or any instrumentality thereof approved by the Governor; and the Commonwealth of Puerto Rico.

(3) The term "metropolitan area" means a standard metropolitan statistical area as established by the Office of Management and Budget.

(4) The term "metropolitan city" means (A) a city within a metropolitan area which is the central city of such area, as defined and used by the Office of Management and Budget, or (B) any other city, within a metropolitan area, which has a population of fifty thousand or more.

88 STAT. 635
88 STAT. 636

(5) The term "city" means (A) any unit of general local government which is classified as a municipality by the United States Bureau of the Census or (B) any other unit of general local government which is a town or township and which, in the determination of the Secretary, (i) possesses powers and performs functions comparable to those associated with municipalities, (ii) is closely settled, and (iii) contains within its boundaries no incorporated places as defined by the United States Bureau of the Census.

(6) The term "urban county" means any county within a metropolitan area which (A) is authorized under State law to undertake essential community development and housing assistance activities in its unincorporated areas, if any, which are not units of general local government, and (B) has a combined population of two hundred thousand or more (excluding the population of metropolitan cities therein) in such unincorporated areas and in its included units of general local government (i) in which it has authority to undertake essential community development and housing assistance activities and which do not elect to have their population excluded or (ii) with which it has entered into cooperation agreements to undertake or to assist in the undertaking of essential community development and housing assistance activities.

(7) The term "population" means total resident population based on data compiled by the United States Bureau of the Census and referable to the same point or period in time.

(8) The term "extent of poverty" means the number of persons whose incomes are below the poverty level. Poverty levels shall be determined by the Secretary pursuant to criteria provided by the Office of Management and Budget, taking into account and making adjustments, if feasible and appropriate and in the sole discretion of the Secretary, for regional or area variations in income and cost of living, and shall be based on data referable to the same point or period in time.

(9) The term "extent of housing overcrowding" means the number of housing units with 1.01 or more persons per room based on data compiled by the United States Bureau of the Census and referable to the same point or period in time.

(10) The term "Federal grant-in-aid program" means a program of Federal financial assistance other than loans and other than the assistance provided by this title.

(11) The term "program period" means the period beginning January 1, 1975, and ending June 30, 1975, and the period covering each fiscal year thereafter.

(12) The term "Community Development Program" means a program described in section 104(A)(2).

(13) The term "Secretary" means the Secretary of Housing and Urban Development.

Post, p. 636.

(b) Where appropriate, the definitions in subsection (a) shall be based, with respect to any fiscal year, on the most recent data compiled by the United States Bureau of the Census and the latest published reports of the Office of Management and Budget available ninety days prior to the beginning of such fiscal year. The Secretary may by regulation change or otherwise modify the meaning of the terms defined in subsection (a) in order to reflect any technical change or modification thereof made subsequent to such date by the United States Bureau of the Census or the Office of Management and Budget.

(c) One or more public agencies, including existing local public agencies, may be designated by the chief executive officer of a State or a unit of general local government to undertake a Community Development Program in whole or in part.

AUTHORIZATION TO MAKE GRANTS

Sec. 103. (a)(1) The Secretary is authorized to make grants to States and units of general local government to help finance Community Development Programs approved in accordance with the provisions of this title. The Secretary is authorized to incur obligations on behalf of the United States in the form of grant agreements or otherwise in amounts aggregating such sum, not to exceed \$8,400,000,000, as may be approved in an appropriation Act. The amount so approved shall become available for obligation on January 1, 1975, and shall remain available until obligated. There are authorized to be appropriated for liquidation of the obligations incurred under this subsection not to exceed \$2,500,000,000 prior to the close of the fiscal year 1975, which amount may be increased to not to exceed an aggregate of \$5,450,000,000 prior to the close of the fiscal year 1976, and to not to exceed an aggregate of \$8,400,000,000 prior to the close of the fiscal year 1977. Subject to the limitations contained in the preceding sentence, appropriations for—

(A) grants under title VII of the Housing Act of 1961;

(B) grants under sections 702 and 703 of the Housing and Urban Development Act of 1965; and

(C) supplemental grants under title I of the Demonstration Cities and Metropolitan Development Act of 1966,

may be used, to the extent not otherwise obligated prior to January 1, 1975, for the liquidation of contracts entered into pursuant to this section.

(2) Of the amounts approved in appropriation Acts pursuant to paragraph (1), \$50,000,000 for each of the fiscal years 1975 and 1976 shall be added to the amount available for allocation under section 106(d) and shall not be subject to the provisions of section 107.

(b) In addition to the amounts made available under subsection (a), and for the purpose of facilitating an orderly transition to the program authorized under this title, there are authorized to be appropriated not to exceed \$50,000,000 for each of the fiscal years 1975 and 1976, and not to exceed \$100,000,000 for the fiscal year 1977, for grants under this title to units of general local government having urgent community development needs which cannot be met through the operation of the allocation provisions of section 106.

(c) Sums appropriated pursuant to this section shall remain available until expended.

(d) To assure program continuity and orderly planning, the Secretary shall submit to the Congress timely requests for additional authorizations for the fiscal years 1978 through 1980.

Community
Development
Programs.
42 USC 5303.

42 USC 1500,
42 USC 3102,
3103.

42 USC 3301.

Post, pp. 642,
647.

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98 STAT. 638

APPLICATION AND REVIEW REQUIREMENTS

Sec. 104. (a) No grant may be made pursuant to section 106 unless an application shall have been submitted to the Secretary in which the applicant— 42 USC 5304.

(1) sets forth a summary of a three-year community development plan which identifies community development needs, demonstrates a comprehensive strategy for meeting those needs, and specifies both short- and long-term community development objectives which have been developed in accordance with area-wide development planning and national urban growth policies;

(2) formulates a program which (A) includes the activities to be undertaken to meet its community development needs and objectives, together with the estimated costs and general location of such activities, (B) indicates resources other than those provided under this title which are expected to be made available toward meeting its identified needs and objectives, and (C) takes into account appropriate environmental factors;

(3) describes a program designed to—

(A) eliminate or prevent slums, blight, and deterioration where such conditions or needs exist; and

(B) provide improved community facilities and public improvements, including the provision of supporting health, social, and similar services where necessary and appropriate;

(4) submits a housing assistance plan which—

(A) accurately surveys the condition of the housing stock in the community and assesses the housing assistance needs of lower-income persons (including elderly and handicapped persons, large families, and persons displaced or to be displaced) residing in or expected to reside in the community.

(B) specifies a realistic annual goal for the number of dwelling units or persons to be assisted, including (i) the relative proportion of new, rehabilitated, and existing dwelling units, and (ii) the sizes and types of housing projects and assistance best suited to the needs of lower-income persons in the community, and

(C) indicates the general locations of proposed housing for lower-income persons, with the objective of (i) furthering the revitalization of the community, including the restoration and rehabilitation of stable neighborhoods to the maximum extent possible, (ii) promoting greater choice of housing opportunities and avoiding undue concentrations of assisted persons in areas containing a high proportion of low-income persons, and (iii) assuring the availability of public facilities and services adequate to serve proposed housing projects;

(5) provides satisfactory assurances that the program will be conducted and administered in conformity with Public Law 88-352 and Public Law 90-284; and

(6) provides satisfactory assurances that, prior to submission of its application, it has (A) provided citizens with adequate information concerning the amount of funds available for proposed community development and housing activities, the range of activities that may be undertaken, and other important program requirements, (B) held public hearings to obtain the views of citizens on community development and housing needs, and (C) provided citizens an adequate opportunity to participate in the development of the application; but no part of this paragraph shall be construed to restrict the responsibility and author-

42 Stat. 341.
42 USC 2000a
note.
90 Stat. 73.
18 USC 245.

ity of the applicant for the development of the application and the execution of its Community Development Program.

(b) (1) Not more than 10 per centum of the estimated costs referred to in subsection (a) (2) which are to be incurred during any contract period may be designated for unspecified local option activities which are eligible for assistance under section 105(a) or for a contingency account for activities designated by the applicant pursuant to subsection (a) (2).

(2) Any grant under this title shall be made only on condition that the applicant certify to the satisfaction of the Secretary that its Community Development Program has been developed so as to give maximum feasible priority to activities which will benefit low- or moderate-income families or aid in the prevention or elimination of slums or blight. The Secretary may also approve an application describing activities which the applicant certifies and the Secretary determines are designed to meet other community development needs having a particular urgency as specifically described in the application.

(3) The Secretary may waive all or part of the requirements contained in paragraphs (1), (2), and (3) of subsection (a) if (A) the application for assistance is in behalf of a locality having a population of less than 25,000 according to the most recent data compiled by the Bureau of the Census which is located either (i) outside a standard metropolitan statistical area or (ii) inside such an area but outside an "urbanized area" as defined by the Bureau of the Census (or as such definition is modified by the Secretary for purposes of this title), (B) the application relates to the first community development activity to be carried out by such locality with assistance under this title, (C) the assistance requested is for a single development activity under this title of a type eligible for assistance under title VII of the Housing Act of 1961 or title VII of the Housing and Urban Development Act of 1965, and (D) the Secretary determines that, having regard to the nature of the activity to be carried out, such waiver is not inconsistent with the purposes of this title.

(4) The Secretary may accept a certification from the applicant that it has complied with the requirements of paragraphs (5) and (6) of subsection (a).

(c) The Secretary shall approve an application for an amount which does not exceed the amount determined in accordance with section 106(a) unless—

(1) on the basis of significant facts and data, generally available and pertaining to community and housing needs and objectives, the Secretary determines that the applicant's description of such needs and objectives is plainly inconsistent with such facts or data; or

(2) on the basis of the application, the Secretary determines that the activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant pursuant to subsection (a); or

(3) the Secretary determines that the application does not comply with the requirements of this title or other applicable law or proposes activities which are ineligible under this title.

(d) Prior to the beginning of fiscal year 1977 and each fiscal year thereafter, each grantee shall submit to the Secretary a performance report concerning the activities carried out pursuant to this title, together with an assessment by the grantee of the relationship of those activities to the objectives of this title and the needs and objectives identified in the grantee's statement submitted pursuant to subsection (a). The Secretary shall, at least on an annual basis, make such reviews and audits as may be necessary or appropriate to determine

Waiver.

42 USC 1500.

42 USC 3101.

Performance
report, sub-
mittal to
Secretary.

Audit and
reviews.

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22 U.S.C. 140

whether the grantee has carried out a program substantially as described in its application, whether that program conformed to the requirements of this title and other applicable laws, and whether the applicant has a continuing capacity to carry out in a timely manner the approved Community Development Program. The Secretary may make appropriate adjustments in the amount of the annual grant in accordance with his findings pursuant to this subsection.

(ec) No grant may be made under this title unless the application therefor has been submitted for review and comment to an areaweb agency under procedures established by the President pursuant to title II of the Demonstration Cities and Metropolitan Development Act of 1966 and title IV of the Intergovernmental Cooperation Act of 1968.

(f) An application subject to subsection (ec), if submitted after any date established by the Secretary for consideration of applications, shall be deemed approved within 75 days after receipt unless the Secretary informs the applicant of specific reasons for disapproval. Subsequent to approval of the application, the amount of the grant may be adjusted in accordance with the provisions of this title.

(g) Insofar as they relate to funds provided under this title, the financial transactions of recipients of such funds may be audited by the General Accounting Office under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the General Accounting Office shall have access to all books, accounts, records, reports, files, and other papers, things, or property belonging to or in use by such recipients pertaining to such financial transactions and necessary to facilitate the audit.

(h)(1) In order to assure that the policies of the National Environmental Policy Act of 1969 are most effectively implemented in connection with the expenditure of funds under this title, and to assure to the public unimpaired protection of the environment, the Secretary, in lieu of the environmental protection procedures otherwise applicable, may under regulations provide for the release of funds for particular projects to applicants who assume all of the responsibilities for environmental review, decisionmaking, and action pursuant to such Act that would apply to the Secretary were he to undertake such projects as Federal projects. The Secretary shall issue regulations to carry out this subsection only after consultation with the Council on Environmental Quality.

(2) The Secretary shall approve the release of funds for projects subject to the procedures authorized by this subsection only if, at least fifteen days prior to such approval and prior to any commitment of funds to such projects other than for purposes authorized by section 105(a)(12) or for environmental studies, the applicant has submitted to the Secretary a request for such release accompanied by a certification which meets the requirements of paragraph (3). The Secretary's approval of any such certification shall be deemed to satisfy his responsibilities under the National Environmental Policy Act insofar as those responsibilities relate to the applications and releases of funds for projects to be carried out pursuant thereto which are covered by such certification.

(3) A certification under the procedures authorized by this subsection shall—

- (A) be in a form acceptable to the Secretary;
- (B) be executed by the chief executive officer or other officer of the applicant qualified under regulations of the Secretary;
- (C) specify that the applicant has fully carried out its responsibilities as described under paragraph (1) of this subsection, and
- (D) specify that the certifying officer (1) consents to assume

42 USC 4331.
42 USC 4331.
approval date.

credit.

10 USC 2531
10 USC 2531
10 USC 2531
note.

22 U.S.C. 140

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86 STAT. 641

83 Stat. 852.

42 USC 4321

note.

the status of a responsible Federal official under the National Environmental Policy Act of 1969 insofar as the provisions of such Act apply pursuant to paragraph (1) of this subsection, and (ii) is authorized and consents on behalf of the applicant and himself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his responsibilities as such an official.

COMMUNITY DEVELOPMENT PROGRAM ACTIVITIES ELIGIBLE FOR ASSISTANCE

42 USC 5305.

Sec. 105. (a) A Community Development Program assisted under this title may include only—

(1) the acquisition of real property (including air rights, water rights, and other interests therein) which is (A) blighted, deteriorated, deteriorating, undeveloped, or inappropriately developed from the standpoint of sound community development and growth; (B) appropriate for rehabilitation or conservation activities; (C) appropriate for the preservation or restoration of historic sites, the beautification of urban land, the conservation of open spaces, natural resources, and scenic areas, the provision of recreational opportunities, or the guidance of urban development; (D) to be used for the provision of public works, facilities, and improvements eligible for assistance under this title; or (E) to be used for other public purposes;

(2) the acquisition, construction, reconstruction, or installation of public works, facilities, and site or other improvements— including neighborhood facilities, senior centers, historic properties, utilities, streets, street lights, water and sewer facilities, foundations and platforms for air rights sites, pedestrian malls and walkways, and parks, playgrounds, and recreation facilities, flood and drainage facilities in cases where assistance for such facilities under other Federal laws or programs is determined to be unavailable, and parking facilities, solid waste disposal facilities, and fire protection services and facilities which are located in or which serve designated community development areas;

(3) code enforcement in deteriorated or deteriorating areas in which such enforcement, together with public improvements and services to be provided, may be expected to arrest the decline of the area;

(4) clearance, demolition, removal, and rehabilitation of buildings and improvements (including interim assistance and financing rehabilitation of privately owned properties when incidental to other activities);

(5) special projects directed to the removal of material and architectural barriers which restrict the mobility and accessibility of elderly and handicapped persons;

(6) payments to housing agencies for losses of rental income incurred in holding for temporary periods housing units to be utilized for the relocation of individuals and families displaced by program activities under this title;

(7) disposition (through sale, lease, donation, or otherwise) of any real property acquired pursuant to this title or its retention for public purposes;

(8) provision of public services not otherwise available in areas where other activities assisted under this title are being carried out in a concentrated manner, if such services are determined to be necessary or appropriate to support such other activities and if assistance in providing or securing such services under other applicable Federal laws or programs has been applied for and

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denied or not made available within a reasonable period of time, and if such services are directed toward (A) improving the community's public services and facilities, including those concerned with the employment, economic development, crime prevention, child care, health, drug abuse, education, welfare, or recreation needs of persons residing in such areas, and (B) coordinating public and private development programs;

(9) payment of the non-Federal share required in connection with a Federal grant-in-aid program undertaken as part of the Community Development Program;

(10) payment of the cost of completing a project funded under title I of the Housing Act of 1949;

(11) relocation payments and assistance for individuals, families, businesses, organizations, and farm operations displaced by activities assisted under this title;

(12) activities necessary (A) to develop a comprehensive community development plan, and (B) to develop a policy-planning-management capacity so that the recipient of assistance under this title may more rationally and effectively (i) determine its needs, (ii) set long-term goals and short-term objectives, (iii) devise programs and activities to meet these goals and objectives, (iv) evaluate the progress of such programs in accomplishing these goals and objectives, and (v) carry out management, coordination, and monitoring of activities necessary for effective planning implementation; and

(13) payment of reasonable administrative costs and carrying charges related to the planning and execution of community development and housing activities, including the provision of information and resources to residents of areas in which community development and housing activities are to be concentrated with respect to the planning and execution of such activities.

(b) Upon the request of the recipient of a grant under this title, the Secretary may agree to perform administrative services on a reimbursable basis on behalf of such recipient in connection with loans or grants for the rehabilitation of properties as authorized under subsection (a) (4).

42 USC 1441
note.

ALLOCATION AND DISTRIBUTION OF FUNDS

Sec. 106. (a) Of the amount approved in an appropriation Act under section 103(a) for grants in any year (excluding the amount provided for use in accordance with sections 103(a) (2) and 107), 80 per centum shall be allocated by the Secretary to metropolitan areas. Except as provided in subsections (c) and (e), each metropolitan city and urban county shall, subject to the provisions of section 104 and except as otherwise specifically authorized, be entitled to annual grants from such allocation in an aggregate amount not exceeding the greater of its basic amount computed pursuant to paragraph (2) or (3) of subsection (b) or its hold-harmless amount computed pursuant to subsection (g).

42 USC 5306.
Ante, p. 637.
Post, p. 647.

(b) (1) The Secretary shall determine the amount to be allocated to all metropolitan cities which shall be an amount that bears the same ratio to the allocation for all metropolitan areas as the average of the ratios between—

Ante, p. 638.

(A) the population of all metropolitan cities and the population of all metropolitan areas;

(B) the extent of poverty in all metropolitan cities and the extent of poverty in all metropolitan areas; and

(C) the extent of housing overcrowding in all metropolitan cities and the extent of housing overcrowding in all metropolitan areas.

0342

(2) From the amount allocated to all metropolitan cities the Secretary shall determine for each metropolitan city a basic grant amount which shall equal an amount that bears the same ratio to the allocation for all metropolitan cities as the average of the ratios between—

(A) the population of that city and the population of all metropolitan cities;

(B) the extent of poverty in that city and the extent of poverty in all metropolitan cities; and

(C) the extent of housing overcrowding in that city and the extent of housing overcrowding in all metropolitan cities.

(3) The Secretary shall determine the basic grant amount of each urban county by—

(A) calculating the total amount that would have been allocated to metropolitan cities and urban counties together under paragraph (1) of this subsection if data pertaining to the population, extent of poverty, and extent of housing overcrowding in all urban counties were included in the numerator of each of the fractions described in such paragraph; and

(B) determining for each county the amount which bears the same ratio to the total amount calculated under subparagraph (A) of this paragraph as the average of the ratios between—

(i) the population of that urban county and the population of all metropolitan cities and urban counties;

(ii) the extent of poverty in that urban county and the extent of poverty in all metropolitan cities and urban counties; and

(iii) the extent of housing overcrowding in that urban county and the extent of housing overcrowding in all metropolitan cities and urban counties.

(4) In determining the average of ratios under paragraphs (1), (2), and (3), the ratio involving the extent of poverty shall be counted twice.

(5) In computing amounts or exclusions under this section with respect to any urban county there shall be excluded units of general local government located in the county (A) which receive hold-harmless grants pursuant to subsection (h), or (B) the populations of which are not counted in determining the eligibility of the urban county to receive a grant under this subsection.

(c) During the first three years for which funds are approved for distribution to a metropolitan city or urban county under this section, the basic grant amount of such city or county as computed under subsection (b) shall be adjusted as provided in this subsection if the amount so computed for the first such year exceeds the city's or county's hold-harmless amount as determined under subsection (g). Such adjustment shall be made so that—

(1) the amount for the first year does not exceed one-third of the full basic grant amount computed under subsection (b), or the hold-harmless amount, whichever is the greater.

(2) the amount for the second year does not exceed two-thirds of the full basic grant amount computed under subsection (b), or the hold-harmless amount, or the amount allowed under paragraph (1) of this subsection, whichever is the greatest, and

(3) the amount for the third year does not exceed the full basic grant amount computed under subsection (b).

(d) Any portion of the amount allocated to metropolitan areas under the first sentence of subsection (a) which remains after the allocation of grants to metropolitan cities and urban counties in accordance with subsections (b) and (c) and any amounts added in

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accordance with the provisions of section 103(a)(2) shall be allocated by the Secretary—

(1) first, for grants to metropolitan cities, urban counties, and other units of general local government within metropolitan areas to meet their hold-harmless needs as determined under subsection (g) and (h); and

(2) second, for grants to units of general local government (other than metropolitan cities and urban counties) and States for use in metropolitan areas, allocating for each such metropolitan area an amount which bears the same ratio to the allocation for all metropolitan areas available under this paragraph as the average of the ratios between—

(A) the population of that metropolitan area and the population of all metropolitan areas,

(B) the extent of poverty in that metropolitan area and the extent of poverty in all metropolitan areas, and

(C) the extent of housing overcrowding in that metropolitan area and the extent of housing overcrowding in all metropolitan areas.

In determining the average of ratios under paragraph (2), the ratio involving the extent of poverty shall be counted twice; and in computing amounts under such paragraph there shall be excluded any metropolitan cities, urban counties, and units of general local government which receive hold-harmless grants pursuant to subsection (h).

(e) Any amounts allocated to a metropolitan city or urban county pursuant to the preceding provisions of this section which are not applied for during a program period or which are not approved by the Secretary, and any other amounts allocated to a metropolitan area which the Secretary determines, on the basis of the applications and other evidence available, are not likely to be fully obligated during such program period, shall be reallocated during the same period for use by States, metropolitan cities, urban counties, or units of general local government, first, in any metropolitan area in the same State, and second, in any other metropolitan area. The Secretary shall review determinations under this subsection from time to time as appropriate with a view of assuring maximum use of all available funds in the period for which such funds were appropriated.

Reallocation.

(f)(1) Of the amount approved in an appropriation Act under section 103(a) for grants in any year (excluding the amount provided for use in accordance with sections 103(a)(2) and 107), 20 per centum shall be allocated by the Secretary—

(A) first, for grants to units of general local government outside of metropolitan areas to meet their hold-harmless needs as determined under subsection (h); and

(B) second, for grants to units of general local government outside of metropolitan areas and States for use outside of metropolitan areas, allocating for the nonmetropolitan areas of each State an amount which bears the same ratio to the allocation available under this subparagraph for the nonmetropolitan areas of all States as the average of the ratios between—

(i) the population of the nonmetropolitan areas of that State and the population of the nonmetropolitan areas of all the States,

(ii) the extent of poverty in the nonmetropolitan areas of that State and the extent of poverty in the nonmetropolitan areas of all the States, and

(iii) the extent of housing overcrowding in the nonmetropolitan areas of that State and the extent of housing overcrowding in the nonmetropolitan areas of all the States.

In determining the average of ratios under subparagraph (B), the ratio involving the extent of poverty shall be counted twice; and in computing amounts under such subparagraph there shall be excluded units of general local government which receive hold-harmless grants pursuant to subsection (h).

(2) Any amounts allocated to a unit of general local government under paragraph (1) which are not applied for during a program period or which are not approved by the Secretary, and any amounts allocated to the nonmetropolitan areas of a State under paragraph (1)(B) which the Secretary determines, on the basis of applications and other evidence available, are not likely to be fully obligated during such period, shall be reallocated as soon as practicable during the same period to the nonmetropolitan areas of other States. The Secretary shall review determinations under this paragraph from time to time with a view to assuring maximum use of all available funds in the program period for which such funds were appropriated.

(g)(1) The full hold-harmless amount of each metropolitan city or urban county shall be the sum of (i) the sum of the average during the five fiscal years ending prior to July 1, 1972, of (1) commitments for grants (as determined by the Secretary) pursuant to part A of title I of the Housing Act of 1949; (2) loans pursuant to section 312 of the Housing Act of 1964; (3) grants pursuant to sections 702 and 703 of the Housing and Urban Development Act of 1965; (4) loans pursuant to title II of the Housing Amendments of 1955; and (5) grants pursuant to title VII of the Housing Act of 1961; and (ii) the average annual grant, as determined by the Secretary, made in accordance with part B of title I of the Housing Act of 1949 during the fiscal years ending prior to July 1, 1972, or during the fiscal year 1973 in the case of a metropolitan city or urban county which first received a grant under part B of such title in such fiscal year. In the case of a metropolitan city or urban county which has participated in the program authorized under section 105 of the Demonstration Cities and Metropolitan Development Act of 1966 and which has been funded or extended in the fiscal year 1973 for a period ending after June 30, 1973, determinations of the hold-harmless amount of such metropolitan city or urban county for the following specified years shall be made so as to include, in addition to the amounts specified in clauses (i) and (ii) of the preceding sentence, the following percentages of the average annual grant, as determined by the Secretary made in accordance with such section during fiscal years ending prior to July 1, 1972—

(A) 100 per centum for each of a number of years which, when added to the number of funding years for which the city or county received grants under such section 105, equals five;

(B) 80 per centum for the year immediately following year five as determined pursuant to clause (A),

(C) 60 per centum for the year immediately following the year provided for in clause (B); and

(D) 40 per centum for the year immediately following the year provided for in clause (C).

For the purposes of this paragraph the average annual grant under part B of title I of the Housing Act of 1949 or under section 105 of the Demonstration Cities and Metropolitan Development Act of 1966 shall be established by dividing the total amount of grants made to a participant under the program by the number of months of program activity for which funds were authorized and multiplying the result by twelve.

Hold-harmless
amount.

42 USC 1450.

42 USC 1452b.

42 USC 3102,
3103.

42 USC 1491.

42 USC 1500.

42 USC 1469.

42 USC 3305.

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(2) During the fiscal years 1975, 1976, and 1977, the hold-harmless amount of any metropolitan city or urban county shall be the full amount computed for the city or county in accordance with paragraph (1). In the fiscal years 1978, 1979, and 1980, if such amount is greater than the basic grant amount of the metropolitan city or urban county for that year, as computed under subsection (b) (2) or (3), it shall be reduced so that—

(i) in the fiscal year 1978, the excess of the hold-harmless amount over the basic grant amount shall equal two-thirds of the difference between the amount computed under paragraph (1) and the basic grant amount for such year;

(ii) in the fiscal year 1979, the excess of the hold-harmless amount over the basic grant amount shall equal one-third of the difference between the amount computed under paragraph (1) and the basic grant amount for such year, and

(iii) in the fiscal year 1980, there shall be no excess of the hold-harmless amount over the basic grant amount.

(h) (1) Any unit of general local government which is not a metropolitan city or urban county shall, subject to the provisions of section 104 and except as otherwise specifically authorized, be entitled to grants under this title for any year in an aggregate amount at least equal to a hold-harmless amount as computed under the provisions of subsection (g) (1) if, during the five-fiscal-year period specified in the first sentence of subsection (g) (1) (or during the fiscal year 1973 in the case of a locality which first received a grant for a neighborhood development program in that year), one or more urban renewal projects, code enforcement programs, neighborhood development programs, or model cities programs were being carried out by such unit of general local government pursuant to commitments for assistance entered into during such period under title I of the Housing Act of 1949 or title I of the Demonstration Cities and Metropolitan Development Act of 1966.

42 USC 1450.
42 USC 3301.

(2) In the fiscal years 1978, 1979, and 1980, in determining the hold-harmless amount of units of general local government qualifying under this subsection, the second sentence of subsection (g) (2) shall be applied as though such units were metropolitan cities or urban counties with basic grant amounts of zero.

(i) In excluding the population, poverty, and housing overcrowding data of units of general local government which receive a hold-harmless grant pursuant to subsection (h) from the computations described in subsections (b) (5), (d), and (f) of this section, the Secretary shall exclude only two-thirds of such data for the fiscal year 1978 and one-third of such data for the fiscal year 1979.

(j) Any unit of general local government eligible for a hold-harmless grant pursuant to subsection (h) may, not later than thirty days prior to the beginning of any program period, irrevocably waive its eligibility under such subsection. In the case of such a waiver the unit of general local government shall not be excluded from the computations described in subsections (b) (5), (d), and (f) of this section.

Waiver of
eligibility.

(k) The Secretary may fix such qualification or submission dates as he determines are necessary to permit the computations and determinations required by this section to be made in a timely manner, and all such computations and determinations shall be final and conclusive.

(l) Not later than March 31, 1977, the Secretary shall make a report to the Congress setting forth such recommendations as he deems advisable, in furtherance of the purposes and policy of this title, for modifying or expanding the provisions of this section relating to the method of funding and the allocation of funds and the determination

Report to
Congress.

Study.

of the basic grant entitlement, and for the application of such provisions in the further distribution of funds under this title. In making this report, the Secretary shall conduct a study to determine how funds authorized under this title can be distributed in accordance with community development needs, objectives, and capacities, measured to the maximum extent feasible by objective standards.

DISCRETIONARY FUND

42 USC 5307. • **SEC. 107. (a)** Of the total amount of authority to enter into contracts approved in appropriation Acts under section 103(a)(1) for each of the fiscal years 1975, 1976, and 1977, an amount equal to 2 percentum thereof shall be reserved and set aside in a special discretionary fund for use by the Secretary in making grants (in addition to any other grants which may be made under this title to the same entities or for the same purposes) —

42 USC 4501
note.
42 USC 3901
note.

(1) in behalf of new communities assisted under title VII of the Housing and Urban Development Act of 1970 or title IV of the Housing and Urban Development Act of 1968;

(2) to States and units of general local government which join in carrying out housing and community development programs that are areawide in scope;

(3) in Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands;

(4) to States and units of general local government for the purpose of demonstrating innovative community development projects;

(5) to States and units of general local government for the purpose of meeting emergency community development needs caused by federally recognized disasters; and

(6) to States and units of general local government where the Secretary deems it necessary to correct inequities resulting from the allocation provisions of section 106.

(b) Not more than one-fourth of the total amount reserved and set aside in the special discretionary fund under subsection (a) for each year may be used for grants to meet emergency disaster needs under subsection (a) (5).

(c) Amounts reserved and set aside in the special discretionary fund under subsection (a) in any fiscal year but not used in such year shall remain available for use in accordance with subsections (a) and (b) in subsequent fiscal years.

GUARANTEE OF LOANS FOR ACQUISITION OF PROPERTY

42 USC 5306. • **SEC. 108. (a)** The Secretary is authorized, upon such terms and conditions as he may prescribe, to guarantee and make commitments to guarantee the notes or other obligations issued by units of general local government, or by public agencies designated by such units of general local government, for the purpose of financing the acquisition or assembly of real property (including such expenses related thereto as the Secretary may permit by regulation) to serve or be used in carrying out activities which are eligible for assistance under section 105 and are identified in the application under section 104, and with respect to which grants have been or are to be made under section 103, but no such guarantee shall be issued in behalf of any agency designed to benefit, in or by the flotation of any issue, a private individual or corporation.

(b) No guarantee or commitment to guarantee shall be made with

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respect to any unit of general local government or public agency designated by any such unit of general local government unless—

(1) the Secretary, from sums approved in appropriation Acts and allocated for obligation to the unit of general local government pursuant to sections 106 and 107, shall have reserved and withheld, for the purpose of paying the guaranteed obligations (including interest), an amount which is at least equal to 110 per centum of the difference between the cost of acquiring the land and related expenses and the estimated proceeds to be derived from the sale or other disposition of the land, as determined or approved by the Secretary, which amount may subsequently be increased by the Secretary to the extent he determines such increase is necessary or appropriate because of any unanticipated, major reduction in such estimated disposition proceeds;

(2) the unit of general local government shall have given to the Secretary, in a form acceptable to him, a pledge of its full faith and credit, or a pledge of revenues approved by the Secretary, for the repayment of so much of any amount required to be paid by the United States pursuant to any guarantee under this section as is equal to the difference between the principal amount of the guaranteed obligations and interest thereon and the amount which is to be reserved and withheld under paragraph (1); and

(3) the unit of general local government has pledged to the repayment of any amounts which are required to be paid by the United States pursuant to its guarantee under this section, and which are not otherwise fully repaid when due pursuant to paragraph (1) and (2), the proceeds of any grants for which such unit of general local government may become eligible under this title.

(c) The full faith and credit of the United States is pledged to the payment of all guarantees made under this section. Any such guarantee made by the Secretary shall be conclusive evidence of the obligability of the obligations for such guarantee with respect to principal and interest, and the validity of any such guarantee so made shall be incontestable in the hands of a holder of the guaranteed obligations.

(d) The Secretary may issue obligations to the Secretary of the Treasury in an amount outstanding at any one time sufficient to enable the Secretary to carry out his obligations under guarantees authorized by this section. The obligations issued under this subsection shall have such maturities and bear such rate or rates of interest as shall be determined by the Secretary of the Treasury. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Secretary issued under this section, and for such purposes is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as now or hereafter in force, and the purposes for which such securities may be issued under such Act are extended to include the purchases of the Secretary's obligations hereunder.

46 Stat. 266,
31 USC 774.

(e) Obligations guaranteed under this section may, at the option of the issuing unit of general local government or designated agency, be subject to Federal taxation as provided in subsection (g). In the event that taxable obligations are issued and guaranteed, the Secretary is authorized to make, and to contract to make, grants to or on behalf of the issuing unit of general local government or public agency to cover not to exceed 30 per centum of the net interest cost (including such servicing, underwriting, or other costs as may be specified in regulations of the Secretary) to the borrowing unit or agency of such obligations.

88 STAT. 649

(f) Section 3689 of the Revised Statutes, as amended (31 U.S.C. 711), is amended by adding at the end thereof a new paragraph as follows:

Arts. p. 647.

"(22) For payments required from time to time under contracts entered into pursuant to section 108 of the Housing and Community Development Act of 1974 for payment of interest costs on obligations guaranteed by the Secretary of Housing and Urban Development under that section."

42 USC 5308.

(g) With respect to any obligation issued by a unit of general local government or designated agency which such unit or agency has elected to issue as a taxable obligation pursuant to subsection (e) of this section, the interest paid on such obligation shall be included in gross income for the purpose of chapter 1 of the Internal Revenue Code of 1954.

68A Stat. 3.

26 USC 1

et seq.

42 USC 5309.

NONDISCRIMINATION

SEC. 107. (a) No person in the United States shall on the ground of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title.

(b) Whenever the Secretary determines that a State or unit of general local government which is a recipient of assistance under this title has failed to comply with subsection (a) or an applicable regulation, he shall notify the Governor of such State or the chief executive officer of such unit of local government of the noncompliance and shall request the Governor or the chief executive officer to secure compliance. If within a reasonable period of time, not to exceed sixty days, the Governor or the chief executive officer fails or refuses to secure compliance, the Secretary is authorized to: (1) refer the matter to the Attorney General with a recommendation that an appropriate civil action be instituted; (2) exercise the powers and functions provided by title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d); (3) exercise the powers and functions provided for in section 111(a) of this Act; or (4) take such other action as may be provided by law.

(c) When a matter is referred to the Attorney General pursuant to subsection (b), or whenever he has reason to believe that a State government or unit of general local government is engaged in a pattern or practice in violation of the provisions of this section, the Attorney General may bring a civil action in any appropriate United States district court for such relief as may be appropriate, including injunctive relief.

LABOR STANDARDS

42 USC 5310.

SEC. 110. All laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed in whole or in part with grants received under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5); *Provided*, That this section shall apply to the rehabilitation of residential property only if such property is designed for residential use for eight or more families. The Secretary of Labor shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276 (c)).

5 USC app.

40 USC 276a.

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REMEDIES FOR NONCOMPLIANCE

Sec. 111. (a) If the Secretary finds after reasonable notice and opportunity for hearing that a recipient of assistance under this title has failed to comply substantially with any provision of this title, the Secretary, until he is satisfied that there is no longer any such failure to comply, shall--

42 USC 5311.

(1) terminate payments to the recipient under this title, or

(2) reduce payments to the recipient under this title by an amount equal to the amount of such payments which were not expended in accordance with this title, or

(3) limit the availability of payments under this title to programs, projects, or activities not affected by such failure to comply.

(b) (1) In lieu of, or in addition to, any action authorized by subsection (a), the Secretary may, if he has reason to believe that a recipient has failed to comply substantially with any provision of this title, refer the matter to the Attorney General of the United States with a recommendation that an appropriate civil action be instituted.

(2) Upon such a referral the Attorney General may bring a civil action in any United States district court having venue thereof for such relief as may be appropriate, including an action to recover the amount of the assistance furnished under this title which was not expended in accordance with it, or for mandatory or injunctive relief.

(c) (1) Any recipient which receives notice under subsection (a) of the termination, reduction, or limitation of payments under this title may, within sixty days after receiving such notice, file with the United States Court of Appeals for the circuit in which such State is located, or in the United States Court of Appeals for the District of Columbia, a petition for review of the Secretary's action. The petitioner shall forthwith transmit copies of the petition to the Secretary and the Attorney General of the United States, who shall represent the Secretary in the litigation.

Petition for review.

(2) The Secretary shall file in the court record of the proceeding on which he based his action, as provided in section 2112 of title 28, United States Code. No objection to the action of the Secretary shall be considered by the court unless such objection has been urged before the Secretary.

72 Stat. 941,
80 Stat. 1323.

(3) The court shall have jurisdiction to affirm or modify the action of the Secretary or to set it aside in whole or in part. The findings of fact by the Secretary, if supported by substantial evidence on the record considered as a whole, shall be conclusive. The court may order additional evidence to be taken by the Secretary, and to be made part of the record. The Secretary may modify his findings of fact, or make new findings, by reason of the new evidence so taken and filed with the court, and he shall also file such modified or new findings, which findings with respect to questions of fact shall be conclusive if supported by substantial evidence on the record considered as a whole, and shall also file his recommendation, if any, for the modification or setting aside of his original action.

(4) Upon the filing of the record with the court, the jurisdiction of the court shall be exclusive and its judgment shall be final, except that such judgment shall be subject to review by the Supreme Court of the United States upon writ of certiorari or certification as provided in section 1254 of title 28, United States Code.

60 Stat. 909.

USE OF GRANTS TO SETTLE OUTSTANDING URBAN RENEWAL LOANS

Sec. 112. (a) The Secretary is authorized, notwithstanding any other provision of this title, to apply a portion of the grants, not to

42 USC 5312.

42 USC 1450.

exceed 20 per centum thereof without the request of the recipient, made or to be made under section 103(a) in any fiscal year pursuant to an allocation under section 106 to any unit of general local government toward payment of the principal of, and accrued interest on, any temporary loan made, in connection with urban renewal projects under title I of the Housing Act of 1949 being carried out within the jurisdiction of such unit of general local government if—

(1) the Secretary determines, after consultation with the local public agency carrying out the project and the chief executive of such unit of general local government, that the project cannot be completed without additional capital grants, or

(2) the local public agency carrying out the project submits to the Secretary an appropriate request which is concurred in by the governing body of such unit of general local government.

In determining the amounts to be applied to the payment of temporary loans, the Secretary shall make an accounting for each project taking into consideration the costs incurred or to be incurred, the estimated proceeds upon any sale or disposition of property, and the capital grants approved for the project.

(b) Upon application by any local public agency carrying out an urban renewal project under title I of the Housing Act of 1949, which application is approved by the governing body of the unit of general local government in which the project is located, the Secretary may approve a financial settlement of such project if he finds that a surplus of capital grant funds and full repayment of temporary loan indebtedness will result and may authorize the unit of general local government to use such surplus funds, without deduction or offset, in accordance with the provisions of this title.

REPORTING REQUIREMENTS

Report to
Congress.

42 USC 9313.

Sec. 113. (a) Not later than 180 days after the close of each fiscal year in which assistance under this title is furnished, the Secretary shall submit to the Congress a report which shall contain—

(1) a description of the progress made in accomplishing the objectives of this title; and

(2) a summary of the use of such funds as approved by the Secretary during the preceding fiscal year.

(b) The Secretary is authorized to require recipients of assistance under this title to submit to him such reports and other information as may be necessary in order for the Secretary to make the report required by subsection (a).

CONSULTATION

42 USC 9314.

Sec. 114. In carrying out the provisions of this title including the issuance of regulations, the Secretary shall consult with other Federal departments and agencies administering Federal grant-in-aid programs.

INTERSTATE AGREEMENTS

42 USC 9315.

Sec. 115. The consent of the Congress is hereby given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative effort and mutual assistance in support of community development planning and programs carried out under this title as they pertain to interstate areas and to localities within such States, and to establish such agencies, joint or otherwise, as they may deem desirable for making such agreements and compacts effective.

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TRANSITION PROVISIONS

SEC. 116. (a) Except with respect to projects and programs for which funds have been previously committed, no new grants or loans shall be made after January 1, 1975, under (1) title I of the Demonstration Cities and Metropolitan Development Act of 1966, (2) title I of the Housing Act of 1949, (3) section 702 or section 703 of the Housing and Urban Development Act of 1965, (4) title II of the Housing Amendments of 1955, or (5) title VII of the Housing Act of 1961.

(b) To the extent that grants under title I of the Housing Act of 1949 or title I of the Demonstration Cities and Metropolitan Development Act of 1966 are payable from appropriations made for the fiscal year 1975, and are made with respect to a project or program being carried on in any unit of general local government which is eligible to receive a grant for such fiscal year under section 106 (a) or (h) of this Act, the amount of such grants made under title I of the Housing Act of 1949 or title I of the Demonstration Cities and Metropolitan Development Act of 1966 shall be deducted from the amount of grants which such unit of general local government is eligible to receive for the fiscal year 1975 under such section 106 (a) or (h). The deduction required by the preceding sentence shall be disregarded in determining the amount of grants made to any unit of general local government that may be applied, pursuant to section 112 of this Act, to payment of temporary loans in connection with urban renewal projects under title I of the Housing Act of 1949. The amount of any appropriations made for the fiscal year 1975 which is used for grants so as to be subject to the provisions of this subsection relating to deductions shall be deemed to have been appropriated for grants pursuant to section 103(a) of this Act for such fiscal year for purposes of calculations under sections 106 and 107 of this Act.

(c) The first sentence of section 103(b) of the Housing Act of 1949 is amended by inserting before the period at the end thereof the following: ", and by such sums as may be necessary thereafter".

(d)(1) Section 111(b) of the Demonstration Cities and Metropolitan Development Act of 1966 is amended by inserting immediately after the first sentence the following new sentence: "In addition, there are authorized to be appropriated for such purpose such sums as may be necessary for the fiscal year ending June 30, 1975."

(2) Section 111(c) of such Act is amended by striking out "July 1, 1974" and inserting in lieu thereof "July 1, 1975".

(e)(1) Section 312(h) of the Housing Act of 1964 is amended (A) by striking out "after October 1, 1974" and inserting in lieu thereof "after the close of the one-year period beginning on the date of the enactment of the Housing and Community Development Act of 1974", and (B) by striking out "that date" and inserting in lieu thereof "the close of that period".

(2) Section 312(a)(1) of such Act is amended by inserting "or" at the end of subparagraph (C), and by adding after subparagraph (C) the following new subparagraph:

"(D) the rehabilitation is a part of, or is necessary or appropriate to the execution of, an approved community development program under title I of the Housing and Community Development Act of 1974 or an approved urban homestead program under section 809 of such Act."

(f) With respect to the program period beginning January 1, 1975, the Secretary may, without regard to the requirements of section 104, advance to any metropolitan city, urban county or other unit of general local government, out of the amount allocated to such entity pursuant to section 106 (a) or (h), an amount not to exceed 10 per centum of the

42 USC 5316.

42 USC 3301.

42 USC 1450.

42 USC 3102.

3103.

42 USC 1491.

1500.

42 USC 1453.

42 USC 3311.

87 Stat. 422.

42 USC 1452b.

Post, p. 729.

88 STAT. 653

amount so allocated which shall be available only for use (1) to continue projects or programs referred to in clauses (1) and (2) of subsection (a) of this section, or (2) to plan and prepare for the implementation of activities to be assisted under this title.

(g) In the case of funds available for any fiscal year, the Secretary shall not consider any application from a metropolitan city or urban county for a grant pursuant to section 106(a) or from a unit of general local government for a grant pursuant to section 106(h) unless such application is submitted on or prior to such date (in that fiscal year) as the Secretary shall establish as the final date for submission of applications for such grants in that year.

LIQUIDATION OF SUPERSEDED PROGRAMS

Sec. 117. (a) Section 3689 of the Revised Statutes, as amended (31 U.S.C. 711), is amended by adding after paragraph (22) (as added by section 108(f) of this Act) the following new paragraph:

42 USC 1453.

"(23) For payments required from time to time under contracts entered into pursuant to section 103(b) of the Housing Act of 1949 with respect to projects or programs for which funds have been committed on or before December 31, 1974, and for which funds have not previously been appropriated."

42 USC 5317.

(b) The Secretary is authorized to transfer the assets and liabilities of any program which is superseded or inactive by reason of this title to the revolving fund for liquidating programs established pursuant to title II of the Independent Offices Appropriation Act of 1965 (Public Law 81-428; 68 Stat. 272, 295).

EMPLOYMENT OPPORTUNITIES FOR LOWER INCOME PERSONS

12 USC 1701a.

Sec. 118. Section 3 of the Housing and Urban Development Act of 1968 is amended by inserting ", including community development block grants under title I of the Housing and Community Development Act of 1974," immediately after "direct financial assistance".

TITLE II--ASSISTED HOUSING

AMENDMENT TO THE UNITED STATES HOUSING ACT OF 1937

42 USC 1430.

Sec. 201. (a) The United States Housing Act of 1937 is amended to read as follows:

"SHORT TITLE

42 USC 1437
note.

"SECTION 1. This Act may be cited as the 'United States Housing Act of 1937'.

"DECLARATION OF POLICY

42 USC 1437.

"Sec. 2. It is the policy of the United States to promote the general welfare of the Nation by employing its funds and credit, as provided in this Act, to assist the several States and their political subdivisions to remedy the unsafe and unsanitary housing conditions and the acute shortage of decent, safe, and sanitary dwellings for families of low income and, consistent with the objectives of this Act, to vest in local public housing agencies the maximum amount of responsibility in the administration of their housing programs. No person should be barred from serving on the board of directors or similar governing body of a local public housing agency because of his tenancy in a low-income housing project.

"DEFINITIONS

"Sec. 8. When used in this Act—

42 USC 1437a.

"(1) The term, 'low-income housing' means decent, safe, and sanitary dwellings within the financial reach of families of low income, and embraces all necessary appurtenances thereto. Except as otherwise provided in this section, income limits for occupancy and rents shall be fixed by the public housing agency and approved by the Secretary. The rental for any dwelling unit shall not exceed one-fourth of the family's income as defined by the Secretary. Notwithstanding the preceding sentence, the rental for any dwelling unit shall not be less than the higher of (A) 5 per centum of the gross income of the family occupying the dwelling unit, and (B) if the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of such payments which is so designated. At least 20 per centum of the dwelling units in any project placed under annual contributions contracts in any fiscal year beginning after the effective date of this section shall be occupied by very low-income families. In defining the income of any family for the purpose of this Act, the Secretary shall consider income from all sources of each member of the family residing in the household, except that there shall be excluded—

"(A) the income of any family member (other than the head of the household or his spouse) who is under eighteen years of age or is a full-time student;

"(B) the first \$300 of the income of a secondary wage earner who is the spouse of the head of the household;

"(C) an amount equal to \$300 for each member of the family residing in the household (other than the head of the household or his spouse) who is under eighteen years of age or who is eighteen years of age or older and is disabled or handicapped or a full-time student;

"(D) nonrecurring income, as determined by the Secretary;

"(E) 5 per centum of the family's gross income (10 per centum in the case of elderly families);

"(F) such extraordinary medical or other expenses as the Secretary approves for exclusion; and

"(G) an amount equal to the sums received by the head of the household or his spouse from, or under the direction of, any public or private nonprofit child placing agency for the care and maintenance of one or more persons who are under eighteen years of age and were placed in the household by such agency.

"(2) The term 'low-income families' means families of low income who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe, and sanitary dwellings for their use. The term 'very low-income families' means families whose incomes do not exceed 50 per centum of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families. The term 'families' includes families consisting of a single person in the case of (A) a person who is at least sixty-two years of age or is under a disability as defined in section 223 of the Social Security Act or in section 10215) of the Developmental Disabilities Services and Facilities Construction Amendments of 1970, or is handicapped, (B) a displaced person, and (C) the remaining member of a tenant family; and the term 'elderly families' means families whose heads (or their spouses), or whose sole members, are persons described in clause (A).

42 USC 423.

42 USC 2691.

A person shall be considered handicapped if such person is determined, pursuant to regulations issued by the Secretary, to have an impairment which (i) is expected to be of long-continued and indefinite duration, (ii) substantially impedes his ability to live independently, and (iii) is of such a nature that such ability could be improved by more suitable housing conditions. The term 'displaced person' means a person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. Notwithstanding the preceding provisions of this paragraph, the term 'elderly families' includes two or more elderly, disabled, or handicapped individuals living together, or one or more such individuals living with another person who is determined under regulations of the Secretary to be a person essential to their care or well being.

"(3) The term 'development' means any or all undertakings necessary for planning, land acquisition, demolition, construction, or equipment, in connection with a low-income housing project. The term 'development cost' comprises the cost incurred by a public housing agency in such undertakings and their necessary financing (including the payment of carrying charges), and in otherwise carrying out the development of such project. Construction activity in connection with a low-income housing project may be confined to the reconstruction, remodeling, or repair of existing buildings.

"(4) The term 'operation' means any or all undertakings appropriate for management, operation, services, maintenance, security (including the cost of security personnel), or financing in connection with a low-income housing project. The term also means the financing of tenant programs and services for families residing in low-income housing projects, particularly where there is maximum feasible participation of the tenants in the development and operation of such tenant programs and services. As used in this paragraph, the term 'tenant programs and services' includes the development and maintenance of tenant organizations which participate in the management of low-income housing projects; the training of tenants to manage and operate such projects and the utilization of their services in project management and operation; counseling on household management, housekeeping, budgeting, money management, child care, and similar matters; advice as to resources for job training and placement, education, welfare, health, and other community services; services which are directly related to meeting tenant needs and providing a wholesome living environment; and referral to appropriate agencies when necessary for the provision of such services. To the maximum extent available and appropriate, existing public and private agencies in the community shall be used for the provision of such services.

"(5) The term 'acquisition cost' means the amount prudently required to be expended by a public housing agency in acquiring a low-income housing project.

"(6) The term 'public housing agency' means any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing.

"(7) The term 'State' includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, the territories and possessions of the United States, the Trust Territory of the Pacific Islands, and Indian tribes, bands, groups, and Nations, including Alaska Indians, Aleuts, and Eskimos, of the United States.

"(8) The term 'Secretary' means the Secretary of Housing and Urban Development.

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"(9) The term 'low-income housing project' or 'project' means (A) any low-income housing developed, acquired, or assisted by a public housing agency under this Act, and (B) the improvement of any such housing.

"LOANS FOR LOW-INCOME HOUSING PROJECTS

"Sec. 4. (a) The Secretary may make loans or commitments to make loans to public housing agencies to help finance or refinance the development, acquisition, or operation of low-income housing projects by such agencies. Any contract for such loans and any amendment to a contract for such loans shall provide that such loans shall bear interest at a rate specified by the Secretary which shall not be less than a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, plus one-eighth of 1 per centum. Such loans shall be secured in such manner and shall be repaid within such period not exceeding forty years, or not exceeding forty years from the date of the bonds evidencing the loan, as the Secretary may determine. The Secretary may require loans or commitments to make loans under this section to be pledged as security for obligations issued by a public housing agency in connection with a low-income housing project. 42 USC 1437c.

"(b) The Secretary may issue and have outstanding at any one time notes and other obligations for purchase by the Secretary of the Treasury in an amount which will not, unless authorized by the President, exceed \$1,500,000,000. For the purpose of determining obligations incurred to make loans pursuant to this Act against any limitation otherwise applicable with respect to such loans, the Secretary shall estimate the maximum amount to be loaned at any one time pursuant to loan agreements then outstanding with public housing agencies. Such notes or other obligations shall be in such forms and denominations and shall be subject to such terms and conditions as may be prescribed by the Secretary with the approval of the Secretary of the Treasury. The notes or other obligations issued under this subsection shall have such maturities and bear such rate or rates of interest as shall be determined by the Secretary of the Treasury. The Secretary of the Treasury is authorized and directed to purchase any notes or other obligations of the Secretary issued hereunder and for such purpose is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchases of such obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. 31 USC 374.

"ANNUAL CONTRIBUTIONS FOR LOW-INCOME HOUSING PROJECTS

"Sec. 5. (a) The Secretary may make annual contributions to public housing agencies to assist in achieving and maintaining the low-income character of their projects. The Secretary shall embody the provisions for such annual contributions in a contract guaranteeing their payment. The contribution payable annually under this section shall in no case exceed a sum equal to the annual amount of principal and interest payable on obligations issued by the public housing agency to finance the development or acquisition cost of the low-income project involved. 42 USC 1437c.

The amount of annual contributions which would be established for a newly constructed project by a public housing agency designed to accommodate a number of families of a given size and kind may be established under this section for a project by such public housing agency which would provide housing for the comparable number, sizes, and kinds of families through the acquisition and rehabilitation, or use under lease, of structures which are suitable for low-income housing use and obtained in the local market. Annual contributions payable under this section shall be pledged, if the Secretary so requires, as security for obligations issued by a public housing agency to assist the development or acquisition of the project to which annual contributions relate and shall be paid over a period not to exceed forty years.

Regulations.

"(b) The Secretary may prescribe regulations fixing the maximum contributions available under different circumstances, giving consideration to cost, location, size, rent-paying ability of prospective tenants, or other factors bearing upon the amounts and periods of assistance needed to achieve and maintain low rentals. Such regulations may provide for rates of contribution based upon development, acquisition, or operation costs, number of dwelling units, number of persons housed, interest charges, or other appropriate factors.

Contract
authority.

"(c) The Secretary is authorized to enter into contracts for annual contributions aggregating not more than \$1,199,250,000 per annum, which limit shall be increased by \$225,000,000 on July 1, 1971, by \$150,000,000 on July 1, 1972, by \$100,000,000 on July 1, 1973, and by \$965,000,000 on July 1, 1974. Of the aggregate amount of contracts for annual contributions authorized to be entered into on or after July 1, 1974, the Secretary shall enter into contracts for annual contributions aggregating at least \$150,000,000 per annum to assist in financing the development or acquisition cost of low-income housing projects to be owned by public housing agencies. Not more than 50 per centum of the dwelling units placed under contract pursuant to the preceding sentence may be constructed or substantially rehabilitated for ownership by public housing agencies under section 8 of this Act. In addition to the amount of contracts for annual contributions required to be entered into by the Secretary under the second sentence of this subsection, the Secretary shall enter into contracts for annual contributions, out of the aggregate amount of contracts for annual contributions authorized under this section to be entered into on or after July 1, 1974, aggregating at least \$15,000,000 per annum, which amount shall be increased by not less than \$15,000,000 per annum, on July 1, 1975, to assist in financing the development or acquisition cost of low-income housing for families who are members of any Indian tribe, band, pueblo, group, or community of Indians or Alaska Natives which is recognized by the Federal Government as eligible for service from the Bureau of Indian Affairs, or who are wards of any State government, except that none of the funds made available under this sentence shall be available for use under section 8. For the purpose of the preceding sentence, the annual contributions for a project shall, notwithstanding any other provision of this Act, be equal to the difference between the sum of the total debt service payment plus approved operating costs, and the rental payments that tenants are required to make under section 3(1) of this Act. The Secretary shall enter into only such new contracts for preliminary loans as are consistent with the number of dwelling units for which contracts for annual contributions may be entered into. The faith of the United States is solemnly pledged to the payment of all annual contributions contracted for pursuant to this section, and there are hereby authorized to be appropriated in each fiscal year, out of any money in the Treasury not otherwise appropriated, the amounts necessary to

provide for such payments. All payments of annual contributions pursuant to this section shall be made out of any funds available for purposes of this Act when such payments are due, except that funds obtained through the issuance of obligations pursuant to section 4(b) (including repayments or other realizations of the principal of loans made out of such funds) shall not be available for the payment of such annual contributions.

"(d) Any contract for loans or annual contributions, or both, entered into by the Secretary with a public housing agency, may cover one or more than one low-income housing project owned by such public housing agency; in the event the contract covers two or more projects, such projects may, for any of the purposes of this Act and of such contract (including, but not limited to, the determination of the amount of the loan, annual contributions, or payments in lieu of taxes, specified in such contract), be treated collectively as one project.

"(e) In recognition that there should be local determination of the need for low-income housing to meet needs not being adequately met by private enterprise—

"(1) the Secretary shall not make any contract with a public housing agency for preliminary loans (all of which shall be repaid out of any moneys which become available to such agency for the development of the projects involved) for surveys and planning in respect to any low-income housing projects (i) unless the governing body of the locality involved has by resolution approved the application of the public housing agency for such preliminary loan; and (ii) unless the public housing agency has demonstrated to the satisfaction of the Secretary that there is need for such low-income housing which is not being met by private enterprise; and

"(2) the Secretary shall not make any contract for loans (other than preliminary loans) or for annual contributions pursuant to this Act unless the governing body of the locality involved has entered into an agreement with the public housing agency providing for the local cooperation required by the Secretary pursuant to this Act.

"(f) Subject to the specific limitations or standards in this Act governing the terms of sales, rentals, leases, loans, contracts for annual contributions, or other agreements, the Secretary may, whenever he deems it necessary or desirable in the fulfillment of the purposes of this Act, consent to the modification, with respect to rate of interest, time of payment of any installment of principal or interest, security, amount of annual contribution, or any other term, of any contract or agreement of any kind to which the Secretary is a party. When the Secretary finds that it would promote economy or be in the financial interest of the Federal Government or is necessary to assure or maintain the low-income character of the project or projects involved, any contract heretofore or hereafter made for annual contributions, loans, or both, may be amended or superseded by a contract entered into by mutual agreement between the public housing agency and the Secretary. Contracts may not be amended or superseded in a manner which would impair the rights of the holders of any outstanding obligations of the public housing agency involved for which annual contributions have been pledged. Any rule of law contrary to this provision shall be deemed inapplicable.

"(g) In addition to the authority of the Secretary under subsection (a) to pledge annual contributions as security for obligations issued by a public housing agency, the Secretary is authorized to pledge annual contributions as a guarantee of payment by a public housing agency of all principal and interest on obligations issued by it to assist the

development or acquisition of the project to which the annual contributions relate, except that no obligation shall be guaranteed under this subsection if the income thereon is exempt from Federal taxation.

"(h) Notwithstanding any other provision of law, a public housing agency may sell a low-income housing project to its low-income tenants, on such terms and conditions as the agency may determine, without affecting the Secretary's commitment to pay annual contributions with respect to that project, but such contributions shall not exceed the maximum contributions authorized under subsection (a) of this section.

"CONTRACT PROVISIONS AND REQUIREMENTS

42 USC 1437d.

"SEC. 6. (a) Secretary may include in any contract for loans, annual contributions, sale, lease, mortgage, or any other agreement or instrument made pursuant to this Act, such covenants, conditions, or provisions as he may deem necessary in order to insure the low-income character of the project involved. Any such contract may contain a condition requiring the maintenance of an open space or playground in connection with the housing project involved if deemed necessary by the Secretary for the safety or health of children. Any such contract shall require that, except in the case of housing predominantly for the elderly, high-rise elevator projects shall not be provided for families with children unless the Secretary makes a determination that there is no practical alternative.

"(b) Every contract made pursuant to this Act for loans (other than preliminary loans) or annual contributions shall provide that the cost of construction and equipment of the project (excluding land, demolition, and nondwelling facilities) on which the computation of any annual contributions under this Act may be based shall not exceed by more than 10 per centum the appropriate prototype cost for the area. The prototype costs shall be determined at least annually by the Secretary on the basis of his estimate of the construction costs of new dwelling units of various types and sizes in the area suitable for occupancy by persons assisted under this Act. In making his determination the Secretary shall take into account (1) the extra durability required for safety and security and economical maintenance of such housing, (2) the provision of amenities designed to guarantee a safe and healthy family life and neighborhood environment, (3) the application of good design as an essential component of such housing for safety and security as well as other purposes, (4) the maintenance of quality in architecture to reflect the standards of the neighborhood and community, (5) the need for maximizing the conservation of energy for heating, lighting, and other purposes, (6) the effectiveness of existing cost limits in the area, and (7) the advice and recommendations of local housing producers. The prototype costs for any area shall become effective upon the date of publication in the Federal Register.

"(c) Every contract for annual contributions shall provide that—

"(1) the Secretary may require the public housing agency to review and revise its maximum income limits if the Secretary determines that changed conditions in the locality make such revision necessary in achieving the purposes of this Act;

"(2) the public housing agency shall determine, and so certify to the Secretary, that each family in the project was admitted in accordance with duly adopted regulations and approved income limits; and the public housing agency shall review the incomes of families living in the project at intervals of two years (or at shorter intervals where the Secretary deems it desirable);

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Ineligible
applicants,
notification;
hearing op-
portunity.

"(3) the public housing agency shall promptly notify (i) any applicant determined to be ineligible for admission to the project of the basis for such determination and provide the applicant upon request, within a reasonable time after the determination is made, with an opportunity for an informal hearing on such determination, and (ii) any applicant determined to be eligible for admission to the project of the approximate date of occupancy insofar as such date can be reasonably determined; and

"(4) the public housing agency shall comply with such procedures and requirements as the Secretary may prescribe to assure that sound management practices will be followed in the operation of the project, including requirements pertaining to—

"(A) the establishment of tenant selection criteria designed to assure that, within a reasonable period of time, the project will include families with a broad range of incomes and will avoid concentrations of low-income and deprived families with serious social problems, but this shall not permit maintenance of vacancies to await higher income tenants where lower income tenants are available;

"(B) the establishment of satisfactory procedures designed to assure the prompt payment and collection of rents and the prompt processing of evictions in the case of nonpayment of rent;

"(C) the establishment of effective tenant-management relationships designed to assure that satisfactory standards of tenant security and project maintenance are formulated and that the public housing agency (together with tenant councils where they exist) enforces those standards fully and effectively; and

"(D) the development by local housing authority managements of viable homeownership opportunity programs for low-income families capable of assuming the responsibilities of homeownership.

"(d) Every contract for annual contributions with respect to a low-income housing project shall provide that no annual contributions by the Secretary shall be made available for such project unless such project (exclusive of any portion thereof which is not assisted by annual contributions under this Act) is exempt from all real and personal property taxes levied or imposed by the State, city, county, or other political subdivision; and such contract shall require the public housing agency to make payments in lieu of taxes equal to 10 per centum of the sum of the annual shelter rents charged in such project, or such lesser amount as (i) is prescribed by State law, or (ii) is agreed to by the local governing body in its agreement for local cooperation with the public housing agency required under section 5(e)(2) of this Act, or (iii) is due to failure of a local public body or bodies other than the public housing agency to perform any obligation under such agreement. If any such project is not exempt from all real and personal property taxes levied or imposed by the State, city, county, or other political subdivision, such contract shall provide, in lieu of the requirement for tax exemption and payments in lieu of taxes, that no annual contributions by the Secretary shall be made available for such project unless and until the State, city, county, or other political subdivision in which such project is situated shall contribute, in the form of cash or tax remission, the amount by which the taxes paid with respect to the project exceed 10 per centum of the annual shelter rents charged in such project.

"(e) Every contract for annual contributions shall provide that whenever in any year the receipts of a public housing agency in connection with a low-income housing project exceed its expenditures (including debt service, operation, maintenance, establishment of reserves, and other costs and charges), an amount equal to such excess shall be applied, or set aside for application, to purposes which, in the determination of the Secretary, will effect a reduction in the amount of subsequent annual contributions.

"(f) Every contract for annual contributions shall provide that when the public housing agency and the Secretary mutually agree that a housing project is obsolete as to physical condition, or location, or other factors, making it unusable for housing purposes, a program of modifications or closeout shall be prepared. If it is mutually determined that such project can be returned to useful life, then the Secretary is authorized to utilize such annual contributions as are necessary to enable the local public housing agency to undertake an agreed-upon program of modifications. If it is mutually determined that no program of modifications is feasible or that such a program would not return the housing to a useful life, then the Secretary is authorized to prepare a closeout program, utilizing such annual contributions as are necessary to accommodate the outstanding indebtedness on the project, the cost of demolition (if the physical improvements are not to be sold), and the cost of relocating displaced families into satisfactory replacement housing. The net closeout cost to the Federal Government shall take into consideration any receipts from the sale of physical improvements, land, or other assets, pursuant to the provisions of the annual contributions contract.

"(g) Every contract for annual contributions (including contracts which amend or supersede contracts previously made) may provide that—

"(1) upon the occurrence of a substantial default in respect to the covenants or conditions to which the public housing agency is subject (as such substantial default shall be defined in such contract), the public housing agency shall be obligated at the option of the Secretary either to convey title in any case where, in the determination of the Secretary (which determination shall be final and conclusive), such conveyance of title is necessary to achieve the purposes of this Act, or to deliver to the Secretary possession of the project, as then constituted, to which such contract relates; and

"(2) the Secretary shall be obligated to reconvey or redeliver possession of the project, as constituted at the time of reconveyance or redelivery, to such public housing agency or to its successor (if such public housing agency or a successor exists) upon such terms as shall be prescribed in such contract, and as soon as practicable (i) after the Secretary is satisfied that all defaults with respect to the project have been cured, and that the project will, in order to fulfill the purposes of this Act, thereafter be operated in accordance with the terms of such contract; or (ii) after the termination of the obligation to make annual contributions available unless there are any obligations or covenants of the public housing agency to the Secretary which are then in default. Any prior conveyances and reconveyances or deliveries and redeliveries of possession shall not exhaust the right to require a conveyance or delivery of possession of the project to the Secretary pursuant to subparagraph (1) upon the subsequent occurrence of a substantial default.

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Whenever such a contract for annual contributions includes provisions which the Secretary in such contract determines are in accordance with this subsection, and the portion of the annual contribution payable for debt service requirements pursuant to such contract has been pledged by the public housing agency as security for the payment of the principal and interest on any of its obligations, the Secretary (notwithstanding any other provisions of this Act) shall continue to make such annual contributions available for the project so long as any of such obligations remain outstanding, and may covenant in such contract that in any event such annual contributions shall in each year be at least equal to an amount which, together with such income or other funds as are actually available from the project for the purpose at the time such annual contribution is made, will suffice for the payment of all installments, falling due within the next succeeding twelve months, of principal and interest on the obligations for which the annual contributions provided for in the contract shall have been pledged as security. In no case shall such annual contributions be in excess of the maximum sum specified in the contract involved, nor for longer than the remainder of the maximum period fixed by the contract.

"CONGREGATE HOUSING

"Sec. 7. The Secretary shall encourage public housing agencies, in providing housing predominantly for displaced or elderly families, to design, develop, or otherwise acquire such housing to meet the special needs of the occupants and, wherever practicable, for use in whole or in part as congregate housing: *Provided*, That not more than 10 per centum of the total amount of contracts for annual contributions entered into any fiscal year pursuant to the new authority granted under section 202 of the Housing and Urban Development Act of 1970 or under any law subsequently enacted shall be entered into with respect to units in congregate housing. As used in this section the term 'congregate housing' means low-income housing (A) in which some or all of the dwelling units do not have kitchen facilities, and (B) connected with which there is a central dining facility to provide wholesome and economical meals for elderly and displaced families under terms and conditions prescribed by the public housing agency to permit a generally self-supporting operation. Expenditures incurred by a public agency in the operation of a central dining facility in connection with congregate housing (other than the cost of providing food and service) shall be considered one of the costs of operation of the project. 42 USC 1437a.. 42 USC 1410.

"LOWER-INCOME HOUSING ASSISTANCE

"Sec. 8. (a) For the purpose of aiding lower-income families in obtaining a decent place to live and of promoting economically mixed housing, assistance payments may be made with respect to existing, newly constructed, and substantially rehabilitated housing in accordance with the provisions of this section. 42 USC 1437f.

"(b) (1) The Secretary is authorized to enter into annual contributions contracts with public housing agencies pursuant to which such agencies may enter into contracts to make assistance payments to owners of existing dwelling units in accordance with this section. In areas where no public housing agency has been organized or where the Secretary determines that a public housing agency is unable to implement the provisions of this section, the Secretary is authorized to enter into such contracts and to perform the other functions assigned to a public housing agency by this section.

88 STAT. 663

Ante, p. 656. "(2) To the extent of annual contributions authorizations under section 5(c) of this Act, the Secretary is authorized to make assistance payments pursuant to contracts with owners or prospective owners who agree to construct or substantially rehabilitate housing in which some or all of the units shall be available for occupancy by lower-income families in accordance with the provisions of this section. The Secretary may also enter into annual contributions contracts with public housing agencies pursuant to which such agencies may enter into contracts to make assistance payments to such owners or prospective owners.

Maximum
monthly rent. "(c) (1) An assistance contract entered into pursuant to this section shall establish the maximum monthly rent (including utilities and all maintenance and management charges) which the owner is entitled to receive for each dwelling unit with respect to which such assistance payments are to be made. The maximum monthly rent shall not exceed by more than 10 per centum the fair market rental established by the Secretary periodically but not less than annually for existing or newly constructed rental dwelling units of various sizes and types in the market area suitable for occupancy by persons assisted under this section, except that the maximum monthly rent may exceed the fair market rental by more than 10 but not more than 20 per centum where the Secretary determines that special circumstances warrant such higher maximum rent or that such higher rent is necessary to the implementation of a local housing assistance plan as defined in section 213(a) (5) of the Housing and Community Development Act of 1974. Proposed fair market rentals for an area shall be published in the Federal Register with reasonable time for public comment, and shall become effective upon the date of publication in final form in the Federal Register.

Limitation.

Post, p. 674.
Proposed fair
market rental-
als, publica-
tion in
Federal Reg-
ister.
Adjustments.

"(2) (A) The assistance contract shall provide for adjustment annually or more frequently in the maximum monthly rents for units covered by the contract to reflect changes in the fair market rentals established in the housing area for similar types and sizes of dwelling units or, if the Secretary determines, on the basis of a reasonable formula.

"(B) The contract shall further provide for the Secretary to make additional adjustments in the maximum monthly rent for units under contract to the extent he determines such adjustments are necessary to reflect increases in the actual and necessary expenses of owning and maintaining the units which have resulted from substantial general increases in real property taxes, utility rates, or similar costs which are not adequately compensated for by the adjustment in the maximum monthly rent authorized by subparagraph (A).

"(C) Adjustments in the maximum rents as hereinbefore provided shall not result in material differences between the rents charged for assisted and comparable unassisted units, as determined by the Secretary.

"(3) The amount of the monthly assistance payment with respect to any dwelling unit, in the case of a large very low-income family, a very large lower income family, or a family with exceptional medical or other expenses, as determined by the Secretary, shall be the difference between 15 per centum of one-twelfth of the annual income of the family occupying the dwelling unit and the maximum monthly rent which the contract provides that the owner is to receive for the unit. In the case of other families, the Secretary shall establish the amount of the assistance payment as the difference between not less than 15 per centum nor more than 25 per centum of the family's income and the maximum rent, taking into consideration the income of the family, the

number of minor children in the household, and the extent of medical or other unusual expenses incurred by the family. Reviews of family income shall be made no less frequently than annually (except that such reviews may be made at intervals no longer than two years in the case of families who are elderly families).

"(4) The assistance contract shall provide that assistance payments may be made only with respect to a dwelling unit under lease for occupancy by a family determined to be a lower income family at the time it initially occupied such dwelling unit, except that such payments may be made with respect to unoccupied units for a period not exceeding sixty days (A) in the event that a family vacates a dwelling unit before the expiration date of the lease for occupancy or (B) where a good faith effort is being made to fill an unoccupied unit.

"(5) Assistance payments may be made with respect to up to 100 per centum of the dwelling units in any structure upon the application of the owner or prospective owner. Within the category of projects containing more than fifty units and designed for use primarily by nonelderly and nonhandicapped persons, the Secretary may give preference to applications for assistance involving not more than 20 per centum of the dwelling units in a project. In according any such preference, the Secretary shall compare applications received during distinct time periods not exceeding sixty days in duration.

"(6) The Secretary shall take such steps as may be necessary, including the making of contracts for assistance payments in amounts in excess of the amounts required at the time of the initial renting of dwelling units, the reservation of annual contributions authority for the purpose of amending housing assistance contracts, or the allocation of a portion of new authorizations for the purpose of amending housing assistance contracts, to assure that assistance payments are increased on a timely basis to cover increases in maximum monthly rents or decreases in family incomes.

"(7) At least 30 per centum of the families assisted under this section with annual allocations of contract authority shall be very low-income families at the time of the initial renting of dwelling units.

"(8) To the extent authorized in contracts entered into by the Secretary with a public housing agency, such agency may purchase any structure containing one or more dwelling units assisted under this section for the purpose of reselling the structure to the tenant or tenants occupying units aggregating in value at least 80 per centum of the structure's total value. Any such resale may be made on the terms and conditions prescribed under section 5(h) and subject to the limitation contained in such section.

"(d) (1) Contracts to make assistance payments entered into by a public housing agency with an owner of existing housing units shall provide (with respect to any unit) that—

"(A) the selection of tenants for such unit shall be the function of the owner, subject to the provisions of the annual contributions contract between the Secretary and the agency;

"(B) the agency shall have the sole right to give notice to vacate, with the owner having the right to make representation to the agency for termination of tenancy;

"(C) maintenance and replacement (including redecoration) shall be in accordance with the standard practice for the building concerned as established by the owner and agreed to by the agency; and

"(D) the agency and the owner shall carry out such other appropriate terms and conditions as may be mutually agreed to by them.

88 STAT. 665

"(2) Each contract for an existing structure entered into under this section shall be for a term of not less than one month nor more than one hundred and eighty months.

Restriction.

"(e) (1) The Secretary shall not contract to make assistance payments with respect to a newly constructed or substantially rehabilitated dwelling unit for a term of less than one month or more than two hundred and forty months. In the case of a project owned by, or financed by a loan or loan guarantee from, a State or local agency, the term may not exceed four hundred and eighty months.

"(2) The contract between the Secretary and the owner with respect to newly constructed or substantially rehabilitated dwelling units shall provide that all ownership, management, and maintenance responsibilities, including the selection of tenants and the termination of tenancy, shall be assumed by the owner (or any entity, including a public housing agency, approved by the Secretary, with which the owner may contract for the performance of such responsibilities).

12 USC 1701
note.

"(3) The construction or substantial rehabilitation of dwelling units to be assisted under this section shall be eligible for financing with mortgages insured under the National Housing Act. Assistance with respect to such dwelling units shall not be withheld or made subject to preferences by reason of the availability of mortgage insurance pursuant to section 244 of such Act or by reason of the tax-exempt status of the bonds or other obligations to be used to finance such construction or rehabilitation.

Post. p. 679.

"(4) Nothing in this Act shall be deemed to prohibit an owner from pledging, or offering as security for any loan or obligation, a contract for assistance payments entered into pursuant to this section: *Provided*, That such security is in connection with a project constructed or rehabilitated pursuant to authority granted in this section, and the terms of the financing or any refinancing have been approved by the Secretary.

Definitions.

"(f) As used in this section—

"(1) the term 'lower income families' means those families whose incomes do not exceed 80 per centum of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 per centum of the median for the area on the basis of his findings that such variations are necessary because of prevailing levels of construction costs, unusually high or low family incomes, or other factors;

"(2) the term 'very low-income families' means those families whose incomes do not exceed 50 per centum of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families;

"(3) the term 'income' means income from all sources of each member of the household, as determined in accordance with criteria prescribed by the Secretary;

"(4) the term 'owner' means any private person or entity, including a cooperative, or a public housing agency, having the legal right to lease or sublease newly constructed or substantially rehabilitated dwelling units as described in this section; and

"(5) the terms 'rent' or 'rental' mean, with respect to members of a cooperative, the charges under the occupancy agreements between such members and the cooperative.

"(g) Notwithstanding any other provision of this Act, assistance payments under this section may be provided, in accordance with regulations prescribed by the Secretary, with respect to some or all of the units in any project approved pursuant to section 202 of the Housing Act of 1969.

12 USC 1701q.

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"(h) The provisions of sections 3(1), 5(e), and 6, and any other provisions of this Act, which are inconsistent with the provisions of this section shall not apply to contracts for assistance entered into under this section. Ante, pp. 654, 656, 659.

"ANNUAL CONTRIBUTIONS FOR OPERATION OF LOW-INCOME HOUSING PROJECTS

"Sec. 9. (a) In addition to the contributions authorized to be made for the purposes specified in section 5 of this Act, the Secretary may make annual contributions to public housing agencies for the operation of low-income housing projects. The contributions payable annually under this section shall not exceed the amounts which the Secretary determines are required (1) to assure the low-income character of the projects involved, and (2) to achieve and maintain adequate operating services and reserve funds. The Secretary shall embody the provisions for such annual contributions in a contract guaranteeing their payment subject to the availability of funds. For purposes of making payments under this section, the Secretary shall establish standards for costs of operation and reasonable projections of income, taking into account the character and location of the project and characteristics of the families served, or the costs of providing comparable services as determined in accordance with criteria or a formula representing the operations of a prototype well-managed project. 42 USC 1437g.

"(b) The aggregate rentals required to be paid in any year by families residing in the dwelling units administered by a public housing agency receiving annual contributions under this section shall not be less than an amount equal to one-fifth of the sum of the incomes of all such families.

"(c) Of the aggregate amount of contracts for annual contributions authorized in section 5(c) of this Act to be entered into on or after July 1, 1974, the Secretary is authorized to enter into contracts for annual contributions under this section aggregating not more than \$500,000,000 per annum, which amount shall be increased by \$60,000,000 on July 1, 1975.

"GENERAL PROVISIONS

"Sec. 10. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this Act, the Secretary, notwithstanding the provisions of any other law, shall— 42 USC 1437h.

"(1) prepare annually and submit a budget program as provided for wholly owned Government corporations by the Government Corporation Control Act, as amended; and

"(2) maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required. 31 USC 841 note.

"(b) All receipts and assets of the Secretary under this Act shall be available for the purposes of this Act until expended.

"(c) The Federal Reserve banks are authorized and directed to act as depositories, custodians, and fiscal agents for the Secretary in the general exercise of his powers under this Act, and the Secretary may reimburse any such bank for its services in such manner as may be agreed upon.

88 STAT. 667

"FINANCING LOW-INCOME HOUSING PROJECTS

42 USC 14371.

"Sec. 11. (a) Obligations issued by a public housing agency in connection with low-income housing projects which (1) are secured (A) by a pledge of a loan under any agreement between such public housing agency and the Secretary, or (B) by a pledge of annual contributions under an annual contributions contract between such public housing agency and the Secretary, or (C) by a pledge of both annual contributions under an annual contributions contract and a loan under an agreement between such public housing agency and the Secretary, and (2) bear, or are accompanied by, a certificate of the Secretary that such obligations are so secured, shall be incontestable in the hands of a bearer and the full faith and credit of the United States is pledged to the payment of all amounts agreed to be paid by the Secretary as security for such obligations.

Tax exemp-
tion.

"(b) Except as provided in section 5(g), obligations including interest thereon, issued by public housing agencies in connection with low-income housing projects shall be exempt from all taxation now or hereafter imposed by the United States whether paid by such agencies or by the Secretary. The income derived by such agencies from such projects shall be exempt from all taxation now or hereafter imposed by the United States.

"LABOR STANDARDS

42 USC 14371.

"Sec. 12. Any contract for loans, annual contributions, sale, or lease pursuant to this Act shall contain a provision requiring that not less than the wages prevailing in the locality, as determined or adopted (subsequent to a determination under applicable State or local law) by the Secretary, shall be paid to all architects, technical engineers, draftsmen, and technicians employed in the development, and all maintenance laborers and mechanics employed in the operation, of the low-income housing project involved; and shall also contain a provision that not less than the wages prevailing in the locality, as predetermined by the Secretary of Labor pursuant to the Davis-Bacon Act (49 Stat. 1011), shall be paid to all laborers and mechanics employed in the development of the project involved (including a project with nine or more units assisted under section 8 of this Act, where the public housing agency or the Secretary and the builder or sponsor enter into an agreement for such use before construction or rehabilitation is commenced), and the Secretary shall require certification as to compliance with the provisions of this section prior to making any payment under such contract."

40 USC 376a
note.Effective
date.42 USC 1437
note.

Note, p. 664.

(b) The provisions of subsection (a) of this section shall be effective on such date or dates as the Secretary of Housing and Urban Development shall prescribe, but not later than eighteen months after the date of the enactment of this Act; except that (1) all of the provisions of section 3(1) of the United States Housing Act of 1937, as amended by subsection (a) of this section, shall become effective on the same date, (2) all of the provisions of sections 5 and 9(c) of such Act as so amended shall become effective on the same date, and (3) section 8 of such Act as so amended shall be effective not later than January 1, 1975.

"APPLICABILITY OF RENTAL REQUIREMENTS

42 USC 1437a
note.

Sec. 202. To the extent that section 3(1) of the United States Housing Act of 1937, as amended by section 201(a) of this Act, would require the establishment of an increased monthly rental charge for any family which occupies a low-income housing unit as of the effective

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tive date of such section 3(1) (other than by reason of the provisions relating to welfare assistance payments), the required adjustment shall be made, in accordance with regulations of the Secretary, as follows: (A) the first adjustment shall not exceed \$5 and shall become effective as of the month following the month of the first review of the family's income pursuant to section 6(c)(2) of such Act which occurs at least six months after the effective date of such section 3(1), and (B) subsequent adjustments, each of which shall not exceed \$5, shall be made at six-month intervals over whatever period is necessary to effect the full required increase in the family's rental charge.

EXEMPTIONS OF CERTAIN PROJECTS FROM RENTAL FORMULA

Sec. 203. The rental or income contribution provisions of the United States Housing Act of 1937, as amended by section 201 of this Act, shall not preclude the use of special schedules of required payments as approved by the Secretary for participants in mutual help housing projects who contribute labor, land, or materials to the development of such projects.

42 USC 1437f
note.
Ante, p. 653.

REPEAL OF SPECIFICATION REQUIREMENTS IN CONSTRUCTION CONTRACTS

Sec. 204. Section 815 of the Housing Act of 1954 is repealed.

Repeal.
42 USC 1411d,
1455a.

RETROACTIVE EFFECT OF REPEAL OF SECTION 10(j)

Sec. 205. Section 206(c) of the Housing Act of 1961 (Public Law 87-70, approved June 30, 1961, 75 Stat. 165) is amended by adding at the end thereof the following sentence: "The Secretary of Housing and Urban Development is authorized to agree with a public housing agency to the amendment of any annual contributions contract containing the provision prescribed in section 10(j) of the United States Housing Act of 1937 (as in effect prior to the enactment of the Housing and Community Development Act of 1974), so as to delete such provision and waive any rights of the United States that are accrued or may accrue under such provision."

42 USC 1410
note.

42 USC 1410.

AMENDMENT TO NATIONAL BANK ACT

Sec. 206. The sixth sentence of paragraph "Seventh" of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended—

(1) by striking out "1421a(b) of title 42" wherever it appears and inserting in lieu thereof "6(g) of the United States Housing Act of 1937";

(2) by striking out "either" before clause (1);

(3) by striking out "(which obligations shall have a maturity of not more than eighteen months)" in clause (1);

(4) by striking out "or" before clause (2); and

(5) by inserting before the colon before the first proviso the following: "or (3) by a pledge of both annual contributions under an annual contributions contract containing the covenant by the Secretary which is authorized by section 6(g) of the United States Housing Act of 1937, and a loan under an agreement between the local public housing agency and the Secretary in which the public housing agency agrees to borrow from the Secretary, and the Secretary agrees to lend to the public housing agency, prior to the maturity of the obligations involved, moneys in an amount which (together with any other moneys irrevocably committed under the annual contributions contract to the payment of principal and interest on such obligations) will suffice to pro-

Ante, p. 659.

vide for the payment when due of all installments of principal and interest on such obligations, which moneys under the terms of the agreement are required to be used for the purpose of paying the principal and interest on such obligations at their maturity.

AMENDMENTS TO LANSHAM ACT

SEC. 207. (a) Section 606 of the Act of October 14, 1940, as amended (42 U.S.C. 1586), is amended by striking out that part of the first sentence in subsection (b) which follows the parenthetical phrase and inserting in lieu thereof a period, and by striking out all of the second sentence.

(b) Section 606(c) (1) of such Act is amended by inserting before the semicolon at the end thereof the following: ", or, with the Secretary's approval, used to finance the repair or rehabilitation of a project or part thereof conveyed to the public housing agency under this section".

LEASED HOUSING

42 USC 1421b
note.

SEC. 208. Nothing in this title or any other provision of law authorizes the Secretary of Housing and Urban Development to apply any policy or procedure established by him with respect to the rights of an owner under a lease entered into under section 23 of the United States Housing Act of 1937 if such lease was entered into prior to the effective date of such policy or procedure.

42 USC 1421b.

LOW-INCOME HOUSING FOR THE ELDERLY OR HANDICAPPED

42 USC 1438.

SEC. 209. The Secretary shall consult with the Secretary of Health, Education, and Welfare to insure that special projects for the elderly or the handicapped authorized pursuant to United States Housing Act of 1937 shall meet acceptable standards of design and shall provide quality services and management consistent with the needs of the occupants. Such projects shall be specifically designed and equipped with such "related facilities" (as defined in section 202(d) (8) of the Housing Act of 1959) as may be necessary to accommodate the special environmental needs of the intended occupants and shall be in support of and supported by the applicable State plans for comprehensive services pursuant to section 134 of the Mental Retardation Facilities and Community Mental Health Center Construction Act of 1963 or State and area plans pursuant to title III of the Older Americans Act of 1965.

Ante, p. 663.

Post, p. 671.

42 USC 2674.

42 USC 3021.

REVISION OF SECTION 202 PROGRAM FOR ELDERLY AND HANDICAPPED

12 USC 1761a.

SEC. 210. (a) Section 202(a) (3) of the Housing Act of 1959 is amended by striking out all that follows "and shall bear interest at a rate" and inserting in lieu thereof "which is not more than a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, plus an allowance adequate in the judgment of the Secretary to cover administrative costs and probable losses under the program."

(b) Section 202(d) (4) of such Act is amended—

(1) by striking out "a physical" in the second sentence and inserting in lieu thereof "an"; and

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(2) by inserting after the second sentence the following new sentence: "A person shall also be considered handicapped if such person is a developmentally disabled individual as defined in section 102(5) of the Developmental Disabilities Services and Facilities Construction Amendments of 1950."

(c) Section 202 of such Act is further amended by adding at the end thereof the following new subsection: 12 USC 1701q.

"(f) In carrying out the provisions of this section, the Secretary shall seek to assure, pursuant to applicable regulations, that housing and related facilities assisted under this section will be in appropriate support of, and supported by, applicable State and local plans which respond to Federal program requirements by providing an assured range of necessary services for individuals occupying such housing (which services may include, among others, health, continuing education, welfare, informational, recreational, homemaker, counseling, and referral services, transportation where necessary to facilitate access to social services, and services designed to encourage and assist recipients to use the services and facilities available to them), including plans approved by the Secretary of Health, Education, and Welfare pursuant to section 134 of the Mental Retardation Facilities and Community Mental Health Center Construction Act of 1963 or pursuant to title III of the Older Americans Act of 1965."

42 USC 2674.

42 USC 3021.

(d) Section 202(a) (4) of such Act is amended-

(1) by inserting "(A)" immediately after "(4)";

(2) by inserting ", and the proceeds from notes or other obligations issued under subparagraph (B)," after "Amounts so appropriated"; and

(3) by adding at the end thereof the following new subparagraphs:

"(B) (i) To carry out the purposes of this section, the Secretary is authorized to issue to the Secretary of the Treasury notes or other obligations in an aggregate amount not to exceed \$800,000,000, in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations issued hereunder and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act; and the purposes for which securities may be issued under that Act are extended to include any purchase of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States.

Interest rate.

40 Stat. 289.

31 USC 774.

"(ii) The receipts and disbursements of the fund shall not be included in the total of the Budget of the United States Government and shall be exempt from any limitation on annual expenditure or net lending.

"(C) Amounts in the fund shall be available to the Secretary for the purpose of making loans under this section and for paying interest on obligations issued under subparagraph (B). The aggregate loans made under this section in any fiscal year shall not exceed the

limits on such lending authority established for such year in appropriation Acts."

12 USC 1701a.

(e) Section 202(a) of such Act is amended by adding at the end thereof the following new paragraph:

"(5) To the maximum extent practicable, the Secretary shall use the services and facilities of the private mortgage industry in servicing mortgage loans made under this section."

(f) Section 202(d)(8) of such Act is amended by inserting immediately after "families" the following: "residing in the project or in the area".

12 USC 1701q note.

(g)(1) In determining the feasibility and marketability of a project under section 202 of the Housing Act of 1959, the Secretary shall consider the availability of monthly assistance payments pursuant to section 8 of the United States Housing Act of 1937 with respect to such a project.

(2) The Secretary shall insure that with the original approval of a project authorized pursuant to section 202 of the Housing Act of 1959, and thereafter at each annual revision of the assistance contract under section 8 of the United States Housing Act of 1937 with respect to units in such project, the project will serve both low- and moderate-income families in a mix which he determines to be appropriate for the area and for viable operation of the project; except that the Secretary shall not permit maintenance of vacancies to await tenants of one income level where tenants of another income level are available.

DOUBLE-FAMILY MORTGAGE ASSISTANCE

12 USC 1718c.

Sec. 211. (a) Section 335 of the National Housing Act is amended—

(1) by striking out "and by \$200,000,000 on July 1, 1971" in subsection (h)(1) and inserting in lieu thereof "by \$200,000,000 on July 1, 1971, and by such sums as may be approved in appropriation Acts after June 30, 1974, and prior to July 1, 1976";

(2) by adding at the end of subsection (h)(1) the following: "Upon the expiration of one year following the date of enactment of the Housing and Community Development Act of 1974, the Secretary shall not enter into new contracts for assistance payments under this section utilizing authority approved in appropriation Acts prior to July 1, 1974.";

(3) by striking out paragraph (2) of subsection (h) and inserting in lieu thereof the following:

"(2) Assistance payments under this section may be made only with respect to a family whose income at the time of initial occupancy does not exceed 80 per centum of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 per centum of the median for the area on the basis of his findings that such variations are necessary because of prevailing levels of construction costs, unusually high or low median family incomes, or other factors.";

(4) by striking out "prior to July 1, 1972" in subsection (h)(3)(B) and inserting in lieu thereof "on or after July 1, 1969";

(5) by inserting after "mortgage" in the first sentence of subsection (i)(1) the following: "(including advances with respect to property construction or rehabilitation pursuant to a self-help program)";

(6) by striking out paragraph (3)(C) of subsection (i) and inserting in lieu thereof the following:

"(C) be executed by a mortgagor who shall have paid in cash or its equivalent, on account of the property, at least an

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amount equal to 3 per centum of the Secretary's estimate of the cost of acquisition"; and

(7) by striking out "October 1, 1974" in subsection (m) and inserting in lieu thereof "June 30, 1976".

(b) Section 235(a) of such Act is amended by inserting after "this section" at the end of the second sentence the following: "or which mortgages are assisted under a State or local program providing assistance through loans, loan insurance or tax abatement".

(c) (1) The last proviso in section 235(b)(2) of such Act is amended by striking out "\$18,000", "\$21,000", "\$21,000", and "\$24,000" and inserting in lieu thereof "\$21,600", "\$25,200", "\$25,200", and "\$28,800", respectively.

(2) Section 235(1)(3)(B) of such Act is amended by striking out "\$18,000", "\$21,000", "\$21,000", and "\$24,000" and inserting in lieu thereof "\$21,600", "\$25,200", "\$25,200", and "\$28,800", respectively.

MULTIFAMILY MORTGAGE ASSISTANCE

Sec. 212. Section 256 of the National Housing Act is amended--

(1) by inserting "(1)" after "(f)" at the beginning of subsection (f), and by redesignating clauses (1) and (2) of such subsection as clauses (A) and (B), respectively;

(2) by adding at the end of subsection (f)(1) the following: "With respect to those projects which the Secretary determines have separate utility metering for some or all dwelling units, the Secretary is authorized--

"(1) to permit the basic rental charge and the fair market rental charge to be determined on the basis of operating the project without the payment of the cost of utility services used by such dwelling units; and

"(2) to permit the charging of a rental for such dwelling units at such an amount less than 25 per centum of a tenant's income as the Secretary determines represents a proportionate decrease for the utility charges to be paid by such tenant, but in no case shall such rental be lower than 20 per centum of a tenant's income.

"(2) With respect to 20 per centum of the dwelling units in any project made subject to a contract under this section after the date of enactment of the Housing and Community Development Act of 1974, the Secretary shall make, and contract to make, additional assistance payments to the project owner on behalf of tenants whose incomes are too low for them to afford the basic rentals with 25 per centum of their income or such lower per centum as may be established pursuant to the provisions of clause (1) of the last sentence of paragraph (1).

The additional assistance payments authorized by this paragraph with respect to any dwelling unit shall be the amount required to reduce the rental payment by the tenant to 25 per centum of the tenant's income or such lower per centum as may be established pursuant to the provisions of clause (1) of the last sentence of paragraph (1). In no case shall such rental payment be reduced below an amount equal to utility costs attributable to the unit occupied by the tenant, unless the Secretary determines that the application of this requirement in any area would result in undue hardship because of unusually high utility costs prevailing seasonally or otherwise in such area. Notwithstanding the foregoing provisions of this paragraph, the Secretary may--

"(A) reduce such 20 per centum requirement in the case of any project if he determines that such action is necessary to assure the economic viability of the project; or

"(B) increase such 20 per centum requirement in the case of any project if he determines that such action is necessary and feasible

in order to assure, insofar as is practicable, that there is in the project a reasonable range in the income levels of tenants, or that such action is to be taken to meet the housing needs of elderly or handicapped families.

"(3) For each project there shall be established an initial operating expense level, which shall be the sum of the cost of utilities and local property taxes payable by the project owner at the time the Secretary determines the property to be fully occupied, taking into account anticipated and customary vacancy rates. At any time subsequent to the establishment of an initial operating expense level, the Secretary is authorized to make, and contract to make, additional assistance payments to the project owner in an amount up to the amount by which the sum of the cost of utilities and local property taxes exceeds the initial operating expense level, but not to exceed the amount required to maintain the basic rentals of any units at levels not in excess of 30 per centum, or such lower per centum not less than 25 per centum as shall reflect the reduction permitted in clause (ii) of the last sentence of paragraph (1) of the income of tenants occupying such units. Any contract to make additional assistance payments may be amended periodically to provide for appropriate adjustments in the amount of the assistance payments. Additional assistance payments shall be made pursuant to this paragraph only if the Secretary finds that the increase in the cost of utilities or local property taxes, is reasonable and is comparable to cost increases affecting other rental projects in the community.";

84 Stat. 1774.
12 USC 1715z-1.

(3) by striking out subsection (g) and inserting in lieu thereof the following:

"(g) The project owner shall, as required by the Secretary, accumulate, safeguard, and periodically pay to the Secretary all rental charges collected in excess of the basic rental charges. Such excess charges shall be credited to a reserve fund to be used by the Secretary to make additional assistance payments as provided in paragraph (3) of subsection (f). During any period that the Secretary determines that the balance in the reserve fund is adequate to meet the estimated additional assistance payments, such excess charges shall be credited to the appropriation authorized by subsection (i) and shall be available until the end of the next fiscal year for the purpose of making assistance payments with respect to rental housing projects receiving assistance under this section. For the purpose of this subsection and paragraph (3) of subsection (f), the initial operating expense level for any project assisted under a contract entered into prior to the date of enactment of the Housing and Community Development Act of 1974 shall be established by the Secretary not later than 180 days after the date of enactment of such Act.";

(4) by striking out "and by \$200,000,000 on July 1, 1971" in subsection (i) (1) and inserting in lieu thereof "by \$200,000,000 on July 1, 1971, and by \$75,000,000 on July 1, 1974";

(5) by striking out paragraphs (2) and (3) of subsection (i) and inserting in lieu thereof the following:

"(2) Contracts for assistance payments under this section may be entered into only with respect to tenants whose incomes do not exceed 80 per centum of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 per centum of the median for the area on the basis of his findings that such variations are necessary because of prevailing levels of construction costs, unusually high or low family incomes, or other factors.

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"(3) Not less than 10 per centum of the total amount of contracts for assistance payments authorized by appropriation Acts to be made after June 30, 1974, shall be available for use only with respect to dwellings, or dwelling units in projects, which are approved by the Secretary prior to rehabilitation.

"(4) At least 20 per centum of the total amount of contracts for assistance payments authorized in appropriation Acts to be made after June 30, 1974, shall be available for use only with respect to projects which are planned in whole or in part for occupancy by elderly or handicapped families. As used in this paragraph, the term 'elderly families' means families which consist of two or more persons the head of which (or his spouse) is sixty-two years of age or over or is handicapped. Such term also means a single person who is sixty-two years of age or over or is handicapped. A person shall be considered handicapped if such person is determined, pursuant to regulations issued by the Secretary, to have an impairment which (A) is expected to be of long-continued and indefinite duration, (B) substantially impedes his ability to live independently, and (C) is of such a nature that such ability could be improved by more suitable housing conditions."

(6) by striking out "October 1, 1974" in subsection (n) and inserting in lieu thereof "June 30, 1976"; and 12 USC 1715z-1.

(7) by adding at the end thereof the following:

"(p) The Secretary is authorized to enter into contracts with State or local agencies approved by him to provide for the monitoring and supervision by such agencies of the management by private sponsors of projects assisted under this section. Such contracts shall require that such agencies promptly report to the Secretary any deficiencies in the management of such projects in order to enable the Secretary to take corrective action at the earliest practicable time."

LOCAL HOUSING ASSISTANCE PLANS; ALLOCATION OF HOUSING FUNDS

SEC. 213. (a) (1) The Secretary of Housing and Urban Development, upon receiving an application for housing assistance under the United States Housing Act of 1937, section 235 or 236 of the National Housing Act, section 101 of the Housing and Urban Development Act of 1965, or section 202 of the Housing Act of 1959, if the unit of general local government in which the proposed assistance is to be provided has an approved housing assistance plan, shall— 42 USC 1439.

(A) not later than ten days after receipt of the application, notify the chief executive officer of such unit of general local government that such application is under consideration; and

(B) afford such unit of general local government the opportunity, during the thirty-day period beginning on the date of such notification, to object to the approval of the application on the grounds that the application is inconsistent with its housing assistance plan. Ants. p. 653.
12 USC 1715z,
1715z-1.
12 USC 1701s.
12 USC 1701q.

(2) If the unit of general local government objects to the application on the grounds that it is inconsistent with its housing assistance plan, the Secretary may not approve the application unless he determines that the application is consistent with such housing assistance plan. If the Secretary determines, that such application is consistent with the housing assistance plan, he shall notify the chief executive officer of the unit of general local government of his determination and the reasons therefor in writing. If the Secretary concurs with the objection of the unit of local government, he shall notify the applicant stating the reasons therefor in writing.

(3) If the Secretary does not receive an objection by the close of the period referred to in paragraph (1)(B), he may approve the application unless he finds it inconsistent with the housing assistance plan. If the Secretary determines that an application is inconsistent with a housing assistance plan, he shall notify the applicant stating the reasons therefor in writing.

(4) The Secretary shall make the determinations referred to in paragraphs (2) and (3) within thirty days after he receives an objection pursuant to paragraph (1)(B) or within thirty days after the close of the period referred to in paragraph (1)(B), whichever is earlier.

(5) As used in this section, the term "housing assistance plan" means a housing assistance plan submitted and approved under section 104 of this Act or, in the case of a unit of general local government not participating under title I of this Act, a housing plan approved by the Secretary as meeting the requirements of this section.

(b) The provisions of subsection (a) shall not apply to—

(1) applications for assistance involving 12 or fewer units in a single project or development;

(2) applications for assistance with respect to housing in new community developments approved under title IV of the Housing and Urban Development Act of 1968 or title VII of the Housing and Urban Development Act of 1970 which the Secretary determines are necessary to meet the housing requirements under such title; or

(3) applications for assistance with respect to housing financed by loans or loan guarantees from a State or agency thereof, except that the provisions of subsection (a) shall apply where the unit of general local government in which the assistance is to be provided objects in its housing assistance plan to the exemption provided by this paragraph.

(c) For areas in which an approved local housing assistance plan is not applicable, the Secretary shall not approve an application for housing assistance unless he determines that there is a need for such assistance, taking into consideration any applicable State housing plans, and that there is or will be available in the area public facilities and services adequate to serve the housing proposed to be assisted. The Secretary shall afford the unit of general local government in which the assistance is to be provided an opportunity, during a 30-day period following receipt of an application by him, to provide comments or information relevant to the determination required to be made by the Secretary under this subsection.

(d) (1) In allocating financial assistance under the provisions of law specified in subsection (a) of this section, the Secretary, so far as practicable, shall consider the relative needs of different areas and communities as reflected in data as to population, poverty, housing overcrowding, housing vacancies, amount of substandard housing, or other objectively measurable conditions, subject to such adjustments as may be necessary to assist in carrying out activities designed to meet lower income housing needs as described in approved housing assistance plans submitted by units of general local government or combinations of such units assisted under section 107(a)(2) of this Act. The amount of assistance allocated to nonmetropolitan areas pursuant to this section in any fiscal year shall not be less than 20 nor more than 25 per centum of the total amount of such assistance.

(2) In order to facilitate the provision of, and long-range planning for, housing for persons of low- and moderate-income in new community developments approved under title IV of the Housing and Urban Development Act of 1968 and title VII of the Housing and Urban

42 USC 3901.
42 USC 4501.

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Development Act of 1970, the Secretary shall reserve such housing assistance funds as he deems necessary for use in connection with such new community developments. 47 USC 4561.

(3) The Secretary may reserve such housing assistance funds as he deems appropriate for use by a State or agency thereof.

TITLE III—MORTGAGE CREDIT ASSISTANCE

INSURED ADVANCES

Sec. 301. Title V of the National Housing Act is amended by adding at the end thereof the following new section: 47 USC 1719.

"ADVANCES

"Sec. 325. The Secretary is authorized to insure mortgage proceeds advanced during construction or rehabilitation or otherwise prior to final endorsement of a project mortgage for the purpose of (1) financing improvements to the property and the purchase of materials and building components delivered to the property, and (2) providing funds to cover the cost of building components where such components have been assembled and specifically identified for incorporation into the property but are located at a site other than the mortgaged property, with such security as the Secretary may require." 47 USC 1734-1.

INCREASE IN MAXIMUM MORTGAGE AMOUNTS UNDER FHA ONE- TO-FOUR-FAMILY MORTGAGE INSURANCE PROGRAMS

Sec. 302. (a) Section 203(b)(2) of the National Housing Act is amended by striking out "\$33,000", "\$35,750", and "\$41,250" wherever they appear and inserting in lieu thereof "\$45,000", "\$48,750", and "\$56,000", respectively. 47 USC 1769.

(b) Section 220(d)(3)(A) of such Act is amended by striking out "\$33,000", "\$35,750", and "\$41,250" wherever they appear and inserting in lieu thereof "\$45,000", "\$48,750", and "\$56,000", respectively. 47 USC 1758.

(c) Section 221(d)(2)(A) of such Act is amended— 47 USC 1751.

(1) by striking out "\$18,000", "\$21,000", "\$24,000", "\$32,400", and "\$39,600" in the matter preceding the first proviso and inserting in lieu thereof "\$21,600", "\$25,200", "28,000", "\$28,880", and "\$47,520", respectively; and

(2) by striking out "\$21,000", "\$24,000", "\$30,000", "\$38,400", and "\$45,600" in the second proviso and inserting in lieu thereof "\$25,200", "\$28,800", "\$36,000", "\$46,080", and "\$54,720", respectively.

(d) Section 222(b)(2) of such Act is amended by striking out "\$33,000" and inserting in lieu thereof "\$45,000". 47 USC 1752.

(e) Section 234(c) of such Act is amended by striking out "\$33,000" and inserting in lieu thereof \$45,000". 47 USC 1715.

INCREASE IN MAXIMUM MORTGAGE AMOUNTS UNDER FHA MULTIFAMILY MORTGAGE INSURANCE PROGRAMS

Sec. 303. (a) (1) Section 207(c)(3) of the National Housing Act is amended by striking out "\$9,900", "\$13,750", "\$16,500", "\$20,350", "\$23,100", and "\$2,500" in the matter preceding the first semicolon and inserting in lieu thereof "\$13,000", "\$18,000", "\$21,500", "\$26,500", "\$30,000", and "\$3,250", respectively. 47 USC 1713.

(2) Section 207(c)(3) of such Act is further amended by striking out "\$11,550", "\$16,500", "\$19,800", "\$24,750", and "\$28,050" in the

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88 STAT. 637

- matter following the first semicolon and inserting in lieu thereof "\$15,000", "\$21,000", "\$25,750", "\$32,250", and "\$36,465", respectively.
- 12 USC 1715c. (b) (1) Section 213(b) (2) of such Act is amended by striking out "\$9,900", "\$13,750", "\$16,500", "\$20,350", and "\$23,100" in the matter preceding the first proviso and inserting in lieu thereof "\$13,000", "\$18,000", "\$21,500", "\$26,500", and "\$30,000", respectively.
- (2) Section 213(b) (2) of such Act is further amended by striking out "\$11,550", "\$16,500", "\$19,800", "\$24,750", and "\$28,050" in the first proviso and inserting in lieu thereof "\$15,000", "\$21,000", "\$25,750", "\$32,250", and "\$36,465", respectively.
- 12 USC 1715k. (c) (1) Section 220(d) (3) (B) (ii) of such Act is amended by striking out "\$9,900", "\$13,750", "\$16,500", "\$20,350", and "\$23,100" in the matter preceding "except" where it first appears and inserting in lieu thereof "\$13,000", "\$18,000", "\$21,500", "\$26,500", and "\$30,000", respectively.
- (2) Section 220(d) (3) (B) (iii) of such Act is further amended by striking out "\$11,550", "\$16,500", "\$19,800", "\$24,750", and "\$28,050" in the matter following "except" where it first appears and inserting in lieu thereof "\$15,000", "\$21,000", "\$25,750", "\$32,250", and "\$36,465", respectively.
- 12 USC 1715l. (d) Section 221(d) (3) (ii) of such Act is amended —
- (A) by striking out "\$9,200", "\$12,937.50", "\$15,525", "\$19,550", and "\$22,137.50" and inserting in lieu thereof "\$11,240", "\$15,540", "\$18,630", "\$23,460", and "\$26,570", respectively; and
- (B) by striking out "\$19,925", "\$13,500", "\$18,400", "\$23,000", and "\$26,162.50" and inserting in lieu thereof "\$13,150", "\$16,200", "\$22,080", "\$27,600", and "\$32,000", respectively.
- (e) (1) Section 221(d) (4) (ii) of such Act is amended by striking out "\$9,200", "\$12,937.50", "\$15,525", "\$19,550", and "\$22,137.50" in the matter preceding the first semicolon and inserting in lieu thereof "\$12,300", "\$17,188", "\$20,525", "\$24,700", and "\$29,038", respectively.
- (2) Section 221(d) (4) (iii) of such Act is further amended by striking out "\$10,525", "\$15,525", "\$18,400", "\$23,000", and "\$26,162.50" in the matter following the first semicolon and inserting in lieu thereof "\$13,975", "\$20,025", "\$24,350", "\$31,500", and "\$34,578", respectively.
- 12 USC 1715v. (f) (1) Section 231(c) (2) of such Act is amended by striking out "\$3,800", "\$12,375", "\$14,850", "\$18,500", and "\$21,175" in the matter preceding the first semicolon and inserting in lieu thereof "\$12,300", "\$17,188", "\$20,525", "\$24,700", and "\$29,038", respectively.
- (2) Section 231(c) (2) of such Act is further amended by striking out "\$10,450", "\$14,850", "\$17,600", "\$22,000", and "\$25,025" in the matter following the first semicolon and inserting in lieu thereof "\$13,975", "\$20,025", "\$24,350", "\$31,500", and "\$34,578", respectively.
- (g) (1) Section 234(e) (3) of such Act is amended by striking out "\$9,900", "\$13,750", "\$16,500", "\$20,350", and "\$23,100" in the matter preceding the first proviso and inserting in lieu thereof "\$13,000", "\$18,000", "\$21,500", and "\$26,500", respectively.
- 12 USC 1715y. (2) Section 234(e) (3) of such Act is further amended by striking out "\$11,550", "\$16,500", "\$19,800", "\$24,750", and "\$28,050" in the first proviso and inserting in lieu thereof "\$15,000", "\$21,000", "\$25,750", "\$32,250", and "\$36,465", respectively.

ELIMINATION OF PROJECT MORTGAGE DOLLAR LIMITS

12 USC 1713.

Sec. 304. (a) (1) Section 207(c) of the National Housing Act is amended by striking out paragraph (1).

(2) Section 207(c) (3) of such Act is amended by striking out "or \$1,000,000 per mortgage for trailer courts or parks".

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(b) Section 213(b) of such Act is amended by striking out paragraph (1). 12 USC 1715e.

(c) Section 213(c) of such Act is amended by striking out "not to exceed \$12,500,000 and".

(d) Section 220(d)(3)(B) of such Act is amended by striking out clause (i). 12 USC 1715k.

(e) Section 221(d) of such Act is amended— 12 USC 1715l.

(1) by striking out clause (1) in paragraph (3); and

(2) by striking out clause (1) in paragraph (4).

(f) Section 231(e) of such Act is amended by striking out paragraph (1). 12 USC 1715v.

(g) Section 232(d)(2) of such Act is amended by striking out "not to exceed \$12,500,000, and". 12 USC 1715w.

(h) Section 234(e) of such Act is amended by striking out paragraph (1). 12 USC 1715y.

(i) Section 242(d)(2) of such Act is amended by striking out "not to exceed \$50,000,000, and". 12 USC 1715z-7.

(1) Section 810(f) of such Act is amended by striking out "(1) not to exceed \$5,000,000 or (2)". 12 USC 1748b-2.

(2) Section 810(g) of such Act is amended by striking out "not to exceed \$5,000,000 and".

(k) Section 1021(c) of such Act is amended by striking out the second sentence. 12 USC 1749bb.

(l) Section 1101(c) of such Act is amended by striking out paragraph (1). 12 USC 1749aaa.

ENERGY CONSERVATION

Sec. 301. Title V of the National Housing Act (as amended by section 301 of this Act) is amended by adding at the end thereof the following new section: Sec. 301.

ENERGY CONSERVATION

Sec. 301. To the maximum extent feasible, the Secretary of Housing and Urban Development shall promote the use of energy saving techniques through minimum property standards established by him for newly constructed residential housing subject to mortgages insured under this Act. 12 USC 1749f-1.

CONSTRUCTION FOR DEFECTS

Sec. 302. Section 213(c) of the National Housing Act is amended to read as follows: 12 USC 1715e.

(1) The Secretary is authorized to make expenditures to construct or to repair, under the terms of the construction of, structural or other repairs that do not reasonably affect use and habitability in a dwelling, or changes to the life or safety of inhabitants of any one or two family dwelling which is covered by a mortgage insured under section 203 of this Act or which is bought in an order declining under article 12 of the Uniform Residential Mortgage Act (1968) and which is more than one year old on the date of the issuance of the insurance commitment, if (1) the owner requests assistance from the Secretary not later than one year after the issuance of the mortgage, or, in the case of a dwelling covered by a mortgage insured under section 203 or 221 the insurance commitment for which was issued on or after August 1, 1968, but prior to January 1, 1974, not more than one year after the date of enactment of the Housing and Community Development Act of 1974, and (2) the defect is one that existed on the date of the issuance of the insurance commitment and is one that a proper inspection could reasonably be expected to disclose. The Secretary may require from the

12 USC 1715f, 1715g.

seller of any such dwelling an agreement to reimburse him for any payments made pursuant to this subsection with respect to such dwelling. Expenditures pursuant to this subsection shall be the obligation of the Special Risk Insurance Fund."

CO-INSURANCE

13 USC 1707. Sec. 307, Title II of the National Housing Act is amended by adding at the end thereof the following new section:

"CO-INSURANCE

13 USC 1719c-2. "Sec. 244. (a) In addition to providing insurance as otherwise authorized under this Act, and notwithstanding any other provision of this Act inconsistent with this section, the Secretary, upon request of any mortgagee and for such mortgage insurance premium as he may prescribe (which premium, or other charges to be paid by the mortgagor, shall not exceed the premium, or other charges, that would otherwise be applicable), may insure and make a commitment to insure under any provision of this title any mortgage, advance, or loan otherwise eligible under such provision, pursuant to a co-insurance contract providing that the mortgagee will—

"(1) assume a percentage of any loss on the insured mortgage, advance, or loan in direct proportion to the amount of the co-insurance, which co-insurance shall not be less than 10 per centum, subject to any reasonable limit or limits on the liability of the mortgagee that may be specified in the event of unusual or catastrophic losses that may be incurred by any one mortgagee; and

"(2) carry out (under a delegation or otherwise and with or without compensation but subject to audit, exception, or review requirements) such credit approval, appraisal, inspection, commitment, property disposition, or other functions as the Secretary, pursuant to regulations, shall approve as consistent with the purposes of this Act.

Any contract of co-insurance under this section shall contain such provisions relating to the sharing of premiums on a sound actuarial basis, establishment of mortgage reserves, manner of calculating insurance benefits, conditions with respect to foreclosure, handling and disposition of property prior to claim or settlement, rights of assignees (which may elect not to be subject to the loss sharing provisions), and other similar matters as the Secretary may prescribe pursuant to regulations.

"(b) No insurance shall be granted pursuant to this section with respect to dwellings or projects approved for insurance prior to the beginning of construction unless the inspection of such construction is conducted in accordance with at least the minimum standards and criteria used with respect to dwellings or projects approved for mortgage insurance pursuant to other provisions of this title.

"(c) No insurance shall be granted pursuant to this section unless the Secretary has, after due consultation with the mortgage lending industry, determined that the demonstration program of co-insurance authorized by this section will not disrupt the mortgage market or reduce the availability of mortgage credit to borrowers who depend upon mortgage insurance provided under this Act.

"(d) No mortgage, advance, or loan shall be insured pursuant to this section after June 30, 1977, except pursuant to a commitment to insure made before that date. The aggregate principal amount of mortgages and loans insured pursuant to this section in any fiscal year

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beginning on or after July 1, 1974, and ending prior to October 1, 1977, shall not exceed 20 per centum of the aggregate principal amount of all mortgages and loans insured under this title during such fiscal year. The overall percentage limitation specified in the preceding sentence shall also apply separately within each of the following categories—

"(1) mortgages and loans covering one- to four-family dwellings; and

"(2) mortgages and loans covering projects with five or more dwelling units.

"(c) The Secretary shall not withdraw, deny, or delay insurance otherwise authorized under any other provision of this Act by reason of the availability of insurance pursuant to this section. The Secretary shall exercise his authority under this section only to the extent that he finds that the continued exercise of such authority will not adversely affect the flow of mortgage credit to older and declining neighborhoods and to the purchasers of older and lower cost housing.

"(f) The Secretary shall submit to the Congress a report, not later than March 1, 1975, and annually thereafter, describing operations under this section, including the extent of mortgagee participation and any special problems encountered, particularly with respect to the flow of mortgage credit to older and declining neighborhoods and to purchasers of older and lower cost housing, and setting forth any recommendations he may deem appropriate with respect to the continuation or modification of the authority contained in this section. If the Secretary shall fail to submit any such report by the date due, his authority under this section shall terminate."

Report to Congress.

EXPERIMENTAL FINANCING

Sec. 308, Title II of the National Housing Act (as amended by section 307 of this Act) is amended by adding at the end thereof the following new section:

12 USC 1707.

EXPERIMENTAL FINANCING

"Sec. 245. The Secretary may insure on an experimental basis under any provision of this title mortgages and loans with provisions of varying rates of amortization corresponding to anticipated variations in family income to the extent he determines such mortgages or loans (1) have promise for expanding housing opportunities or meet special needs, (2) can be developed to include any safeguards for mortgagees or purchasers that may be necessary to offset special risks of such mortgages, and (3) have a potential for acceptance in the private market. The outstanding aggregate principal amount of mortgages which are insured pursuant to this section may not exceed 1 per centum of the outstanding aggregate principal amount of mortgages and loans estimated to be insured during any fiscal year under this title. A mortgage or loan may not be insured pursuant to this section after June 30, 1976, except pursuant to a commitment entered into prior to such date."

12 USC 1715c-10.

PROPERTY IMPROVEMENT AND MOBILITY HOME LOANS

SEC. 309. (a) Section 210 of the National Housing Act is amended—

12 USC 1709.

(1) by striking out "\$5,000" in clause (1) and inserting in lieu thereof "\$10,000";

(2) by striking out "if such obligation" in clause (2) and all that follows down through "the general economy, and" and inserting in lieu thereof the following: "if such obligation has a maturity in excess of twelve years and thirty-two days, except that,"

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(3) by striking out "twelve years and thirty-two days (fifteen years and thirty-two days in the case of a mobile home composed of two or more modules)" in the proviso in clause (2) and inserting in lieu thereof "fifteen years and thirty-two days"; and

(4) by striking out "\$15,000", "\$2,500", and "seven years" in the third proviso in clause (3) and inserting in lieu thereof "\$25,000", "\$5,000", and "twelve years", respectively.

(b)(1) Section 2(a) of such Act is amended by adding at the end thereof the following new paragraph:

"Alterations, repairs, and improvements upon or in connection with existing structures may include the provision of fire safety equipment, energy conserving improvements, or the installation of solar energy systems. As used in this section—

"(1) the term 'fire safety equipment' means any device or facility which is designed to reduce the risk of personal injury or property damage resulting from fire and is in conformity with such criteria and standards as shall be prescribed by the Secretary.

"(2) the term 'energy conserving improvements' means any addition, alteration, or improvement to an existing or new structure which is designed to reduce the total energy requirements of that structure, and which is in conformity with such criteria and standards as shall be prescribed by the Secretary in consultation with the National Bureau of Standards; and

"(3) the term 'solar energy system' means any addition, alteration, or improvement to an existing or new structure which is designed to utilize solar energy to reduce the energy requirements of that structure from other energy sources, and which is in conformity with such criteria and standards as shall be prescribed by the Secretary in consultation with the National Bureau of Standards."

(2) The first sentence of section 2(a) of such Act is amended by inserting before the period at the end thereof the following: "or financing the purchase of a lot on which to place such home and paying expenses reasonably necessary for the appropriate preparation of such lot, including the installation of utility connections, sanitary facilities, and paving, and the construction of a suitable pad, or financing only the acquisition of such a lot either with or without such preparation by an owner of a mobile home."

(3) Section 2(b) of such Act is amended by adding at the end thereof the following new sentence: "Notwithstanding the foregoing limitations, a loan to finance fire safety equipment for a nursing home, extended health care facility, intermediate health care facility, or other comparable health care facility may involve such principal amount and have such maturity as the Secretary may prescribe."

(4) Clause (1) in the first paragraph of section 2(a) of such Act is amended by inserting "or mobile homes" immediately after "in connection with existing structures."

(4) Section 2(b) of such Act (as amended by subsection (b)(3) of this section) is amended by adding at the end thereof the following new paragraphs:

"Notwithstanding the limitations contained in the first proviso to clause (2) of the preceding sentence, a loan financing the purchase of a mobile home and an undeveloped lot on which to place the home shall—

"(A) involve an amount not exceeding (i) the maximum amount under clause (1) of the first paragraph of this subsection, and (ii) such amount not to exceed \$5,000 as may be necessary to cover the cost of purchasing the lot; and

12 USC 1904

16 USC 1904

Limitations.

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"(B) have a maturity not exceeding fifteen years and thirty-two days (twenty years and thirty-two days in the case of a mobile home composed of two or more modules).

"A loan financing the purchase of a mobile home and a suitably developed lot on which to place the home shall—

"(A) involve an amount not exceeding (i) the maximum amount under clause (1) of the first paragraph of this subsection, and (ii) such amount not to exceed \$7,500 as may be necessary to cover the cost of purchasing the lot; and

"(B) have a maturity not exceeding fifteen years and thirty-two days (twenty years and thirty-two days in the case of a mobile home composed of two or more modules).

"A loan financing the purchase, by an owner of a mobile home which is the principal residence of that owner, of only a lot on which to place that mobile home shall—

"(A) involve such an amount as may be necessary to cover the cost of purchasing the lot but not exceeding (i) \$5,000 in the case of an undeveloped lot, or (ii) \$7,500 in the case of a developed lot; and

"(B) have a maturity not exceeding ten years and thirty-two days.

A mobile home lot loan may be made only if the owner certifies that he will place his mobile home on the lot acquired with such loan within six months after the date of such loan."

(e) The last sentence of section 3(a) of the Act entitled "An Act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes," approved May 7, 1968, as amended (12 U.S.C. 1709-1), is amended by striking out "and which represent loans and advances of credit made for the purpose of financing purchases of mobile homes,"

38 USC 1801.

DOWNPAYMENT REQUIREMENTS FOR REGULAR FHA ONE- TO FOUR-FAMILY MORTGAGES

SEC. 210. (a) The first and second sentences of section 203(b)(2) of the National Housing Act are each amended—

12 USC 1709.

(1) by striking out "\$15,000" in clause (i) and inserting in lieu thereof "\$25,000";

(2) by striking out "\$15,000" and "\$25,000" in clause (iii) and inserting in lieu thereof "\$25,000" and "\$35,000", respectively; and

(3) by striking out "\$25,000" in clause (iii) and inserting in lieu thereof "\$35,000".

(b) Section 220(d)(3)(A)(i) of such Act is amended by—

12 USC 1715e.

(1) by striking out "\$15,000" in each clause numbered (1) and inserting in lieu thereof "\$25,000";

(2) by striking out "\$15,000" and "\$25,000" in each clause numbered (2) and inserting in lieu thereof "\$25,000" and "\$35,000", respectively; and

(3) by striking out "\$25,000" in each clause numbered (3) and inserting in lieu thereof "\$35,000".

(c) Section 222(b)(3) of such Act is amended to read as follows:

12 USC 1715e.

"(3) have a principal obligation not in excess of the sum of (i) 97 per centum of \$25,000 of the appraised value of the property as of the date the mortgage is accepted for insurance, (ii) 90 per centum of such value in excess of \$25,000 but not in excess of \$35,000, and (iii) 89 per centum of such value in excess of \$35,000; and".

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- 12 USC 1715y. (d) That part of clause (A) of the third sentence of section 234(c) of such Act which begins "and not to exceed" is amended to read as follows "and not to exceed the sum of (i) 97 per centum of \$25,000 of the appraised value of the property as of the date the mortgage is accepted for insurance, (ii) 90 per centum of such value in excess of \$25,000 but not in excess of \$35,000, (iii) 80 per centum of such value in excess of \$35,000."

MULTIFAMILY MORTGAGES

- 12 USC 1715n. Sec. 311. (a) Section 223 of the National Housing Act is amended by adding at the end thereof the following new subsections:

"(f) Notwithstanding any of the provisions of this Act, the Secretary is authorized, in his discretion, to insure under any section of this title a mortgage executed in connection with the purchase of refinancing of an existing multifamily housing project. In the case of refinancing under this subsection of property located in an older, declining urban area, the Secretary shall prescribe such terms and conditions as he deems necessary to assure that—

"(1) the refinancing is used to lower the monthly debt service only to the extent necessary to assure the continued economic viability of the project, taking into account any rent reductions to be implemented by the mortgagor; and

"(2) during the mortgage term no rental increases shall be made except those which are necessary to offset actual and reasonable operating expense increases or other necessary expense increases approved by the Secretary.

"(g) Notwithstanding any other provisions of this Act, the Secretary may, in his discretion, insure a mortgage covering a multifamily housing project including units which are not self-contained."

- 12 USC 1715c. (b) Section 213(b)(2) of such Act is amended by striking out "97 per centum" and inserting in lieu thereof "98 per centum."

GROUP PRACTICE FACILITIES

- 12 USC 1749aaa. Sec. 312. (a) Title XI of the National Housing Act is amended—

(1) by inserting after "unit or organization" in section 1101

(b)(1) the following: "or other mortgagor";

(2) by inserting after "group practice facility" in section 1101

(b)(3) the following: "or medical practice facility";

(3) by inserting after "group practice facility" in section 1101

(c) the following: "or medical practice facility";

(4) by inserting after "group practice facility" in section

1101(f) the following: "or medical practice facility";

(5) by striking out in "(as defined in section 1105(1))" section

1105(a) and inserting in lieu thereof "or medical practice facility

(as defined in section 1105)", and

(6) by redesignating paragraphs (2) through (8) of section

1105 as paragraphs (3) through (9), respectively, and by inserting

after paragraph (1) of such section the following:

"(2) The term 'medical practice facility' means an adequately equipped facility in which not more than four persons licensed to practice medicine in the State where the facility is located can provide, as may be appropriate, preventive, diagnostic, and treatment services, and which is situated in a rural area or small town, or in a low-income section of an urban area, in which there exists, as determined by the Secretary, a critical shortage of physicians. As used in this paragraph—

"(A) the term 'small town' means any town, village, or city having a population of not more than 100,000 inhabitants accord-

"one II 1749aaa."

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ing to the most recent available data compiled by the Bureau of the Census; and

"(B) the term 'low income section of an urban area' means a section of a larger urban area in which the median family income is substantially lower, as determined by the Secretary, than the median family income for the area as a whole."

(b) Section 1106 of such Act is amended as follows:

(1) Paragraph (1) is amended by inserting "or osteopathy" after "practice medicine," and by inserting after "State" where it last appears the following: ", or, in the case of podiatric care or treatment, is under the professional supervision of persons licensed to practice podiatry in the State".

(2) Paragraph (2) (as redesignated by subsection (a) (6) of this section) is amended by inserting ", osteopathy," after "practice medicine," and by inserting after "dentistry in the State," the following: "or of persons licensed to practice podiatry in the State".

(3) Paragraph (3) (A) (as so redesignated) is amended by inserting "osteopathic care," after "comprehensive medical care," by striking out "or" after "optometric care," and by inserting after "dental care," the following: "or podiatric care."

(4) Paragraph (3) (B) (as so redesignated) is amended by inserting "osteopathic," after "medical," by striking out "or" after "optometric," and by inserting after "dental" the following: "or podiatric."

SUPPLEMENTAL LOANS

SEC. 313. Section 241 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(d) Notwithstanding the foregoing, the Secretary may insure a loan for improvements or additions to a multifamily housing project, or a group practice or medical practice facility or hospital or other health facility approved by the Secretary, which is not covered by a mortgage insured under this Act, if he finds that such a loan would assist in preserving, expanding, or improving housing opportunities, or in providing protection against fire or other hazards. Such loans shall have a maturity satisfactory to the Secretary and shall meet such other conditions as the Secretary may prescribe. In no event shall such a loan be insured if it is for an amount in excess of the maximum amount which could be approved if the outstanding indebtedness, if any, covering the property were a mortgage insured under this Act."

HOUSING INSURANCE FOR LAND DEVELOPMENT

SEC. 314. The first sentence of section 1902(c) of the National Housing Act is amended to read as follows: "The principal obligation of the mortgage shall not exceed the sum of 80 per centum of the Secretary's estimate of the value of the land before development and 90 per centum of his estimate of the cost of such development."

SALES TO COOPERATIVES

SEC. 315. Title II of the National Housing Act (as amended by sections 207 and 208 of this Act) is amended by adding at the end thereof the following:

"SALE OF ACQUIRED PROPERTY TO COOPERATIVES

"SEC. 246. In any case in which the Secretary sells a multifamily housing project acquired as the result of a default on a mortgage which was insured under this Act to a cooperative which will operate

12 USC 1749aaa-

5.

12 USC 1715z-

6.

12 USC 1749ccc.

Auto, p. 679,
587.

12 USC 1715z-

11.

it on a nonprofit basis and restrict permanent occupancy of its dwellings to members, the Secretary may accept a purchase money mortgage in a principal amount equal to the sum of (1) the appraised value of the property at the time of purchase, which value shall be based upon a mortgage amount on which the debt service can be met from the income of the property when operated on a nonprofit basis after payment of all operating expenses, taxes, and required reserves, and (2) the amount of prepaid expenses and costs involved in achieving cooperative ownership. Prior to such disposition of a project, funds may be expended by the Secretary for necessary repairs and improvements."

EXTENSION OF REGULAR FHA INSURANCE PROGRAMS

- 12 USC 1703. SEC. 316. (a) Section 2(a) of the National Housing Act is amended by striking out "October 1, 1974" in the first sentence and inserting in lieu thereof "June 30, 1977".
- 12 USC 1715h. (b) Section 217 of such Act is amended by striking out "October 1, 1974" and inserting in lieu thereof "June 30, 1977".
- 12 USC 1715l. (c) Section 221(f) of such Act is amended by striking out "October 1, 1974" in the fifth sentence and inserting in lieu thereof "June 30, 1977".
- 12 USC 1748h-1. (d) Section 809(f) of such Act is amended by striking out "October 1, 1974" in the second sentence and inserting in lieu thereof "June 30, 1977".
- 12 USC 1748h-2. (e) Section 810(k) of such Act is amended by striking out "October 1, 1974" in the second sentence and inserting in lieu thereof "June 30, 1977".
- 12 USC 1749bb. (f) Section 1002(a) of such Act is amended by striking out "October 1, 1974" in the second sentence and inserting in lieu thereof "June 30, 1977".
- 12 USC 1749aaa. (g) Section 1101(a) of such Act is amended by striking out "October 1, 1974" in the second sentence and inserting in lieu thereof "June 30, 1977".

EXTENSION OF FLEXIBLE INTEREST RATE AUTHORITY

- 38 USC 1801. SEC. 317. Section 3(a) of the Act entitled "An Act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes", approved May 7, 1968, as amended (12 U.S.C. 1709-1), is amended by striking out "October 1, 1974" and inserting in lieu thereof "June 30, 1977".

MORTGAGE INSURANCE IN MILITARY IMPACTED AREAS

- 12 USC 1715z-3. SEC. 318. Section 238 of the National Housing Act is amended by adding at the end thereof the following new subsection:
- "(c) The Special Risk Insurance Fund may be used by the Secretary for carrying out the mortgage insurance obligations of sections 203 and 207 to provide housing for military personnel, Federal civilian employees, and Federal contractor employees assigned to duty or employed at or in connection with any installation of the Armed Forces of the United States in federally impacted areas where, in the judgment of the Secretary (1) the residual housing requirements for persons not associated with such installations are insufficient to sustain the housing market in the event of substantial curtailment of employment of personnel assigned to such installations, and (2) the benefits to be derived from such use outweigh the risk of possible cost to the Government."

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AMENDMENT TO MAKE PUBLIC HOUSING AGENCIES ELIGIBLE AS MORTGAGORS UNDER SECTION 221(d)(3) OF THE NATIONAL HOUSING ACT

SEC. 319. (a) Section 221(d)(3) of the National Housing Act is amended by striking out "(and which certifies that it is not receiving financial assistance from the United States exclusively pursuant to the United States Housing Act of 1937)" and inserting in lieu thereof "(and, except with respect to a project assisted or to be assisted pursuant to section 8 of the United States Housing Act of 1937, which certifies that it is not receiving financial assistance from the United States exclusively pursuant to such Act)".

(b) With respect to any obligation secured by a mortgage which is insured under section 221(d)(3) of the National Housing Act and issued by a public agency as mortgagor in connection with the financing of a project assisted under section 8 of the United States Housing Act of 1937, the interest paid on such obligation shall be included in gross income for purposes of chapter 1 of the Internal Revenue Code of 1954.

12 USC 17151.
42 USC 1430.
42 USC 1408.
42 USC 1408.
68A Stat. 3.
26 USC 1 et seq.

TITLE IV—COMPREHENSIVE PLANNING

COMPREHENSIVE PLANNING

SEC. 401. (a) Section 701(a) of the Housing Act of 1954 is amended—

(1) by striking out "State planning agencies" in paragraph (1) and inserting in lieu thereof "States";

(2) by striking out the numbered paragraphs following paragraph (1) and inserting in lieu thereof the following:

"(2) States for State, interstate, metropolitan, district, or regional activities which may be assisted under this section;

"(3) cities (including the District of Columbia) having populations of at least 50,000 according to the latest decennial census for local activities which may be assisted under this section;

"(4) urban counties as defined under title I of the Housing and Community Development Act of 1974;

"(5) the areawide organization in any metropolitan area which is formally charged with carrying out the provisions of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and section 401 of the Intergovernmental Cooperation Act of 1968: *Provided*, That any such areawide organization, to the extent practicable, shall be composed of or responsible to the elected officials of the unit or units of general local government for the jurisdictions of which they are empowered to carry out the provisions of such Acts;

"(6) Indian tribal groups or bodies; and

"(7) other governmental units or agencies having special planning needs related to the purposes of this section, including but not limited to interstate regional planning commissions, and units or agencies for disaster areas, federally impacted areas, and local development districts, to the extent these needs cannot otherwise be adequately met."; and

(3) by striking out the part which follows the numbered paragraphs and inserting in lieu thereof the following:

"Activities assisted under this section shall, to the maximum extent feasible, cover entire areas having common or related development problems. The Secretary shall encourage cooperation in preparing and carrying out plans among all interested municipalities, political subdivisions, public agencies, and other parties in order to achieve coordinated development of entire areas. To the maximum extent feasible,

40 USC 461.
42 USC 3334.
42 USC 4231.

88 STAT. 687

pertinent plans and studies already made for areas shall be utilized so as to avoid unnecessary repetition of effort and expense."

40 USC 461.

(b) Section 701 of such Act is further amended by striking out all that follows subsection (a) and inserting in lieu thereof the following:

"(b) Activities which may be assisted under this section include those necessary (1) to develop and carry out a comprehensive plan as part of an ongoing planning process, (2) to develop and improve the management capability to implement such plan or part thereof or related plans or planning, and (3) to develop a policy-planning-evaluation capacity so that the recipient may more rationally (A) determine its needs, (B) set long-term goals and short-term objectives, (C) devise programs and activities to meet these goals and objectives, and (D) evaluate the progress of such programs in accomplishing those goals and objectives. Activities assisted under this section shall be carried out by professionally competent persons.

"(c) Each recipient of assistance under this section shall carry out an ongoing comprehensive planning process which shall make provision for citizen participation pursuant to regulations of the Secretary where major plans, policies, priorities, or objectives are being determined. The process shall involve development and subsequent modifications of a comprehensive plan which shall be reviewed at least biennially for necessary or desirable amendments. Any such plan shall include, as a minimum, each of the following elements:

"(1) A housing element which shall take into account all available evidence of the assumptions and statistical bases upon which the projection of zoning, community facilities, and population growth is based, so that the housing needs of both the region and the local communities studied in the planning will be adequately covered in terms of existing and prospective population growth. The development and formulation of State and local goals pursuant to title XVI of the Housing and Urban Development Act of 1968 shall be a part of such a housing element.

42 USC 1441a.

"(2) A land-use element which shall include (A) studies, criteria, standards, and implementing procedures necessary for effectively guiding and controlling major decisions as to where growth shall take place within the recipient's boundaries, and (B) as a guide for governmental policies and activities, general plans with respect to the pattern and intensity of land use for residential, commercial, industrial, and other activities.

Each of the elements set forth above shall specify (i) broad goals and annual objectives (in measurable terms wherever possible), (ii) programs designed to accomplish these objectives, and (iii) procedures, including criteria set forth in advance, for evaluating programs and activities to determine whether they are meeting objectives. Such elements shall be consistent with each other and consistent with stated national growth policy.

"(d) After an initial application for assistance under this section has been approved, the Secretary may make grants on an annual basis, if—

"(1) the applicant submits to the Secretary annually a description of its work program designed to meet objectives for the next succeeding one-year period and setting forth any changes the applicant intends to undertake to achieve better progress; and

"(2) the applicant submits to the Secretary biennially (A) an evaluation of the progress made by it during the previous two years in meeting objectives set forth in its plan, and (B) a description of any changes in the plan's goals or objectives.

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The Secretary shall make no grant after three years from the date of enactment of the Housing and Community Development Act of 1974, to any applicant (other than an applicant described in paragraph (6) or (7) of subsection (a)), unless the Secretary is satisfied that the comprehensive planning being carried out by the applicant includes the elements specified in paragraphs (1) and (2) of subsection (c).

"(e) A grant made under this section shall not exceed two-thirds of the estimated cost of the work for which the grant is made. There are authorized to be appropriated for the purposes of this section not to exceed \$130,000,000 for the fiscal year 1975, and not to exceed \$150,000,000 for the fiscal year 1976. Of the funds appropriated under this section, not to exceed an aggregate of \$10,000,000 plus 5 per centum of the funds so appropriated may be used by the Secretary for studies, research, and demonstration projects, undertaken independently or by contract, for the development and improvement of techniques and methods for comprehensive planning and for the advancement of the purposes of this section, and for grants to assist in the conduct of studies and research relating to needed revisions in State statutes which create, govern, or control local governments and local governmental operations.

Grant, cost
limitation.
Appropriation.

"(f) It is the further intent of this section to encourage comprehensive planning on a unified basis for States, cities, counties, metropolitan areas, districts, regions, and Indian reservations and the establishment and development of the organizational units needed therefor. In extending financial assistance under this section, the Secretary may require such assurances as he deems adequate that the appropriate State and local agencies are making reasonable progress in the development of the elements of comprehensive planning. The Secretary is authorized by contract, grant, or otherwise to provide technical assistance to State and local governments, and interstate and regional combinations thereof, to Indian tribal bodies, and to governmental units or agencies described in subsection (a) (7), undertaking such planning and, by contract or otherwise, to make studies and publish information on comprehensive planning and related management problems.

"(g) The consent of the Congress is hereby given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, cooperative effort and mutual assistance in the comprehensive planning for the growth and development of interstate, metropolitan, or other urban areas, and to establish such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts.

"(h) In addition to the planning grants authorized by subsection (a), the Secretary is further authorized to make grants to organizations composed of public officials representative of the political jurisdictions within the metropolitan area, region, or district involved for the purpose of assisting such organizations to undertake studies, collect data, develop metropolitan, regional, and district plans and programs, and engage in such other activities, including implementation of such plans, as the Secretary finds necessary or desirable for the solution of the metropolitan, regional, or district problems in such areas, regions, or districts. To the maximum extent feasible, all grants under this subsection shall be for activities relating to all the developmental aspects of the total metropolitan area, region, or district including, but not limited to, land use, transportation, housing, economic development, natural resources development, community facilities, and the general improvement of living environments.

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"(i) In addition to the other grants authorized by this section, the Secretary is authorized to make grants to assist any city, other municipality, or county in making a survey of the structures and sites in the locality which are determined by its appropriate authorities to be of historic or architectural value. Any such survey shall be designed to identify the historic structures and sites in the locality, determine the cost of their rehabilitation or restoration, and provide such other information as may be necessary or appropriate to serve as a foundation for a balanced and effective program of historic preservation in such locality. The aspects of any such survey which relate to the identification of historic and architectural values shall be conducted in accordance with criteria found by the Secretary to be comparable to those used in establishing the national register maintained by the Secretary of the Interior under other provisions of law; and the results of each such survey shall be made available to the Secretary of the Interior. A grant under this subsection shall be made to the appropriate agency or entity specified in paragraphs (1) through (6) of subsection (a) or, if there is no such agency or entity which is qualified and willing to receive the grant and provide for its utilization in accordance with this subsection, directly to the city, other municipality, or county involved.

"(j) Grants made under this section may be used, subject to regulations and conditions prescribed by the Secretary, for any activities made eligible by the provisions of this section; but such regulations shall provide that grant assistance shall not be used to defray the cost of the acquisition, construction, repair, or rehabilitation of, or the preparation of engineering drawings or similar detailed specifications for, specific housing, capital facilities, or public works projects.

"(k) The Secretary shall consult with the heads of other Federal departments and agencies having responsibilities related to the purposes of this section, including responsibilities connected with the economic development of rural and depressed areas and the protection and enhancement of the Nation's natural environment, with respect to (1) general standards, policies, and procedures to be followed in the administration of this section, and (2) particular grant actions or approvals which the Secretary believes to be of special interest or concern to one or more of such departments and agencies.

"(l) Funds made available under any Federal assistance program for projects or activities, approved as part of or in furtherance of a planning program or related management activities assisted under this section, may be used jointly with funds made available for such projects or activities under any other Federal assistance program, subject to regulations prescribed by the President. Such regulations may include provisions for common technical or administrative requirements where varying or conflicting provisions of law or regulations would otherwise apply, for establishing joint management funds and common non-Federal shares, and for special agreements or delegations of authority, among different Federal agencies in connection with the supervision or administration of assistance. Such regulations shall in any case include appropriate criteria and procedures to assure that any special authorities conferred, which are not otherwise provided for by law, shall be employed only as necessary to promote effective and efficient administration and in a manner consistent with the protection of the Federal interest and program purposes or statutory requirements of a substantive nature. For purposes of this subsection, the term 'Federal assistance program' has the same meaning as in the Intergovernmental Cooperation Act of 1968.

"Federal assistance program."
42 USC 4201
note.

"(m) As used in this section--

"(1) The term 'metropolitan area' means a standard metropolitan statistical area, as established by the Office of Management and Budget, subject, however, to such modifications or extensions as the Secretary deems to be appropriate for the purposes of this section.

"(2) The term 'region' includes (A) all or part of the area of jurisdiction of one or more units of general local government, and (B) one or more metropolitan areas.

"(3) The term 'district' includes all or part of the area of jurisdiction of (A) one or more counties, and (B) one or more other units of general local government, but does not include any portion of a metropolitan area:

"(4) The term 'comprehensive planning' includes the following:

"(A) preparation, as a guide for governmental policies and action, of general plans with respect to (i) the pattern and intensity of land use, (ii) the provision of public facilities (including transportation facilities) and other government services, and (iii) the effective development and utilization of human and natural resources;

"(B) identification and evaluation of area needs (including housing, employment, education, and health) and formulation of specific programs for meeting the needs so identified;

"(C) surveys of structures and sites which are determined by the appropriate authorities to be of historic or architectural value;

"(D) long-range physical and fiscal plans for such action;

"(E) programming of capital improvements and other major expenditures, based on a determination of relative urgency, together with definite financing plans for such expenditures in the earlier years of the program;

"(F) coordination of all related plans and activities of the State and local governments and agencies concerned; and

"(G) preparation of regulatory and administrative measures in support of the foregoing.

Comprehensive planning for the purpose of districts shall not include planning for or assistance to establishments in relocating from one area to another or assist contractors or subcontractors whose purpose is to divest, or whose economic success is dependent upon divesting, other contractors or subcontractors of contracts theretofore customarily performed by them. The limitation set forth in the preceding sentence shall not be construed to prohibit assistance for the expansion of an existing business entity through the establishment of a new branch, affiliate, or subsidiary of such entity, if the Secretary finds that the establishment of such branch, affiliate, or subsidiary will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless the Secretary has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

Limitation.

"(n) In carrying out the provisions of this section relating to planning for States, regions, or other multijurisdictional areas whose development has significance for purposes of national growth and urban development objectives, the Secretary shall encourage the formulation of plans and programs which will include the studies, criteria, standards, and implementing procedures necessary for effectively guiding and controlling major decisions as to where growth should

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take place within such States, regions, or areas. Such plans and programs shall take account of the availability of and need for conserving land and other irreplaceable natural resources; of projected changes in size, movement, and composition of population; of the necessity for expanding housing and employment opportunities; of the opportunities, requirements, and possible locations for new communities and large-scale projects for expanding or revitalizing existing communities; and of the need for methods of achieving modernization, simplification, and improvements in governmental structures, systems, and procedures related to growth objectives. If the Secretary determines that activities otherwise eligible for assistance under this section are necessary to the development or implementation of such plans and programs, he may make grants in support of such activities to any governmental agency or organization of public officials which he determines is capable of carrying out the planning work involved in an effective and efficient manner and may make such grants in an amount equal to not more than 80 per centum of the cost of such activities."

40 USC 460.

(c) Section 703 of such Act is amended by striking out "and" in clause (1), and by inserting ", and the Trust Territory of the Pacific Islands" immediately before the semicolon at the end of such clause.

TRAINING AND FELLOWSHIP PROGRAMS

20 USC 801.

Sec. 402. (a) Section 801(b) of the Housing and Urban Development Act of 1964 is amended to read as follows:

"(b) It is the purpose of this title to provide fellowships for the graduate training of professional city and regional planning, management, and housing specialists, and professionally trained personnel with a general capacity in urban affairs and problems: to make grants to and contracts with institutions of higher education (or combinations of such institutions) to assist them in planning, developing, strengthening, improving, or carrying out programs or projects for the preparation of graduate or professional students to enter the public service; and to assist and encourage the States and localities, in cooperation with public and private universities and colleges and urban centers and with business firms and associations, labor unions and other interested associations and organizations, to (1) organize, initiate, develop, and expand programs which will provide special training in skills needed for economic and efficient community development to those technical, professional, and other persons with the capacity to master and employ such skills who are, or are training to be, employed by a governmental or public body which has responsibility for community development, or by a private nonprofit organization which is conducting or has responsibility for housing and community development programs, and (2) support State and local research that is needed in connection with housing programs and needs, public improvement programming, code problems, efficient land use, urban transportation, and singular community development problems."

20 USC 802.

(b) Section 802(a) of such Act is amended to read as follows:

"(a) The Secretary is authorized to provide fellowships for the graduate training of professional city planning, management, and housing specialists, and other persons who wish to develop a general capacity in urban affairs and problems as herein provided. Persons shall be selected for such fellowships solely on the basis of ability and upon the recommendation of the Urban Studies Fellowship Advisory Board established pursuant to subsection (b). Fellowships shall be solely for training in public and private nonprofit institutions of higher education having programs of graduate study in the field of city planning or in related fields (including architecture, civil engi-

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neering, economics, municipal finance, public administration, urban affairs, and sociology) which programs are oriented to training for careers in city and regional planning, housing, urban renewal, and community development."

(c) Title VIII of such Act is further amended (1) by redesignating sections 804 through 807 as sections 805 through 808, respectively, and (2) by inserting after section 803 a new section as follows:

"PROJECT GRANTS AND CONTRACTS

"Sec. 804. (a) The Secretary is authorized to make grants to or contracts with institutions of higher education, or combinations of such institutions, to assist them in planning, developing, strengthening, improving, or carrying out programs or projects (1) for the preparation of graduate or professional students in the fields of city and regional planning and management, housing, and urban affairs, or (2) for research into, or development or demonstration of, improved methods of education for these professions. Such grants or contracts may include payment of all or part of the cost of programs or projects. 20 USC 803a.

"(b) (1) A grant or contract authorized by this section shall be made only upon application to the Secretary at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it—

"(A) sets forth programs, activities, research, or development for which a grant is authorized under this section;

"(B) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this subsection; and

"(C) provides for making such reports, in such form and containing such information, as the Secretary may require to carry out his functions under this subsection, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

"(2) Payments under this section may be used, in accordance with regulations of the Secretary, and subject to the terms and conditions set forth in an application approved under paragraph (1), to pay part of the compensation of students employed in professions referred to in subsection (a) (1), except students employed in any branch of the Government of the United States, as part of a program for which a grant has been approved pursuant to this subsection."

(d) Section 807 of such Act (as redesignated by subsection (c) of this section) is amended by inserting before the period at the end of the first sentence a comma and the following: "which amount shall be increased by \$3,500,000 on July 1, 1974, and by \$3,500,000 on July 1, 1975". 20 USC 806.

TITLE V—RURAL HOUSING

INCLUSION OF UNITED STATES TERRITORIES AND TRUST TERRITORY OF THE PACIFIC ISLANDS

Sec. 501. Section 501(a)(1) of the Housing Act of 1949 is amended by striking out "Puerto Rico and the Virgin Islands," and inserting in lieu thereof the following: "the Commonwealth of Puerto Rico, the Virgin Islands, the territories and possessions of the United States, and the Trust Territory of the Pacific Islands". 42 USC 1471.

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REFINANCING OF INDEBTEDNESS FOR CERTAIN ELIGIBLE APPLICANTS

42 USC 1471.

SEC. 502. Section 501 (a) (4) of the Housing Act of 1949 is amended—

(1) by adding after the comma at the end of clause (B) the following: "or, if combined with a loan for improvement, rehabilitation, or repairs and not refinanced, is likely to cause a hardship for the applicant, and"; and

(2) striking out clauses (C) and (D) and inserting in lieu thereof the following:

"(C) was incurred by the applicant at least five years prior to his applying for assistance under this title."

LOANS TO HOUSEHOLD OWNERS UNDER ALL RURAL HOUSING PROGRAMS

SEC. 503. Section 501 (b) (2) of the Housing Act of 1949 is amended by striking out "sections 502 and 504" and inserting in lieu thereof "this title".

REHABILITATION LOANS AND GRANTS

42 USC 1474.

SEC. 504. Section 504 (a) of the Housing Act of 1949 is amended to read as follows:

"(a) In the event the Secretary determines that an eligible applicant cannot qualify for a loan under the provisions of sections 502 and 503 and that repairs or improvements should be made to a rural dwelling occupied by him in order to make such dwelling safe and sanitary and remove hazards to the health of the occupant, his family, or the community, and that repairs should be made to farm buildings in order to remove hazards and make such buildings safe, the Secretary may make a grant or a combined loan and grant to the applicant to cover the cost of improvements or additions, such as repairing roofs, providing toilet facilities, providing a convenient and sanitary water supply, supplying screens, repairing or providing structural supports, or making similar repairs, additions, or improvements, including all preliminary and installation costs in obtaining central water and sewer service. No assistance shall be extended to any one individual under this subsection in the form of a loan, grant, or combined loan and grant in excess of \$5,000. Any portion of the sums advanced to the borrower treated as a loan shall be secured and be repayable within twenty years in accordance with the principles and conditions set forth in this title, except that a loan for less than \$2,500 need be evidenced only by a promissory note. Sums made available by grant may be made subject to the conditions set forth in this title for the protection of the Government with respect to contributions made on loans made by the Secretary."

ESCROW ACCOUNTS FOR TAXES, INSURANCE, AND OTHER EXPENSES

42 USC 1471.

SEC. 505. (a) Section 501 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(e) The Secretary may establish procedures whereby borrowers under this title may make periodic payments for the purpose of taxes, insurance, and such other necessary expenses as the Secretary may deem appropriate. Such payments shall be held in escrow by the Secretary and paid out by him at the appropriate time or times for the purposes for which such payments are made. The Secretary shall notify a borrower in writing when his loan payments are delinquent."

42 USC 1472.

(b) The second sentence of section 502 (a) of such Act is amended by inserting before the period at the end thereof the following: "and on the borrower prepaying to the Secretary as escrow agent, on terms and conditions prescribed by him, such taxes, insurance, and other

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expenses as the Secretary may require in accordance with section 501(e)".

(c) Section 517 of such Act is amended—

42 USC 1487.

(1) by striking out "as it becomes due" in the first sentence of subsection (d);

(2) by striking out "prepayment" and "repayments" each place they appear in subsection (j) (1) and inserting in lieu thereof "payment" and "payments", respectively; and

(3) by inserting before the semicolon at the end of subsection (j) (1) the following: "or until the next agreed annual or semi-annual remittance date".

RESEARCH AND STUDY PROGRAMS

Sec. 506. (a) Section 506(d) of the Housing Act of 1949 is amended to read as follows: 42 USC 1476.

(d) The Secretary may carry out the research and study programs authorized by subsections (b) and (c) through grants made by him, on such terms, conditions, and standards as he may prescribe, to land-grant colleges established pursuant to the Act of July 2, 1862 (7 U.S.C. 301-308), or (upon a finding by the Secretary that the research and study involved cannot feasibly be performed through the personnel and facilities of the Department of Agriculture or by land-grant colleges) to such other private or public organizations as he may select.

(b) Section 506(e) of such Act is amended by striking out "farm housing" each place it appears and inserting in lieu thereof "rural housing".

VETERANS PREFERENCE

Sec. 507. Section 507 of the Housing Act of 1949 is amended— 42 USC 1477.

(1) by inserting after "concurrent resolution of Congress" each place it appears a comma and the following: "or during the period beginning after January 31, 1955, and ending on August 4, 1964, or during the Vietnam era (as defined in section 101(29) of title 38, United States Code)."; and

(2) by inserting "or era" before the period at the end of the third sentence.

UTILIZATION OF COUNTY COMMITTEES

Sec. 508. Section 508(b) of the Housing Act of 1949 is amended to read as follows: 42 USC 1478.

"(b) The committees utilized or appointed pursuant to this section may examine applications of persons desiring to obtain the benefits of section 501(a) (1) and (2) as they relate to the successful operation of a farm, and may submit recommendations to the Secretary with respect to each applicant as to whether the applicant is eligible to receive such benefits, whether by reason of his character, ability, and experience he is likely successfully to carry out undertakings required of him under a loan under such section, and whether the farm with respect to which the application is made is of such character that there is a reasonable likelihood that the making of the loan requested will carry out the purposes of this title. The committees may also certify to the Secretary with respect to the amount of any loan."

ASSISTANCE AUTHORIZATION

Sec. 509. (a) Clauses (b), (c), and (d) of section 513 of the Housing Act of 1949 are amended to read as follows: 42 USC 1483.
\$80,000,000 for loans and grants pursuant to section 504 during the 42 USC 1474.

42 USC 1486.

period beginning July 1, 1956, and ending June 30, 1977; (c) not to exceed \$80,000,000 for financial assistance pursuant to section 516 for the period ending June 30, 1977; (d) not to exceed \$250,000 per year for research and study programs pursuant to subsections (b), (c), and (d) of section 506 during the period beginning July 1, 1961, and ending June 30, 1974, and not to exceed \$1,000,000 per year for such programs during the period beginning October 1, 1974, and ending June 30, 1977;".

Arts, p. 694.

42 USC 1485,
1487.

(b) Sections 515(b)(5) and 517(a)(1) of such Act are amended by striking out "October 1, 1974" and inserting in lieu thereof "June 30, 1977".

DIRECT AND INSURED LOANS TO PROVIDE HOUSING AND RELATED FACILITIES FOR ELDERLY PERSONS AND LOWER INCOME FAMILIES IN RURAL AREAS

42 USC 1485.

Sec. 510. (a) Section 515(b)(1) of the Housing Act of 1949 is amended—

(1) by striking out "\$750,000 or"; and

(2) by striking out "least" and inserting in lieu thereof "less".

(b) Section 515(d)(4) of such Act is amended to read as follows:

"Development
cost."

"(4) the term 'development cost' means the costs of constructing, purchasing, improving, altering, or repairing new or existing housing and related facilities and purchasing and improving the necessary land, including necessary and appropriate fees and charges, and initial operating expenses, up to 2 per centum of the aforementioned costs, approved by the Secretary. Such fees and charges may include payments of qualified consulting organizations or foundations which operate on a nonprofit basis and which render services or assistance to nonprofit corporations or consumer cooperatives who provide housing and related facilities for low or moderate income families."

DEFINITION OF RURAL AREA

42 USC 1490.

Sec. 511. Section 520 of the Housing Act of 1949 is amended by inserting before the period at the end thereof a comma and the following: "or (3) has a population in excess of 10,000 but not in excess of 20,000, and (A) is not contained within a standard metropolitan statistical area, and (B) has a serious lack of mortgage credit, as determined by the Secretary and the Secretary of Housing and Urban Development".

MUTUAL AND SELF-HELP HOUSING

42 USC 1490.

Sec. 512. (a) Section 523(b)(1) of the Housing Act of 1949 is amended by inserting immediately before "; and" at the end thereof the following: "Provided, That the Secretary may advance funds under this paragraph to organizations receiving assistance under clause (A) to enable them to establish revolving accounts for the purchase of land options and any such advances may bear interest at a rate determined by the Secretary and shall be repaid to the Secretary at the expiration of the period for which the grant to the organization involved was made".

(b) Section 523(f) of such Act is amended—

(1) by striking out "1974" each place it appears and inserting in lieu thereof "1977"; and

(2) by striking out "\$5,000,000" and inserting in lieu thereof "\$10,000,000".

(c) Section 523 of such Act is amended by adding at the end thereof the following new subsection:

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"(b) The Secretary shall issue rules and regulations for the orderly processing and review of applications under this section and rules and regulations protecting the rights of grantees under this section in the event he determines to end grant assistance prior to the termination date of any grant agreement."

Rules and regulations.

SITE LOANS

Sec. 513. The first sentence of section 524(a) of the Housing Act of 1949 is amended to read as follows: "The Secretary may make loans, on such terms and conditions and in such amounts he deems necessary, to public or private nonprofit organizations for the acquisition and development of land as building sites to be subdivided and sold to families, nonprofit organizations, public agencies, and cooperatives eligible for assistance under any section of this title or under any other law which provides financial assistance for housing low- and moderate-income families."

42 USC 1490d.

RENTAL ASSISTANCE

Sec. 514. (a) Section 521(a) of the Housing Act of 1949 is amended by inserting "(1)" after "(a)", and by adding at the end thereof the following new paragraph:

42 USC 1490c.

"(2)(A) The Secretary may make and insure loans under this section and sections 514, 515, and 517 to provide rental or cooperative housing and related facilities for persons and families of low income in multifamily housing projects, and may make, and contract to make, assistance payments to the owners of such rental housing in order to make available to low-income occupants of such housing rentals at rates commensurate to income and not exceeding 25 per centum of income. Such assistance payments shall be made on a unit basis and shall not be made for more than 20 per centum of the units in any one project, except that (i) when the project is financed by a loan under section 515 for elderly housing or by a loan under section 514 and a grant under section 516, such assistance may be made for up to 100 per centum of the units, and (ii) when the Secretary determines such action is necessary or feasible, he may make such payments with respect to more than 20 per centum of the units."

42 USC 1484, 1485, 1487.

"(B) The owner of any project assisted under this paragraph shall be required to provide at least annually a budget of operating expenses and record of tenants' income which shall be used to determine the amount of assistance for each project."

"(C) The project owner shall accumulate, safeguard, and periodically pay to the Secretary any rental charges collected in excess of basic rental charges as established by the Secretary in conformity with subparagraph (A). These funds may be credited to the appropriation and used by the Secretary for making such assistance payments through the end of the next fiscal year."

(b) Section 521(c) of such Act is amended to read as follows:

"(c) There shall be reimbursed to the Rural Housing Insurance Fund by annual appropriations (1) the amounts by which nonprincipal payments made from the fund during each fiscal year to the holders of insured loans described in subsection (a)(1) exceed interest due from the borrowers during each year, and (2) the amount of assistance payments described in subsection (a)(2). The Secretary may from time to time issue notes to the Secretary of the Treasury under section 517(h) to obtain amounts equal to such unreimbursed payments, pending the annual reimbursement by appropriation."

(c) Section 517(j) of such Act is amended—

(1) by striking out "and" at the end of paragraph (2);

(2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following new paragraph:

"(4) to make assistance payments authorized by section 521 (a) (2)."

Ante, p. 696.

TECHNICAL AND SUPERVISORY ASSISTANCE

42 USC 1469.

Sec. 515. Title V of the Housing Act of 1949 is amended by adding at the end thereof the following new section:

"PROGRAMS OF TECHNICAL AND SUPERVISORY ASSISTANCE FOR
LOW-INCOME FAMILIES

42 USC 1490e.

"Sec. 525. (a) The Secretary may make grants to or enter into contracts with public or private nonprofit corporations, agencies, institutions, organizations, and other associations approved by him, to pay part or all of the cost of developing, conducting, administering or coordinating effective and comprehensive programs of technical and supervisory assistance which will aid needy low-income individuals and families in benefiting from Federal, State, and local housing programs in rural areas. In processing applications for such grants or contracts made by private nonprofit corporations, agencies, institutions, organizations, and other associations, the Secretary shall give preference to those which are sponsored (including assistance to the applicant in processing the application, implementing the technical assistance program, and carrying out the obligations of the grant or contract) by a State, county, municipality, or other governmental entity or public body.

"(b) The Secretary is authorized to make loans to public or private nonprofit corporations, agencies, institutions, organizations, and other associations approved by him for the necessary expenses, prior to construction, of planning, and obtaining financing for, the rehabilitation or construction of housing for low-income individuals or families under any Federal, State, or local housing program which is or could be used in rural areas. Such loans shall be made without interest and shall be for the reasonable costs expected to be incurred in planning, and in obtaining financing for, such housing prior to the availability of financing, including but not limited to preliminary surveys and analyses of market needs, preliminary, site engineering and architectural fees, and construction loan fees and discounts. The Secretary shall require repayment of loans made under this subsection, under such terms and conditions as he may require, upon completion of the housing or sooner, and may cancel any part or all of such loan if he determines that it cannot be recovered from the proceeds of any permanent loan made to finance the rehabilitation or construction of the housing.

Appropriation.

"(c) There are authorized to be appropriated for the fiscal years ending June 30, 1975, and June 30, 1976, not to exceed \$5,000,000 for the purposes of subsection (a) and not to exceed \$5,000,000 for the purposes of subsection (b). Any amounts so appropriated shall remain available until expended, and any amounts authorized for any fiscal year under this subsection but not appropriated may be appropriated for any succeeding fiscal year.

Low-income
sponsor fund.

"(d) All funds appropriated for the purpose of subsection (b) shall be deposited in a fund which shall be known as the low-income sponsor fund, and which shall be available without fiscal year limitation and be administered by the Secretary as a revolving fund for carrying out the purposes of that subsection. Sums received in repayment of loans made under subsection (b) shall be deposited in such fund."

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CONDOMINIUM HOUSING

Sec. 516. (a) Title V of the Housing Act of 1949 (as amended by section 515 of this Act) is amended by adding at the end thereof the following new section:

Arts. p. 697.

"CONDOMINIUM HOUSING

"Sec. 526. (a) The Secretary is authorized, in his discretion and upon such terms and conditions (substantially identical insofar as may be feasible with those specified in section 502) as he may prescribe, to make loans to persons and families of low or moderate income, and to insure and make commitments to insure loans made to persons and families of low or moderate income, to assist them in purchasing dwelling units in condominiums located in rural areas.

42 USC 1490f.

Arts. p. 693.

"(b) Any loan made or insured under subsection (a) shall cover a one-family dwelling unit in a condominium, and shall be subject to such provisions as the Secretary determines to be necessary for the maintenance of the common areas and facilities of the condominium project and to such additional requirements as the Secretary deems appropriate for the protection of the consumer.

"(c) In addition to individual loans made or insured under subsection (a) the Secretary is authorized, in his discretion and upon such terms and conditions (substantially identical insofar as may be feasible with those specified in section 515) as he may prescribe, to make or insure blanket loans to a borrower who shall certify to the Secretary, as a condition of obtaining such loan or insurance, that upon completion of the multifamily project the ownership of the project will be committed to a plan of family unit ownership under which (1) each family unit will be eligible for a loan or insurance under subsection (a), and (2) the individual dwelling units in the project will be sold only on a condominium basis and only to purchasers eligible for a loan or insurance under subsection (a). The principal obligation of any blanket loan made or insured under this subsection shall in no case exceed the sum of the individual amounts of the loans which could be made or insured with respect to the individual dwelling units in the project under subsection (a).

"(d) As used in this section, the term 'condominium' means a multi-unit housing project which is subject to a plan of family unit ownership acceptable to the Secretary under which each dwelling unit is individually owned and each such owner holds an undivided interest in the common areas and facilities which serve the project."

"Condominium."

(b) Section 517(b) of such Act is amended by striking out "and 524" and inserting in lieu thereof "524, and 526".

42 USC 1497.

42 USC 1484;

Supra.

Arts. p. 696.

42 USC 1485.

(c) (1) Section 521(a) (1) of such Act (as amended by section 514 (a) of this Act) is amended—

(A) by striking out "and loans under section 515" and inserting in lieu thereof "loans under section 515"; and

(B) by inserting after "elderly families," the following: "and loans under section 526 to provide condominium housing for persons and families of low or moderate income."

(2) Section 521(b) of such Act is amended—

(A) by striking out "or 517(a)(1)" and inserting in lieu thereof "517(a)(1), or 526(a)"; and

(B) by inserting "or 526(c)" after "under section 515".

(3) Section 521(c) of such Act (as amended by section 514(b) of this Act) is amended by inserting "and section 526" after "section 517(h)".

TRANSFER OF PRE-1965 INSURED HOUSING LOANS TO THE RURAL HOUSING INSURANCE FUND

Ante, p. 699.42 USC 1484;
Ante, p. 695.

42 USC 1487.

SEC. 517. Section 517(b) of the Housing Act of 1949 is amended by adding at the end thereof the following new sentences: "The notes held in the Agricultural Credit Insurance Fund (7 U.S.C. 1929) which evidence loans made or insured by the Secretary under section 514 or 515(b), the rights and liabilities of that Fund under insurance contracts relating to such loans held by insured investors, the mortgages securing the obligations of the borrowers under such loans held in that Fund or by insured investors, and all rights to subsequent collections on and proceeds of such notes, contracts, and mortgages, are hereby transferred to the Rural Housing Insurance Fund and for the purposes of this title and any other Act shall be subject to the provisions of this section as if created pursuant thereto. The Rural Housing Insurance Fund shall compensate the Agricultural Credit Insurance Fund for the aggregate unpaid principal balance plus accrued interest of the notes so transferred."

MOBILE HOMES

Ante, p. 697,
698.

SEC. 518. Title V of the Housing Act of 1949 (as amended by sections 515 and 516(a) of this Act) is amended by adding at the end thereof the following new section:

"MOBILE HOMES

"Housing."
42 USC 1490g.

"SEC. 527. (a) As used in this title, the term 'housing' shall, notwithstanding any other provision of this title and to the extent deemed practicable by the Secretary, include mobile homes and mobile home sites.

"(b) With respect to mobile homes and mobile home sites financed under this title, the Secretary shall—

"(1) prescribe minimum property standards to assure the livability and durability of the mobile home and the suitability of the site on which it is to be located, and

"(2) obtain assurances from the borrower that the mobile home will be placed on a site which complies with standards prescribed by the Secretary and with applicable local requirements.

Loans under this title for the purchase of mobile homes and sites shall be made on the same terms and conditions as are applicable under section 2 of the National Housing Act to obligations financing the purchase of mobile homes and lots on which to place such homes."

Ante, p. 665.

CONTRACT SERVICES AND FEES

42 USC 1476.

SEC. 519. (a) Section 506(a) of the Housing Act of 1949 is amended by striking out "as may be required by the Secretary, by competent employees of the Secretary" and inserting in lieu thereof "as required by the Secretary".

42 USC 1487.

"(b) Section 517(j)(3) of such Act is amended by inserting after "borrowers," the following: "and other services customary in the industry, construction inspections, commercial appraisals, servicing of loans, and other related program services and expenses."

STATE AND LOCAL AGENCIES

42 USC 1471.

SEC. 520. Section 501(c) of the Housing Act of 1949 is amended by adding at the end thereof the following: "If an applicant is a State or local public agency—

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"(A) the provisions of clause (3) shall not apply to its application; and

"(B) the applicant shall be eligible to participate in any program under this title if the persons or families to be served by the applicant with the assistance being sought would be eligible to participate in such program."

TITLE VI—MOBILE HOME CONSTRUCTION AND SAFETY STANDARDS

National Mobile Home Construction and Safety Standards Act of 1974.

SHORT TITLE

Sec. 601. This title may be cited as the "National Mobile Home Construction and Safety Standards Act of 1974".

42 USC 5401 note.

STATEMENT OF PURPOSE

Sec. 602. The Congress declares that the purposes of this title are to reduce the number of personal injuries and deaths and the amount of insurance costs and property damage resulting from mobile home accidents and to improve the quality and durability of mobile homes. Therefore, the Congress determines that it is necessary to establish Federal construction and safety standards for mobile homes and to authorize mobile home safety research and development.

42 USC 5401.

DEFINITIONS

Sec. 603. As used in this title, the term—

42 USC 5402.

(1) "mobile home construction" means all activities relating to the assembly and manufacture of a mobile home including but not limited to those relating to durability, quality, and safety;

(2) "dealer" means any person engaged in the sale, leasing, or distribution of new mobile homes primarily to persons who in good faith purchase or lease a mobile home for purposes other than resale;

(3) "defect" includes any defect in the performance, construction, components, or material of a mobile home that renders the home or any part thereof not fit for the ordinary use for which it was intended;

(4) "distributor" means any person engaged in the sale and distribution of mobile homes for resale;

(5) "manufacturer" means any person engaged in manufacturing or assembling mobile homes, including any person engaged in importing mobile homes for resale;

(6) "mobile home" means a structure, transportable in one or more sections, which is eight body feet or more in width and is thirty-two body feet or more in length, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein;

(7) "Federal mobile home construction and safety standard" means a reasonable standard for the construction, design, and performance of a mobile home which meets the needs of the public including the need for quality, durability, and safety;

(8) "mobile home safety" means the performance of a mobile home in such a manner that the public is protected against any unreasonable risk of the occurrence of accidents due to the design

or construction of such mobile home, or any unreasonable risk of death or injury to the user or to the public if such accidents do occur;

(9) "imminent safety hazard" means an imminent and unreasonable risk of death or severe personal injury;

(10) "purchaser" means the first person purchasing a mobile home in good faith for purposes other than resale;

(11) "Secretary" means the Secretary of Housing and Urban Development;

(12) "State" includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Canal Zone, and American Samoa; and

(13) "United States district courts" means the Federal district courts of the United States and the United States courts of the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

FEDERAL MOBILE HOME CONSTRUCTION AND SAFETY STANDARDS

42 USC 5403. SEC. 604. (a) The Secretary, after consultation with the Consumer Product Safety Commission, shall establish by order appropriate Federal mobile home construction and safety standards. Each such Federal mobile home standard shall be reasonable and shall meet the highest standards of protection, taking into account existing State and local laws relating to mobile home safety and construction.

Notice.

(b) All orders issued under this section shall be issued after notice and an opportunity for interested persons to participate are provided in accordance with the provisions of section 553 of title 5, United States Code.

Effective date.

(c) Each order establishing a Federal mobile home construction and safety standard shall specify the date such standard is to take effect, which shall not be sooner than one hundred and eighty days or later than one year after the date such order is issued, unless the Secretary finds, for good cause shown, that an earlier or later effective date is in the public interest, and publishes his reasons for such finding.

(d) Whenever a Federal mobile home construction and safety standard established under this title is in effect, no State or political subdivision of a State shall have any authority either to establish, or to continue in effect, with respect to any mobile home covered, any standard regarding construction or safety applicable to the same aspect of performance of such mobile home which is not identical to the Federal mobile home construction and safety standard.

Amendment or revocation, effective date.

(e) The Secretary may by order amend or revoke any Federal mobile home construction or safety standard established under this section. Such order shall specify the date on which such amendment or revocation is to take effect, which shall not be sooner than one hundred and eighty days or later than one year from the date the order is issued, unless the Secretary finds, for good cause shown, that an earlier or later date is in the public interest, and publishes his reasons for such finding.

(f) In establishing standards under this section, the Secretary shall—

(1) consider relevant available mobile home construction and safety data, including the results of the research, development, testing, and evaluation activities conducted pursuant to this title, and those activities conducted by private organizations and other governmental agencies to determine how to best protect the public;

(2) consult with such State or interstate agencies (including legislative committees) as he deems appropriate;

(3) consider whether any such proposed standard is reasonable for the particular type of mobile home or for the geographic region for which it is prescribed;

(4) consider the probable effect of such standard on the cost of the mobile home to the public; and

(5) consider the extent to which any such standard will contribute to carrying out the purposes of this title.

(g) The Secretary shall issue an order establishing initial Federal mobile home construction and safety standards not later than one year after the date of enactment of this Act.

Effective date.

NATIONAL MOBILE HOME ADVISORY COUNCIL

SEC. 605. (a) The Secretary shall appoint a National Mobile Home Advisory Council with the following composition: eight members selected from among consumer organizations, community organizations, and recognized consumer leaders; eight members from the mobile home industry and related groups including at least one representative of small business; and eight members selected from government agencies including Federal, State, and local governments. Appointments under this subsection shall be made without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service, classification, and General Schedule pay rates. The Secretary shall publish the names of the members of the Council annually and shall designate which members represent the general public.

42 USC 5404. Appointment; membership.

(b) The Secretary shall, to the extent feasible, consult with the Advisory Council prior to establishing, amending, or revoking any mobile home construction or safety standard pursuant to the provisions of this title.

5 USC 101 at sec. Safety standards, establishment or revocation, consultation with Advisory Council. Compensation.

(c) Any member of the National Mobile Home Advisory Council who is appointed from outside the Federal Government may be compensated at a rate not to exceed \$100 per diem (including travel-time) when engaged in the actual duties of the Advisory Council. Such members, while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence as authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

JUDICIAL REVIEW OF ORDERS

SEC. 606. (a) (1) In a case of actual controversy as to the validity of any order under section 604, any person who may be adversely affected by such order when it is effective may at any time prior to the sixtieth day after such order is issued file a petition with the United States court of appeals for the circuit wherein such person resides or has his principal place of business, for judicial review of such order. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which the Secretary based his order, as provided in section 2112 of title 28, United States Code.

Petition, filing. 42 USC 5405.

(2) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Secretary, and to be adduced

Additional evidence.

upon the hearing, in such manner and upon such terms and conditions as to the court may seem proper. The Secretary may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings, and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

Jurisdiction.

(3) Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to review the order in accordance with the provisions of sections 701 through 706 of title 5, United States Code, and to grant appropriate relief.

Review.

(4) The judgment of the court affirming or setting aside, in whole or in part, any such order of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

Savings provision.

(5) Any action instituted under this subsection shall survive, notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office.

Transcript, copies.

(6) The remedies provided for in this subsection shall be in addition to and not in substitution for any other remedies provided by law.

(b) A certified copy of the transcript of the record and proceedings under this section shall be furnished by the Secretary to any interested party at his request and payment of the costs thereof, and shall be admissible in any criminal, exclusion of imports, or other proceeding arising under or in respect of this title, irrespective of whether proceedings with respect to the order have previously been initiated or become final under subsection (a).

PUBLIC INFORMATION

42 USC 5406.

Sec. 607. (a) Whenever any manufacturer is opposed to any action of the Secretary under section 604 or under any other provision of this title on the grounds of increased cost or for other reasons, the manufacturer shall submit such cost and other information (in such detail as the Secretary may by rule or order prescribe) as may be necessary in order to properly evaluate the manufacturer's statement.

(b) Such information shall be available to the public unless the manufacturer establishes that it contains a trade secret or that disclosure of any portion of such information would put the manufacturer at a substantial competitive disadvantage. Notice of the availability of such information shall be published promptly in the Federal Register. If the Secretary determines that any portion of such information contains a trade secret or that the disclosure of any portion of such information would put the manufacturer at a substantial competitive disadvantage, such portion may be disclosed to the public only in such manner as to preserve the confidentiality of such trade secret or in such combined or summary form so as not to disclose the identity of any individual manufacturer, except that any such information may be disclosed to other officers or employees concerned, with carrying out this title or when relevant in any proceeding under this title. Nothing in this subsection shall authorize the withholding of information by the Secretary or any officer or employee under his control from the duly authorized committees of the Congress.

Publication in Federal Register.

(c) If the Secretary proposes to establish, amend, or revoke a Federal mobile home construction and safety standard under section 604 on the basis of information submitted pursuant to subsection (a), he shall publish a notice of such proposed action, together with the reasons therefor, in the Federal Register at least thirty days in advance of making a final determination, in order to allow interested parties an opportunity to comment.

Safety standard, amendment or revocation; publication in Federal Register.

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(d) For purposes of this section, "cost information" means information with respect to alleged cost increases resulting from action by the Secretary, in such a form as to permit the public and the Secretary to make an informed judgment on the validity of the manufacturer's statements. Such term includes both the manufacturer's cost and the cost to retail purchasers.

"Cost information."

(e) Nothing in this section shall be construed to restrict the authority of the Secretary to obtain or require submission of information under any other provision of this title.

RESEARCH, TESTING, DEVELOPMENT, AND TRAINING

SEC. 608. (a) The Secretary shall conduct research, testing, development, and training necessary to carry out the purposes of this title, including, but not limited to— 42 USC 5407.

(1) collecting data from any source for the purpose of determining the relationship between mobile home performance characteristics and (A) accidents involving mobile homes, and (B) the occurrence of death, personal injury, or damage resulting from such accidents;

(2) procuring (by negotiation or otherwise) experimental and other mobile homes for research and testing purposes; and

(3) selling or otherwise disposing of test mobile homes and reimbursing the proceeds of such sale or disposal into the current appropriation available for the purpose of carrying out this title:

(b) The Secretary is authorized to conduct research, testing, development, and training as authorized to be carried out by subsection (a) of this section by contracting for or making grants for the conduct of such research, testing, development, and training to States, interstate agencies, and independent institutions. Grants.

COOPERATION WITH PUBLIC AND PRIVATE AGENCIES

SEC. 609. The Secretary is authorized to advise, assist, and cooperate with other Federal agencies and with State and other interested public and private agencies, in the planning and development of— 42 USC 5408.

(1) mobile home construction and safety standards; and

(2) methods for inspecting and testing to determine compliance with mobile home standards.

PROHIBITED ACTS

SEC. 610. (a) No person shall—

42 USC 5409.

(1) make use of any means of transportation or communication affecting interstate or foreign commerce or the mails to manufacture for sale, lease, sell, offer for sale or lease, or introduce or deliver, or import into the United States, any mobile home which is manufactured on or after the effective date of any applicable Federal mobile home construction and safety standard under this title and which does not comply with such standard, except as provided in subsection (b), where such manufacture, lease, sale, offer for sale or lease, introduction, delivery, or importation affects commerce;

(2) fail or refuse to permit access to or copying of records, or fail to make reports or provide information, or fail to refuse to permit entry or inspection, as required under section 614;

(3) fail to furnish notification of any defect as required by section 615;

(4) fail to issue a certification required by section 616, or issue a certification to the effect that a mobile home conforms to all

applicable Federal mobile home construction and safety standards, if such person in the exercise of due care has reason to know that such certification is false or misleading in a material respect; or

(5) fail to comply with a final order issued by the Secretary under this title.

(b) (1) Paragraph (1) of subsection (a) shall not apply to the sale, the offer for sale, or the introduction or delivery for introduction in interstate commerce of any mobile home after the first purchase of such mobile home in good faith for purposes other than resale.

(2) For purposes of section 611, paragraph (1) of subsection (a) shall not apply to any person who establishes that he did not have reason to know in the exercise of due care that such mobile home is not in conformity with applicable Federal mobile home construction and safety standards, or to any person who, prior to such first purchase, holds a certificate issued by the manufacturer or importer of such mobile home to the effect that such mobile home conforms to all applicable Federal mobile home construction and safety standards, unless such person knows that such mobile home does not so conform.

Importation,
refusal.

(3) A mobile home offered for importation in violation of paragraph (1) of subsection (a) shall be refused admission into the United States under joint regulations issued by the Secretary of the Treasury and the Secretary, except that the Secretary of the Treasury and the Secretary may, by such regulations, provide for authorizing the importation of such mobile home into the United States upon such terms and conditions (including the furnishing of a bond) as may appear to them appropriate to insure that any such mobile home will be brought into conformity with any applicable Federal mobile home construction or safety standard prescribed under this title, or will be exported from, or forfeited to, the United States.

(4) The Secretary of the Treasury and the Secretary may, by joint regulations, permit the importation of any mobile home after the first purchase of it in good faith for purposes other than resale.

(5) Paragraph (1) of subsection (a) shall not apply in the case of a mobile home intended solely for export, and so labeled or tagged on the mobile home itself and on the outside of the container, if any, in which it is to be exported.

Liability under
common law,
exemption,
prohibition.

(c) Compliance with any Federal mobile home construction or safety standard issued under this title does not exempt any person from any liability under common law.

CIVIL AND CRIMINAL PENALTY

42 USC 5410.

SEC. 611. (a) Whoever violates any provision of section 610, or any regulation or final order issued thereunder, shall be liable to the United States for a civil penalty of not to exceed \$1,000 for each such violation. Each violation of a provision of section 610, or any regulation or order issued thereunder shall constitute a separate violation with respect to each mobile home or with respect to each failure or refusal to allow or perform an act required thereby, except that the maximum civil penalty may not exceed \$1,000,000 for any related series of violations occurring within one year from the date of the first violation.

(b) An individual or a director, officer, or agent of a corporation who knowingly and willfully violates section 610 in a manner which threatens the health or safety of any purchaser shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

JURISDICTION AND VENUE

42 USC 5411.

SEC. 612. (a) The United States district courts shall have jurisdiction, for cause shown and subject to the provisions of rule 65 (a) and

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(b) of the Federal Rules of Civil Procedure, to restrain violations of this title, or to restrain the sale, offer for sale, or the importation into the United States, of any mobile home which is determined, prior to the first purchase of such mobile home in good faith for purposes other than resale, not to conform to applicable Federal mobile home construction and safety standards prescribed pursuant to this title or to contain a defect which constitutes an imminent safety hazard, upon petition by the appropriate United States attorney or the Attorney General on behalf of the United States. Whenever practicable, the Secretary shall give notice to any person against whom an action for injunctive relief is contemplated and afford him an opportunity to present his views and the failure to give such notice and afford such opportunity shall not preclude the granting of appropriate relief.

28 USC app.

(b) In any proceeding for criminal contempt for violation of an injunction or restraining order issued under this section, which violation also constitutes a violation of this title, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

Trial by court or jury.

(c) Actions under subsection (a) of this section and section 611 may be brought in the district wherein any act or transaction constituting the violation occurred, or in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendant may be found.

16 USC app.

(d) In any action brought by the United States under subsection (a) of this section or section 611, subpoenas by the United States for witnesses who are required to attend at United States district court may run into any other district.

Subpoenas.

(e) It shall be the duty of every manufacturer offering a mobile home for importation into the United States to designate in writing an agent upon whom service of all administrative and judicial processes, notices, orders, decisions, and requirements may be made for and on behalf of such manufacturer, and to file such designation with the Secretary, which designation may from time to time be changed by like writing, similarly filed. Service of all administrative and judicial processes, notices, orders, decisions, and requirements may be made upon such manufacturer by service upon such designated agent at his office or usual place of residence with like effect as if made personally upon such manufacturer, and in default of such designation of such agent, service of process or any notice, order, requirement, or decision in any proceeding before the Secretary or in any judicial proceeding pursuant to this title may be made by mailing such process, notice, order, requirement, or decision to the Secretary by registered or certified mail.

Agent, designation by manufacturer for unparted homes.

NONCOMPLIANCE WITH STANDARDS

Sec. 613. (a) If the Secretary or a court of appropriate jurisdiction determines that any mobile home does not conform to applicable Federal mobile home construction and safety standards, or that it contains a defect which constitutes an imminent safety hazard, after the sale of such mobile home by a manufacturer to a distributor or a dealer and prior to the sale of such mobile home by such distributor or dealer to a purchaser—

42 USC 5412.

(1) the manufacturer shall immediately repurchase such mobile home from such distributor or dealer at the price paid by such distributor or dealer, plus all transportation charges involved and a reasonable reimbursement of not less than 1 per centum per

Parts, replacement and reimbursement for installation.

month of such price paid prorated from the date of receipt by certified mail of notice of such nonconformance to the date of repurchase by the manufacturer; or

(2) the manufacturer, at his own expense, shall immediately furnish the purchasing distributor or dealer the required conforming part or parts or equipment for installation by the distributor or dealer on or in such mobile home, and for the installation involved the manufacturer shall reimburse such distributor or dealer for the reasonable value of such installation plus a reasonable reimbursement of not less than 1 per centum per month of the manufacturer's or distributor's selling price prorated from the date of receipt by certified mail of notice of such nonconformance to the date such vehicle is brought into conformance with applicable Federal standards, so long as the distributor or dealer proceeds with reasonable diligence with the installation after the required part or equipment is received.

The value of such reasonable reimbursements as specified in paragraphs (1) and (2) of this subsection shall be fixed by mutual agreement of the parties, or, failing such agreement, by the court pursuant to the provisions of subsection (b).

Noncompliance, court injunction.

(b) If any manufacturer fails to comply with the requirements of subsection (a), then the distributor or dealer, as the case may be, to whom such mobile home has been sold may bring an action seeking a court injunction compelling compliance with such requirements on the part of such manufacturer. Such action may be brought in any district court in the United States in the district in which such manufacturer resides, or is found, or has an agent, without regard to the amount in controversy, and the person bringing the action shall also be entitled to recover any damage sustained by him, as well as all court costs plus reasonable attorneys' fees. Any action brought pursuant to this section shall be forever barred unless commenced within three years after the cause of action shall have accrued.

Statute of limitations.

INSPECTION OF MOBILE HOMES AND RECORDS

42 USC 5413.

Sec. 614. (a) The Secretary is authorized to conduct such inspections and investigations as may be necessary to promulgate or enforce Federal mobile home construction and safety standards established under this title or otherwise to carry out his duties under this title. He shall furnish the Attorney General and, when appropriate, the Secretary of the Treasury any information obtained indicating non-compliance with such standards for appropriate action.

(b) (1) For purposes of enforcement of this title, persons duly designated by the Secretary, upon presenting appropriate credentials to the owner, operator, or agent in charge, are authorized—

(A) to enter, at reasonable times and without advance notice, any factory, warehouse, or establishment in which mobile homes are manufactured, stored, or held for sale; and

(B) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, any such factory, warehouse, or establishment, and to inspect such books, papers, records, and documents as are set forth in subsection (c). Each such inspection shall be commenced and completed with reasonable promptness.

(2) The Secretary is authorized to contract with State and local governments and private inspection organizations to carry out his functions under this subsection.

(c) For the purpose of carrying out the provisions of this title, the Secretary is authorized—

Hearings.

(1) to hold such hearings, take such testimony, sit and act at such times and places, administer such oaths, and require, by

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subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, papers, correspondence, notices, orders, contracts, agreements, or other records, as the Secretary or such officer or employee deems advisable. Witnesses summoned pursuant to this subsection shall be paid the same fees and mileage that are paid witnesses in the courts of the United States;

(2) to examine and copy any documentary evidence of any person having materials or information relevant to any function of the Secretary under this title;

(3) to require, by general or special orders, any person to file, in such form as the Secretary may prescribe, reports or answers in writing to specific questions relating to any function of the Secretary under this title. Such reports and answers shall be made under oath or otherwise, and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe;

(4) to request from any Federal agency any information he deems necessary to carry out his functions under this title, and each such agency is authorized and directed to cooperate with the Secretary and to furnish such information upon request made by the Secretary, and the head of any Federal agency is authorized to detail, on a reimbursable basis, any personnel of such agency to assist in carrying out the duties of the Secretary under this title; and

(5) to make available to the public any information which may indicate the existence of a defect which relates to mobile home construction or safety or of the failure of a mobile home to comply with applicable mobile home construction and safety standards. The Secretary shall disclose so much of other information obtained under this subsection to the public as he determines will assist in carrying out this title; but he shall not (under the authority of this sentence) make available or disclose to the public any information which contains or relates to a trade secret or any information the disclosure of which would put the person furnishing such information at a substantial competitive disadvantage, unless he determines that it is necessary to carry out the purpose of this title.

(d) Any of the district courts of the United States within the jurisdiction of which an inquiry is carried on may, in the case of contumacy or refusal to obey a subpoena or order of the Secretary issued under paragraph (1) or paragraph (3) of subsection (c) of this section, issue an order requiring compliance therewith; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(e) Each manufacturer of mobile homes shall submit the building plans for every model of such mobile homes to the Secretary or his designee for the purpose of inspection under this section. The manufacturer must certify that each such building plan meets the Federal construction and safety standards in force at that time before the model involved is produced.

(f) Each manufacturer, distributor, and dealer of mobile homes shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such manufacturer, distributor, or dealer has acted or is acting in compliance with this title and Federal mobile home construction and safety standards prescribed pursuant to this title and shall, upon request of a person duly designated by the Secretary, permit such person to inspect appropriate books, papers, records, and documents relevant to determining whether such manufacturer, distributor, or dealer has acted or is acting in compliance

Witness fees.

Filing of reports or answers to questions.

Information Request from Federal Agency.

Safety construction and safety standards, disclosure by Secretary.

Violation, penalty.

Building plans, submission to Secretary for approval.

Records and reports, inspection.

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Performance
and technical
data.Notification
to purchasers.Information
disclosure,
exception.

with this title and mobile home construction and safety standards prescribed pursuant to this title.

(g) Each manufacturer of mobile homes shall provide to the Secretary such performance data and other technical data related to performance and safety as may be required to carry out the purposes of this title. These shall include records of tests and test results which the Secretary may require to be performed. The Secretary is authorized to require the manufacturer to give notification of such performance and technical data to—

(1) each prospective purchaser of a mobile home before its first sale for purposes other than resale, at each location where any such manufacturer's mobile homes are offered for sale by a person with whom such manufacturer has a contractual, proprietary, or other legal relationship and in a manner determined by the Secretary to be appropriate, which may include, but is not limited to, printed matter (A) available for retention by such prospective purchaser, and (B) sent by mail to such prospective purchaser upon his request; and

(2) the first person who purchases a mobile home for purposes other than resale, at the time of such purchase or in printed matter placed in the mobile home.

(h) All information reported to or otherwise obtained by the Secretary or his representative pursuant to subsection (b), (c), (f), or (g) which contains or relates to a trade secret, or which, if disclosed, would put the person furnishing such information at a substantial competitive disadvantage, shall be considered confidential, except that such information may be disclosed to other officers or employees concerned with carrying out this title or when relevant in any proceeding under this title. Nothing in this section shall authorize the withholding of information by the Secretary or any officer or employee under his control from the duly authorized committees of the Congress.

NOTIFICATION AND CORRECTION OF DEFECTS

42 USC 5414.

Sec. 5415. (a) Every manufacturer of mobile homes shall furnish notification of any defect in any mobile home produced by such manufacturer which he determines, in good faith, relates to a Federal mobile home construction or safety standard or contains a defect which constitutes an imminent safety hazard to the purchaser of such mobile home, within a reasonable time after such manufacturer has discovered such defect.

(b) The notification required by subsection (a) shall be accomplished—

(1) by mail to the first purchaser (not including any dealer or distributor of such manufacturer) of the mobile home containing the defect, and to any subsequent purchaser to whom any warranty on such mobile home has been transferred;

(2) by mail to any other person who is a registered owner of such mobile home and whose name and address has been ascertained pursuant to procedures established under subsection (f); and

(3) by mail or other more expeditious means to the dealer or dealers of such manufacturer to whom such mobile home was delivered.

Description.

(c) The notification required by subsection (a) shall contain a clear description of such defect or failure to comply, an evaluation of the risk to mobile home occupants' safety reasonably related to such defect, and a statement of the measures needed to repair the defect. The notification shall also inform the owner whether the defect is a construction or safety defect which the manufacturer will have corrected

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at no cost to the owner of the mobile home under subsection (g) or otherwise, or is a defect which must be corrected at the expense of the owner.

(d) Every manufacturer of mobile homes shall furnish to the Secretary a true or representative copy of all notices, bulletins, and other communications to the dealers of such manufacturer or purchasers of mobile homes of such manufacturer regarding any defect in any such mobile home produced by such manufacturer. The Secretary shall disclose to the public so much of the information contained in such notices or other information obtained under section 614 as he deems will assist in carrying out the purposes of this title, but he shall not disclose any information which contains or relates to a trade secret, or which, if disclosed, would put such manufacturer at a substantial competitive disadvantage, unless he determines that it is necessary to carry out the purposes of this title.

Communications
to dealers,
copies to Sec-
retary.

Information
disclosure,
exception.

(e) If the Secretary determines that any mobile home—

(1) does not comply with an applicable Federal mobile home construction and safety standard prescribed pursuant to section 604; or

(2) contains a defect which constitutes an imminent safety hazard,

then he shall immediately notify the manufacturer of such mobile home of such defect or failure to comply. The notice shall contain the findings of the Secretary and shall include all information upon which the findings are based. The Secretary shall afford such manufacturer an opportunity to present his views and evidence in support thereof, to establish that there is no failure of compliance. If after such presentation by the manufacturer the Secretary determines that such mobile home does not comply with applicable Federal mobile home construction or safety standards, or contains a defect which constitutes an imminent safety hazard, the Secretary shall direct the manufacturer to furnish the notification specified in subsections (a) and (b) of this section.

Noncompliance
notice to man-
ufacturer.

(f) Every manufacturer of mobile homes shall maintain a record of the name and address of the first purchaser of each mobile home (for purposes other than resale), and, to the maximum extent feasible, shall maintain procedures for ascertaining the name and address of any subsequent purchaser thereof and shall maintain a record of names and addresses so ascertained. Such records shall be kept for each home produced by a manufacturer. The Secretary may establish by order procedures to be followed by manufacturers in establishing and maintaining such records, including procedures to be followed by distributors and dealers to assist manufacturers to secure the information required by this subsection. Such procedures shall be reasonable for the particular type of mobile home for which they are prescribed.

Record of pur-
chasers.

(g) A manufacturer required to furnish notification of a defect under subsection (a) or (e) shall also bring the mobile home into compliance with applicable standards and correct the defect or have the defect corrected within a reasonable period of time at no expense to the owner, but only if—

Defect correc-
tions, condi-
tions.

(1) the defect presents an unreasonable risk of injury or death to occupants of the affected mobile home or homes;

(2) the defect can be related to an error in design or assembly of the mobile home by the manufacturer.

The Secretary may direct the manufacturer to make such corrections after providing an opportunity for oral and written presentation of views by interested persons. Nothing in this section shall limit the rights of the purchaser or any other person under any contract or applicable law.

(h) The manufacturer shall submit his plan for notifying owners of the defect and for repairing such defect (if required under subsection (g)) to the Secretary for his approval before implementing such plan. Whenever a manufacturer is required under subsection (g) to correct a defect, the Secretary shall approve with or without modification, after consultation with the manufacturer of the mobile home involved, such manufacturer's remedy plan including the date when, and the method by which, the notification and remedy required pursuant to this section shall be effectuated. Such date shall be the earliest practicable one but shall not be more than sixty days after the date of discovery or determination of the defect or failure to comply, unless the Secretary grants an extension of such period for good cause shown and publishes a notice of such extension in the Federal Register. Such manufacturer is bound to implement such remedy plan as approved by the Secretary.

Compliance,
effective date.

Publication in
Federal Register.
Defects, replacement or
reimbursement.

(i) Where a defect or failure to comply in a mobile home cannot be adequately repaired within sixty days from the date of discovery or determination of the defect, the Secretary may require that the mobile home be replaced with a new or equivalent home without charge, or that the purchase price be refunded in full, less a reasonable allowance for depreciation based on actual use if the home has been in the possession of the owner for more than one year.

CERTIFICATION OF CONFORMITY WITH CONSTRUCTION AND SAFETY STANDARDS

42 USC 5415.

SEC. 616. Every manufacturer of mobile homes shall furnish to the distributor or dealer at the time of delivery of each such mobile home produced by such manufacturer certification that such mobile home conforms to all applicable Federal construction and safety standards. Such certification shall be in the form of a label or tag permanently affixed to each such mobile home.

CONSUMER INFORMATION

Consumer's
manual.
42 USC 5416.

SEC. 617. The Secretary shall develop guidelines for a consumer's manual to be provided to mobile home purchasers by the manufacturer. These manuals should identify and explain the purchasers' responsibilities for operation, maintenance, and repair of their mobile homes.

EFFECT UPON ANTITRUST LAWS

42 USC 5417.

SEC. 618. Nothing contained in this title shall be deemed to exempt from the antitrust laws of the United States any conduct that would otherwise be unlawful under such laws, or to prohibit under the antitrust laws of the United States any conduct that would be lawful under such laws. As used in this section, the term "antitrust laws" includes, but is not limited to, the Act of July 2, 1890, as amended; the Act of October 14, 1914, as amended; the Federal Trade Commission Act (15 U.S.C. 41 et seq.); and sections 73 and 74 of the Act of August 27, 1894, as amended.

"Antitrust
laws."
15 USC 1-7.
15 USC 56.
15 USC 59.

USE OF RESEARCH AND TESTING FACILITIES OF PUBLIC AGENCIES

42 USC 5418.

SEC. 619. The Secretary, in exercising the authority under this title, shall utilize the services, research and testing facilities of public agencies and independent testing laboratories to the maximum extent practicable in order to avoid duplication.

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INSPECTION FEES

SEC. 620. In carrying out the inspections required under this title, the Secretary may establish and impose on mobile home manufacturers, distributors, and dealers such reasonable fees as may be necessary to offset the expenses incurred by him in conducting such inspections, except that this section shall not apply in any State which has in effect a State plan under section 623. 42 USC 5419.

PENALTIES ON INSPECTIONS

SEC. 621. Any person, other than an officer or employee of the United States, or a person exercising inspection functions under a State plan pursuant to section 623, who knowingly and willfully fails to report a violation of any construction or safety standard established under section 604 may be fined up to \$1,000 or imprisoned for up to one year, or both. 42 USC 5420.

PROHIBITION ON WAIVER OF RIGHTS

SEC. 622. The rights afforded mobile home purchasers under this title may not be waived, and any provision of a contract or agreement entered into after the enactment of this title to the contrary shall be void. 42 USC 5421.

STATE JURISDICTION; STATE PLANS

SEC. 623. (a) Nothing in this title shall prevent any State agency or court from asserting jurisdiction under State law over any mobile home construction or safety issue with respect to which no Federal mobile home construction and safety standard has been established pursuant to the provisions of section 604. 42 USC 5422.

(b) Any State which, at any time, desires to assume responsibility for enforcement of mobile home safety and construction standards relating to any issue with respect to which a Federal standard has been established under section 604, shall submit to the Secretary a State plan for enforcement of such standards. Enforcement standards plan, submittal to Secretary.

(c) The Secretary shall approve the plan submitted by a State under subsection (b), or any modification thereof, if such plan in his judgment— Approval.

(1) designates a State agency or agencies as the agency or agencies responsible for administering the plan throughout the State;

(2) provides for the enforcement of mobile home safety and construction standards promulgated under section 604;

(3) provides for a right of entry and inspection of all factories, warehouses, or establishments in such State in which mobile homes are manufactured and for the review of plans, in a manner which is identical to that provided in section 614;

(4) provides for the imposition of the civil and criminal penalties under section 611;

(5) provides for the notification and correction procedures under section 615;

(6) provides for the payment of inspection fees by manufacturers in amounts adequate to cover the costs of inspections;

(7) contains satisfactory assurances that the State agency or agencies have or will have the legal authority and qualified personnel necessary for the enforcement of such standards;

(8) give satisfactory assurances that such State will devote adequate funds to the administration and enforcement of such standards;

88 STAT. 713

(9) requires manufacturers, distributors, and dealers in such State to make reports to the Secretary in the same manner and to the same extent as if the State plan were not in effect;

(10) provides that the State agency or agencies will make such reports to the Secretary in such form and containing such information as the Secretary shall from time to time require; and

(11) complies with such other requirements as the Secretary may by regulation prescribe for the enforcement of this title.

(d) If the Secretary rejects a plan submitted under subsection (b), he shall afford the State submitting the plan due notice and opportunity for a hearing before so doing.

(e) After the Secretary approves a State plan submitted under subsection (b), he may, but shall not be required to, exercise his authority under this title with respect to enforcement of mobile home construction and safety standards in the State involved.

Evaluation.

(f) The Secretary shall, on the basis of reports submitted by the designated State agency and his own inspections, make a continuing evaluation of the manner in which each State having a plan approved under this section is carrying out such plan. Such evaluation shall be made by the Secretary at least annually for each State, and the results of such evaluation and the inspection reports on which it is based shall be promptly submitted to the appropriate committees of the Congress. Whenever the Secretary finds, after affording due notice and opportunity for a hearing, that in the administration of the State plan there is a failure to comply substantially with any provision of the State plan or that the State plan has become inadequate, he shall notify the State agency or agencies of his withdrawal of approval of such plan. Upon receipt of such notice by such State agency or agencies such plan shall cease to be in effect, but the State may retain jurisdiction in any case commenced before the withdrawal of the plan in order to enforce mobile home standards under the plan whenever the issues involved do not relate to the reasons for the withdrawal of the plan.

GRANTS TO STATES

42 USC 5423.

Sec. 624. (a) The Secretary is authorized to make grants to the States which have designated a State agency under section 623 to assist them—

(1) in identifying their needs and responsibilities in the area of mobile home construction and safety standards; or

(2) in developing State plans under section 623.

(b) The Governor of each State shall designate the appropriate State agency for receipt of any grant made by the Secretary under this section.

Application.

(c) Any State agency designated by the Governor of a State desiring a grant under this section shall submit an application therefor to the Secretary. The Secretary shall review and either accept or reject such application.

(d) The Federal share for each State grant under subsection (a) of this section may not exceed 90 per centum of the total cost to the State in identifying its needs and developing its plan. In the event the Federal share for all States under such subsection is not the same, the differences among the States shall be established on the basis of objective criteria.

RULES AND REGULATIONS

42 USC 5424.

Sec. 625. The Secretary is authorized to issue, amend, and revoke such rules and regulations as he deems necessary to carry out this title.

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ANNUAL REPORT TO CONGRESS

SEC. 626. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on March 1 of each year a comprehensive report on the administration of this title for the preceding calendar year. Such report shall include but not be restricted to (1) a thorough statistical compilation of the accidents, injuries, deaths, and property losses occurring in or involving mobile homes in such year; (2) a list of Federal mobile home construction and safety standards prescribed or in effect in such year; (3) the level of compliance with all applicable Federal mobile home standards; (4) a summary of all current research grants and contracts together with a description of the problems to be studied in such research; (5) an analysis and evaluation, including relevant policy recommendations, of research activities completed and technological progress achieved during such year; (6) a statement of enforcement actions including judicial decisions, settlements, defect notifications, and pending litigation commenced during the year; and (7) the extent to which technical information was disseminated to the scientific community and consumer-oriented information was made available to mobile home owners and prospective buyers.

Submittal to
President.
42 USC 5425.

Contents.

(b) The report required by subsection (a) of this section shall contain such recommendations for additional or revised legislation as the Secretary deems necessary to promote the improvement of mobile home construction and safety and to strengthen the national mobile home program.

Recommendations
for legisla-
tion.

(c) In order to assure a continuing and effective national mobile home construction and safety program, it is the policy of Congress to encourage the adoption of State inspection of used mobile homes. Therefore, to that end the Secretary shall conduct a thorough study and investigation to determine the adequacy of mobile home construction and safety standards and mobile home inspection requirements and procedures applicable to used mobile homes in each State, and the effect of programs authorized by this title upon such standards, requirements, and procedures for used mobile homes, and report to Congress as soon as practicable, but not later than one year after the date of enactment of this Act, the results of such study, and recommendations for such additional legislation as he deems necessary to carry out the purposes of this title. Such report shall also include recommendations by the Secretary relating to the problems of disposal of used mobile homes.

AUTHORIZATION OF APPROPRIATIONS

SEC. 627. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

42 USC 5426.

EFFECTIVE DATE

SEC. 628. The provisions of this title shall take effect upon the expiration of 180 days following the date of enactment of this title.

42 USC 5401
note.

TITLE VII—CONSUMER HOME MORTGAGE ASSISTANCE

SHORT TITLE

SEC. 701. This title may be cited as the "Consumer Home Mortgage Assistance Act of 1974".

Consumer Home
Mortgage As-
sistance Act of
1974.
12 USC 1464
note.

0414

PART A—LENDING AND INVESTMENT POWERS, FEDERAL SAVINGS AND
LOAN ASSOCIATIONS

CONSTRUCTION LOANS

SEC. 702. Section 5(c) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(c)) is amended by adding at the end thereof the following new paragraph:

"Without regard to any other provision of this subsection, any such association is authorized to invest an amount, not exceeding the greater of (A) the sum of its surplus, undivided profits, and reserves or (B) 3 per centum of its assets, in loans or in interests therein the principal purpose of which is to provide financing with respect to what is or is expected to become primarily residential real estate within one hundred miles of its home office or within the State in which such office is located, where (i) the association relies substantially for repayment on the borrower's general credit standing and forecast of income, with or without other security, or (ii) the association relies on other assurances for repayment, including but not limited to a guaranty or similar obligation of a third party, and, in either case described in clause (i) or (ii), regardless of whether or not the association takes security; and investments under this sentence shall not be included in any percentage of assets or other percentage referred to in this subsection."

SINGLE FAMILY DWELLING LIMITATIONS

SEC. 703. Section 5(c) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(c)) is amended by striking out "\$45,000" immediately before "for each single family dwelling" and inserting in lieu thereof "\$55,000 (except that with respect to dwellings in Alaska, Guam, and Hawaii the foregoing limitation may, by regulation of the Board, be increased by not to exceed 50 per centum)".

LENDING AUTHORITY UNDER THE HOME OWNERS' LOAN ACT

Supra.

SEC. 704. Section 5(c) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(c)), as amended by section 702 of this Act, is amended by adding at the end thereof the following new paragraph:

"Subject to such prohibitions, limitations, and conditions as the Board may prescribe, any such association may invest in loans and advances of credit and interests therein upon the security of or respecting real property or interests therein used for primarily residential purposes (all of which may be defined by the Board) that do not comply with the limitations and restrictions in this subsection, but no investment shall be made by an association under this sentence if its aggregate outstanding investment under this sentence determined as prescribed by the Board, exclusive of any investment which is or at the time of its making was otherwise authorized, would thereupon exceed 5 per centum of its assets."

AMENDMENT TO THE HOME OWNERS' LOAN ACT OF 1933 CONCERNING
PROPERTY IMPROVEMENT LOANS

SEC. 705. The second and third undesignated paragraphs of section 5(c) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(c)) are amended by striking out "\$5,000" and inserting in lieu thereof "\$10,000".

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ADVANCES FROM A STATE CHARTERED CENTRAL RESERVE INSTITUTION
INCLUDING MORTGAGE FINANCE AGENCIES

SEC. 706. Section 5(c) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(e)), as amended by sections 702 and 704 of this Act, is amended by adding at the end thereof the following new paragraph: Arts. p. 715.

"Subject to regulation by the Board but without regard to any other provision of this subsection, any such association whose general reserves, surplus, and undivided profits aggregate a sum in excess of 5 per centum of its withdrawable accounts is authorized to borrow funds from a State mortgage finance agency of the State in which the head office of such association is situated to the same extent as State law authorizes a savings and loan association organized under the laws of such State to borrow from the State mortgage finance agency, except that such an association may not make any loan of such funds at an interest rate which exceeds by more than 1 $\frac{3}{4}$ per centum per annum the interest rate paid to the State mortgage finance agency on the obligations issued to obtain the funds so borrowed."

PART B—NATIONAL BANKS

REAL ESTATE LOANS BY NATIONAL BANKS

SEC. 711. Section 24 of the Federal Reserve Act (12 U.S.C. 371) is amended to read as follows:

"REAL ESTATE LOANS BY NATIONAL BANKS

"SEC. 24 (a) (1) Any national banking association may make real estate loans, secured by liens upon unimproved real estate, upon improved real estate, including improved farmland and improved business and residential properties, and upon real estate to be improved by a building or buildings to be constructed or in the process of construction, in an amount which when added to the amount unpaid upon prior mortgages, liens, encumbrances, if any, upon such real estate does not exceed the respective proportions of appraised value as provided in this section. A loan secured by real estate within the meaning of this section shall be in the form of an obligation or obligations secured by a mortgage, trust deed, or other instrument, which shall constitute a lien on real estate in fee or, under such rules and regulations as may be prescribed by the Comptroller of the Currency, on a leasehold under a lease which does not expire for at least ten years beyond the maturity date of the loan, and any national banking association may purchase or sell any obligations so secured in whole or in part. The amount of any such loan hereafter made shall not exceed 66 $\frac{2}{3}$ per centum of the appraised value if such real estate is unimproved, 75 per centum of the appraised value if such real estate is improved by offsite improvements such as streets, water, sewers, or other utilities, 75 per centum of the appraised value if such real estate is in the process of being improved by a building or buildings to be constructed or in the process of construction, or 90 per centum of the appraised value if such real estate is improved by a building or buildings. If any such loan exceeds 75 per centum of the appraised value of the real estate or if the real estate is improved with a one- to four-family dwelling, installment payments shall be required which are sufficient to amortize the entire principal of the loan within a period of not more than thirty years.

"(2) The limitations and restrictions set forth in paragraph (1) shall not prevent the renewal or extension of loans heretofore made and shall not apply to real estate loans (A) which are insured under Renewals or extensions.

48 Stat. 1246.
12 USC 1701
and note.
50 Stat. 522.
7 USC 1010.
42 USC 1471.

the provisions of the National Housing Act, (B) which are insured by the Secretary of Agriculture pursuant to title I of the Bankhead-Jones Farm Tenant Act, or the Act of August 28, 1937, as amended, or title V of the Housing Act of 1949, as amended, or (C) which are guaranteed by the Secretary of Housing and Urban Development, for the payment of the obligations of which the full faith and credit of the United States is pledged, and such limitations and restrictions shall not apply to real estate loans which are fully guaranteed or insured by a State, or any agency or instrumentality thereof, or by a State authority for the payment of the obligations of which the faith and credit of the State is pledged, if under the terms of the guaranty or insurance agreement the association will be assured of repayment in accordance with the terms of the loan, or to any loan at least 20 per centum of which is guaranteed under chapter 37 of title 38, United States Code.

38 USC 1801.

"(3) Loans which are guaranteed or insured as described in paragraph (2) shall not be taken into account in determining the amount of real estate loans which a national banking association may make in relation to its capital and surplus or its time and savings deposits or in determining the amount of real estate loans secured by other than first liens. Where the collateral for any loan consists partly of real estate security and partly of other security, including a guaranty or endorsement by or an obligation or commitment of a person other than the borrower, only the amount by which the loan exceeds the value as collateral of such other security shall be considered a loan upon the security of real estate, and in no event shall a loan be considered as a real estate loan where there is a valid and binding agreement which is entered into by a financially responsible lender or other party either directly with the association or which is for the benefit of or has been assigned to the association and pursuant to which agreement the lender or other party is required to advance to the association within sixty months from the date of the making of such loan the full amount of the loan to be made by the association upon the security of real estate. Except as otherwise provided, no such association shall make real estate loans in an aggregate sum in excess of the amount of the capital stock of such association paid in and unimpaired plus the amount of its unimpaired surplus fund, or in excess of the amount of its time and savings deposits, whichever is greater: *Provided*, That the amount unpaid upon real estate loans secured by other than first liens, when added to the amount unpaid upon prior mortgages, liens, and encumbrances, shall not exceed in an aggregate sum 20 per centum of the amount of the capital stock of such association paid in and unimpaired plus 20 per centum of the amount of its unimpaired surplus fund.

"(b) Any national banking association may make real estate loans secured by liens upon forest tracts which are properly managed in all respects. Such loans shall be in the form of an obligation or obligations secured by mortgage, trust deed, or other such instrument; and any national banking association may purchase or sell any obligations so secured in whole or in part. The amount of any such loan, when added to the amount unpaid upon prior mortgages, liens, and encumbrances, if any, shall not exceed 66 $\frac{2}{3}$ per centum of the appraised fair market value of the growing timber, lands, and improvements thereon offered as security and the loan shall be made upon such terms and conditions as to assure that at no time shall the loan balance, when added to the amount unpaid upon prior mortgages, liens, and encumbrances, if any, exceed 66 $\frac{2}{3}$ per centum of the original appraised total value of the property then remaining. No such loan shall be made for a longer term than three years; except that any such loan may be made for a term not longer than fifteen years

if the loan is secured by an amortized mortgage, deed of trust, or other such instrument under the terms of which the installment payments are sufficient to amortize the principal of the loan within a period of not more than fifteen years and at a rate at least 6% per centum per annum. All such loans secured by liens upon forest tracts shall be included in the permissible aggregate of all real estate loans and, when secured by other than first liens, in the permissible aggregate of all real estate loans secured by other than first liens, prescribed in subsection (a), but no national banking association shall make forest tract loans in an aggregate sum in excess of 50 per centum of its capital stock paid in and unimpaired plus 50 per centum of its unimpaired surplus fund.

"(c) Loans made to finance the construction of a building or buildings and having maturities of not to exceed sixty months where there is a valid and binding agreement entered into by a financially responsible lender or other party to advance the full amount of the bank's loan upon completion of the building or buildings, and loans made to finance the construction of residential or farm buildings and having maturities of not to exceed sixty months, may be considered as real estate loans if the loans qualify under this section, or such loans may be classed as commercial loans whether or not secured by a mortgage or similar lien on the real estate upon which the building or buildings are being constructed, at the option of each national banking association that may have an interest in such loan: *Provided*, That no national banking association shall invest in, or be liable on, any such loans classed as commercial loans under this subsection in an aggregate amount in excess of 100 per centum of its actually paid-in and unimpaired capital plus 100 per centum of its unimpaired surplus fund.

"(d) Notes representing loans made under this section to finance the construction of residential or farm buildings and having maturities of not to exceed nine months shall be eligible for discount as commercial paper within the terms of the second paragraph of section 13 of this Act if accompanied by a valid and binding agreement to advance the full amount of the loan upon the completion of the building entered into by an individual, partnership, association, or corporation acceptable to the discounting bank.

12 USC 343.

"(e) Loans made to any borrower (i) where the association looks for repayment by relying primarily on the borrower's general credit standing and forecast of income, with or without other security, or (ii) secured by an assignment of rents under a lease, and where, in either case described in clause (i) or (ii) above, the association wishes to take a mortgage, deed of trust, or other instrument upon real estate (whether or not constituting a first lien) as a precaution against contingencies, and loans in which the Small Business Administration cooperates through agreements to participate on an immediate or deferred or guaranteed basis under the Small Business Act, shall not be considered as real estate loans within the meaning of this section but shall be classed as commercial loans.

72 Stat. 384.
15 USC 631
note.

"(f) Any national banking association may make loans upon the security of real estate that do not comply with the limitations and restrictions in this section, if the total unpaid amount loaned, exclusive of loans which subsequently comply with such limitations and restrictions, does not exceed 10 per centum of the amount that a national banking association may invest in real estate loans. The total unpaid amount so loaned shall be included in the aggregate sum that such association may invest in real estate loans.

"(g) Loans made pursuant to this section shall be subject to such conditions and limitations as the Comptroller of the Currency may prescribe by rule or regulation."

PART C—FEDERAL CREDIT UNIONS

LENDING AUTHORITY AND DEPOSITORY AUTHORITY

SEC. 721. (a) Paragraph (6) of section 107 of the Federal Credit Union Act (12 U.S.C. 1757(6)) is amended to read as follows:

"(6) to make loans to its own directors and to members of its own supervisory credit committee provided that any such loan or aggregate of loans to one director or committee member which exceeds \$2,500 plus pledged shares must be approved by the board of directors, and to permit directors and members of its own supervisory or credit committee to act as guarantor or endorser of loans to other members, except that when such a loan standing alone or when added to any outstanding loan or loans of the guarantor exceeds \$2,500, approval by the board of directors is required."

(b) Paragraph (9) of such section is amended by inserting immediately before the semicolon at the end thereof the following: ", and for Federal credit unions or credit unions authorized by the Department of Defense operating suboffices on American military installations in foreign countries or trust territories of the United States to maintain demand deposit accounts in banks located in those countries or trust territories, subject to such regulations as may be issued by the Administrator and provided such banks are correspondents of banks described in this paragraph".

FEES

SEC. 722. The first sentence of section 109 of the Federal Credit Union Act (12 U.S.C. 1759) is amended by striking out "the entrance fee" and inserting in lieu thereof "a uniform entrance fee if required by the board of directors".

DIRECTORS

SEC. 723. (a) The third sentence of section 113 of the Federal Credit Union Act (12 U.S.C. 1761b) is amended by inserting ", except that the board may designate a committee of not less than two to act as an investment committee, such investment committee to have charge of making investments under rules and procedures established by the board of directors" immediately after "have charge of investments other than loans to members".

(b) The fourth sentence of such section is amended by striking out "act for it in the purchase and sale of securities, the borrowing of funds, and making of loans to other credit unions" and inserting in lieu thereof "exercise such authority as may be delegated to it subject to such conditions and limitations as may be prescribed by the board".

(c) The fifth sentence of such section is amended by striking out "a membership officer" and inserting in lieu thereof "one or more membership officers".

(d) Such section is amended by adding at the end thereof the following new sentence: "If a membership application is denied, the reasons therefor shall be furnished in writing to the person whose application is denied, upon written request."

SUPERVISORY COMMITTEES

SEC. 724. Section 115 of the Federal Credit Union Act (12 U.S.C. 1761d) is amended by striking out "a semiannual" and inserting in lieu thereof "an annual".

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DIVIDENDS

Sec. 725. (a) The first sentence of section 117 of the Federal Credit Union Act (12 U.S.C. 1763) is amended by striking out "Annually, semiannually, or quarterly, as the bylaws may provide" and inserting in lieu thereof "At such intervals as the board of directors may authorize".

(b) The last sentence of such section is amended by striking out "for a month", and by striking out "which are or become fully paid up during the first ten days of that month" and inserting in lieu thereof "as authorized by the board of directors".

APPLICABILITY

Sec. 726. Section 126 of the Federal Credit Union Act (12 U.S.C. 1772) is amended by inserting immediately after "the several territories" the following: ", including the trust territories,".

DEFINITION OF MEMBERS ACCOUNTS

Sec. 727. Section 202(h) of the Federal Credit Union Act (12 U.S.C. 1782(h)) is amended—

- (1) by striking out "and" at the end of paragraph (1);
- (2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and"; and
- (3) by adding after paragraph (2) the following new paragraph:

"(3) the term 'members accounts' when applied to the premium charge for insurance of the accounts of federally insured credit unions shall not include amounts in excess of the insured account limit set forth in section 207(c)."

12 USC 1787.

TERMINATION

Sec. 728. (a) Section 206(a) of the Federal Credit Union Act (12 U.S.C. 1786(a)) is amended to read as follows:

"(a) (1) Any insured credit union other than a Federal credit union may, upon not less than ninety days' written notice to the Administrator and upon the affirmative vote of a majority of its members within one year prior to the giving of such notice, terminate its status as an insured credit union.

"(2) Any insured credit union, other than a Federal credit union, which has obtained a new certificate of insurance from a corporation authorized and duly licensed to insure member accounts may upon not less than ninety days' written notice to the Administrator convert from status as an insured credit union under this Act: *Provided*, That at the time of giving notice to the Administrator the provisions of paragraph (b) (1) of this section are not being invoked against the credit union."

(b) The first sentence of section 206(c) of such Act is amended by inserting "(1)" immediately after "(a)".

(c) Section 206(d) of such Act is amended by inserting "(1)" immediately after "(d)", and by adding at the end thereof the following new paragraphs:

"(2) No credit union shall convert from status as an insured credit union under this Act as provided under subsection (a) (2) of this section until the proposition for such conversion has been approved by a majority of all the directors of the credit union, and by affirmative vote of a majority of the members of the credit union who vote on the proposition in a vote in which at least 20 per centum of the total membership

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of the credit union participates. Following approval by the directors, written notice of the proposition and of the date set for the membership vote shall be delivered in person to each member, or mailed to each member at the address for such member appearing on the records of the credit union, not more than thirty nor less than seven days prior to such date. The membership shall be given the opportunity to vote by mail ballot. If the proposition is approved by the membership, prompt and reasonable notice of insurance conversion shall be given to all members.

12 USC 1782. "(3) In the event of a conversion of a credit union from status as an insured credit union under this Act as provided under subsection (a) (2) of this section, premium charges payable under section 202(c) of this Act shall be reduced by an amount proportionate to the number of calendar months for which the converting credit union will no longer be insured under this Act. As long as a converting credit union remains insured under this Act, it shall remain subject to all of the provisions of chapter II of this Act."

LIQUIDATION

SEC. 729. Section 208(a)(1) of the Federal Credit Union Act (12 U.S.C. 1788(a)(1)) is amended to read as follows:

"(1) In order to reopen a closed insured credit union or in order to prevent the closing of an insured credit union which the Administrator has determined is in danger of closing or in order to assist in the voluntary liquidation of a solvent credit union, the Administrator, in his discretion, is authorized to make loans to, or purchase the assets of, or establish accounts in such insured credit union upon such terms and conditions as he may prescribe. Except with respect to the voluntary liquidation of a solvent credit union, such loans shall be made and such accounts shall be established only when, in the opinion of the Administrator, such action is necessary to protect the fund or the interests of the members of the credit union."

TITLE VIII—MISCELLANEOUS

NATIONAL HOUSING GOAL

SEC. 801. Title XVI of the Housing and Urban Development Act of 1968 is amended—

42 USC 1441a. (1) by inserting "(a)" before "The Congress" in the first sentence of section 1601;

(2) by adding at the end of section 1601 the following new subsections:

"(b) The Congress further finds that policies designed to contribute to the achievement of the national housing goal have not directed sufficient attention and resources to the preservation of existing housing and neighborhoods, that the deterioration and abandonment of housing for the Nation's lower income families has accelerated over the last decade, and that this acceleration has contributed to neighborhood disintegration and has partially negated the progress toward achieving the national housing goal which has been made primarily through new housing construction.

"(c) The Congress declares that if the national housing goal is to be achieved, a greater effort must be made to encourage the preservation of existing housing and neighborhoods through such measures as housing preservation, moderate rehabilitation, and improvements in housing management and maintenance, in conjunction with the provision of adequate municipal services. Such an effort should concentrate, to a greater extent than it has in the past, on housing and

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neighborhoods where deterioration is evident but has not yet become acute."; and

(3) by redesignating clauses (3) through (6) of section 1603 as clauses (4) through (7), respectively, and by inserting after clause (2) the following new clause:

"(3) provide an assessment of developments and progress during the preceding fiscal year, with respect to the preservation of deteriorating housing and neighborhoods and indicate the efforts to be undertaken in future years to encourage such action;"

42 USC 1441c.

STATE HOUSING FINANCE AND DEVELOPMENT AGENCIES

SEC. 802. (a) It is the purpose of this section to encourage the formation and effective operation of State housing finance agencies and State development agencies which have authority to finance, to assist in carrying out, or to carry out activities designed to (1) provide housing and related facilities through land acquisition, construction, or rehabilitation, for persons and families of low, moderate, and middle income, (2) promote the sound growth and development of neighborhoods through the revitalization of slum and blighted areas, (3) increase and improve employment opportunities for the unemployed and underemployed through the development and redevelopment of industrial, manufacturing, and commercial facilities, or (4) implement the development aspects of State land use and preservation policies, including the advance acquisition of land where it is consistent with such policies. The Secretary of Housing and Urban Development shall encourage maximum participation by private and nonprofit developers in activities assisted under this section.

42 USC 1440.

(b) (1) A State housing finance or State development agency is eligible for assistance under this section only if the Secretary determines that it is fully empowered and has adequate authority to at least carry out or assist in carrying out the purposes specified in clause (1) of subsection (a).

(2) for the purpose of this section—

(A) the term "State housing finance or State development agency" means any public body or agency, publicly sponsored corporation, or instrumentality of one or more States which is designated by the Governor (or Governors in the case of an interstate development agency) for purposes of this section;

(B) the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States; and

(C) the term "Secretary" means the Secretary of Housing and Urban Development.

Definitions.

(c) (1) The Secretary is authorized to guarantee, and enter into commitments to guarantee, the bonds, debentures, notes, and other obligations issued by State housing finance or State development agencies to finance development activities as determined by him to be in furtherance of the purpose of clause (1) or (2) of subsection (a), except that obligations issued to finance activities solely in furtherance of the purpose of clause (1) of subsection (a) may be guaranteed only if the activities are in connection with the revitalization of slum or blighted areas under title I of this Act or under any other program determined to be acceptable by the Secretary for this purpose.

Guarantees.

(2) The Secretary is authorized to make, and to contract to make, grants to or on behalf of a State housing finance or State development agency to cover not to exceed 33 $\frac{1}{3}$ per centum of the interest payable on bonds, debentures, notes, and other obligations issued by such

Arts, p. 633.

Grants.

88 STAT. 723

agency to finance development activities in furtherance of the purposes of this section.

(3) No obligation shall be guaranteed or otherwise assisted under this section unless the interest income thereon is subject to Federal taxation as provided in subsection (h) (2), except that use of guarantees provided for in this subsection shall not be made a condition to nor preclude receipt of any other Federal assistance.

(4) The full faith and credit of the United States is pledged to the payment of all guarantees made under this section with respect to principal, interest, and any redemption premiums. Any such guarantee made by the Secretary shall be conclusive evidence of the eligibility of the obligation involved for such guarantee, and the validity of any guarantee so made shall be incontestable in the hands of a holder of the guaranteed obligation.

Fees.

(5) The Secretary is authorized to establish and collect such fees and charges for and in connection with guarantees made under this section as he considers reasonable.

Appropriation.

(6) There are authorized to be appropriated such sums as may be necessary to make payments as provided for in contracts entered into by the Secretary under paragraph (2) of this subsection, and payments pursuant to such contracts shall not exceed \$50,000,000 per annum prior to July 1, 1975, which maximum dollar amount shall be increased by \$60,000,000 on July 1, 1975. The aggregate principal amount of the obligations which may be guaranteed under this section and outstanding at any one time shall not exceed \$500,000,000.

(d) The Secretary shall take such steps as he considers reasonable to assure that bonds, debentures, notes, and other obligations which are guaranteed under subsection (c) will—

(1) be issued only to investors approved by, or meeting requirements prescribed by, the Secretary, or, if an offering to the public is contemplated, be underwritten upon terms and conditions approved by the Secretary;

(2) bear interest at a rate satisfactory to the Secretary;

(3) contain or be subject to repayment, maturity, and other provisions satisfactory to the Secretary; and

(4) contain or be subject to provisions with respect to the protection of the security interests of the United States, including any provisions deemed appropriate by the Secretary relating to subrogation, liens, and releases of liens, payment of taxes, cost certification procedures, escrow or trusteeship requirements, or other matters.

Revolving fund establishment.

(e) (1) The Secretary is authorized to establish a revolving fund to provide for the timely payment of any liabilities incurred as a result of guarantees under subsection (c) and for the payment of obligations issued to the Secretary of the Treasury under paragraph (2) of this subsection. Such revolving fund shall be comprised of (A) receipts from fees and charges; (B) recoveries under security, subrogation, and other rights; (C) repayments, interest income, and any other receipts obtained in connection with guarantees made under subsection (c); (D) proceeds of the obligations issued to the Secretary of the Treasury pursuant to paragraph (2) of this subsection; and (E) such sums, which are hereby authorized to be appropriated, as may be required for such purposes. Money in the revolving fund not currently needed for the purpose of this section shall be kept on hand or on deposit, or invested in obligations of the United States or guaranteed thereby, or in obligations, participations, or other instruments which are lawful investments for fiduciary, trust, or public funds.

Appropriation.

Investments.

(2) The Secretary may issue obligations to the Secretary of the Treasury in an amount sufficient to enable the Secretary to carry out his functions with respect to the guarantees authorized by subsection

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(c) The obligations issued under this paragraph shall have such maturities and bear such rate or rates of interest as shall be determined by the Secretary of the Treasury. The Secretary of the Treasury is authorized and directed to purchase any obligations so issued, and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which securities may be issued under that Act are extended to include purchases of the obligations hereunder.

Interest rate.

40 Stat. 288.
31 USC 774.

(3) Notwithstanding any other provision of law relating to the acquisition, handling, improvement, or disposal of real and other property by the United States, the Secretary shall have power, for the protection of the interests of the fund authorized under this subsection, to pay out of such fund all expenses or charges in connection with the acquisition, handling, improvement, or disposal of any property, real or personal, acquired by him as a result of recoveries under security, subrogation, or other rights.

Technical assistance.

(f) The Secretary is authorized to provide, either directly or by contract or other arrangements, technical assistance to State housing finance or State development agencies to assist them in connection with planning and carrying out development activities in furtherance of the purpose of this section.

(g) All laborers and mechanics employed by contractors or subcontractors in housing or development activities assisted under this section shall be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5): *Provided*, That this section shall apply to the construction of residential property only if such property is designed for residential use for eight or more families. No assistance shall be extended under this section with respect to any development activities without first obtaining adequate assurance that these labor standards will be maintained upon the work involved in such activities. The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267), and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).

49 Stat. 1011.

5 USC app. II.
63 Stat. 108.

(h) (1) In the performance of, and with respect to, the functions, powers, and duties rested in him by this section, the Secretary, in addition to any authority otherwise vested to him, shall—

(A) have the power, notwithstanding any other provision of law, in connection with any guarantee under this section, whether before or after default, to provide by contract for the extinguishment upon default of any redemption, equitable, legal, or other right, title, or interest of a State housing finance or State development agency in any mortgage, deed, trust, or other instrument held by or on behalf of the Secretary for the protection of the security interests of the United States; and

(B) have the power to foreclose on any property or commence any action to protect or enforce any right conferred upon him by law, contract, or other agreement, and bid for and purchase at any foreclosure or other sale any property in connection with which he has provided a guarantee pursuant to this section. In the event of any such acquisition, the Secretary may, notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, complete, administer, remodel and convert, dispose of, lease, and otherwise deal with such property. Notwithstanding any other provision of law, the Secretary shall also have power to pursue to final collection by way of compromise or otherwise all claims acquired by him in

connection with any security, subrogation, or other rights obtained by him in administering this section.

(2) With respect to any obligation issued by a State housing finance or State development agency for which the issuer has elected to receive the benefits of the assistance provided under this section, the interest paid on such obligation and received by the purchaser thereof (or his successor in interest) shall be included in gross income for the purposes of chapter 1 of the Internal Revenue Code of 54.

(1) (1) Section 24(a) (2) of the Federal Reserve Act (as amended by section 711 of this Act) is amended by inserting the following before the period at the end thereof: "or to obligations guaranteed under section 802 of the Housing and Community Development Act of 1974".

(2) The twelfth paragraph of section 5(c) of the Homeowners' Loan Act of 1933 is amended by adding in the last sentence immediately after the words "or under part B of the Urban Growth and New Community Development Act of 1970" the following: "or under section 802 of the Housing and Community Development Act of 1974".

NEW COMMUNITY PROGRAM AMENDMENTS

SEC. 803. (a) (1) Part B of title VII of the Housing and Urban Development Act of 1970 is amended by striking out "Community Development Corporation" wherever it appears and inserting in lieu thereof "New Community Development Corporation".

(2) The heading of section 720 of such Act is amended by inserting "NEW" before "COMMUNITY".

(b) Section 729(b) of such Act is amended—

(1) by striking out "five members" in the matter preceding paragraph (1) and inserting in lieu thereof "seven members"; and

(2) by striking out "three persons" in paragraph (3) and inserting in lieu thereof "five persons".

(c) The last sentence of section 713(a) of such Act is amended by striking out "in amounts" and all that follows and inserting in lieu thereof "in amounts equal to 30 per centum of the interest paid on such obligations."

(d) Section 718(c) of such Act is amended by inserting before the period at the end thereof the following: "or a project or portion of a project consisting of the purchase, renovation, or construction of facilities, the purchase of land, or the acquisition of equipment or works of art assisted by contracts or grants under section 5 of the National Foundation on the Arts and the Humanities Act of 1965".

(e) Section 711(f) of such Act is amended—

(1) by striking out "sewage disposal" in the first and second sentences and inserting in lieu thereof "sewage or waste disposal";

(2) by inserting "community or neighborhood central heating or air-conditioning systems," after "storm drainage facilities," in the first sentence; and

(3) by inserting "a community or neighborhood central heating or air-conditioning system," after "disposal installation" in the second sentence.

EXPANSION OF EXPERIMENTAL HOUSING ALLOWANCE PROGRAM

SEC. 804. Section 504 of the Housing and Urban Development Act of 1970 is amended to read as follows:

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"HOUSING ALLOWANCES

"Sec. 504. (a) The Secretary is authorized to undertake on an experimental basis programs to demonstrate the feasibility of providing housing allowance payments to assist families in meeting rental or homeownership expenses.

"(b) For the purpose of carrying out this section, the Secretary is authorized to make, and to contract to make, housing allowance payments to or on behalf of participating families. No housing allowance payments shall be made after July 1, 1985. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including such sums as may be necessary to make payments as provided for in contracts entered into under this section and such sums as may be necessary to cover administrative costs. The aggregate amount of contracts to make housing allowance payments shall not exceed amounts approved in appropriation Acts, and payments pursuant to such contracts shall not exceed \$40,000,000 per annum. After January 1, 1975, the Secretary shall not enter into contracts under the United States Housing Act of 1937 to carry out the purposes of this section. The Secretary may contract with public or private agencies for the performance of administrative functions in connection with the programs authorized by this section.

"(c) The Secretary shall report to the Congress on his findings pursuant to this section not later than eighteen months after the enactment of the Housing and Community Development Act of 1974."

Time limitation.
Appropriation.

Ante, p. 653.

FEDERAL HOME LOAN MORTGAGE CORPORATION AMENDMENTS

SEC. 805. (a) Section 305(a)(1) of the Federal Home Loan Mortgage Corporation Act is amended—

(1) by striking out ", and to hold" and inserting in lieu thereof the following: ". The Corporation may hold"; and

(2) by striking out the period after "therein" and inserting in lieu thereof the following: ", and the servicing on any such mortgage may be performed by the seller or by a financial institution qualified as a seller under the provisions of the preceding sentence, or by a mortgagee approved by the Secretary of Housing and Urban Development for participation in any mortgage insurance program under the National Housing Act, with which institution or mortgagee the seller may contract."

(b) Section 305(a)(2) of such Act is amended—

(1) by striking out "75 per centum" each place it appears in the first sentence and inserting in lieu thereof "80 per centum";

(2) by striking out "private" in clause (C) of the first sentence;

(3) by striking out "10 per centum" in the third sentence and inserting in lieu thereof "20 per centum"; and

(4) by striking out "which are comparable to the limitations which would be applicable if the mortgage were insured by the Secretary of Housing and Urban Development under section 203

(b) or 207 of the National Housing Act" in the fourth sentence and inserting in lieu thereof the following: ", but such limitations shall not exceed the limitations contained in the first proviso to the first sentence of section 5(c) of the Home Owners' Loan Act of 1933".

(c) (1) Section 5136 of the Revised Statutes is amended by inserting immediately after "Government National Mortgage Association" in paragraph Seventh thereof the following: ", or mortgages, obligations, or other securities which are or ever have been sold by the Federal Home Loan Mortgage Corporation pursuant to section 305 or section 306 of the Federal Home Loan Mortgage Corporation Act".

12 USC 1454.

48 Stat. 1246.
12 USC 1701
and note.

12 USC 1709,
1713.

12 USC 1464.
12 USC 24.

Supra.

88 STAT. 727

- 12 USC 1431. (2) Section 11(h) of the Federal Home Loan Bank Act is amended by inserting immediately after "Government National Mortgage Association" the following: "; in mortgages, obligations, or other securities which are or ever have been sold by the Federal Home Loan Mortgage Corporation pursuant to section 305 or section 306 of the Federal Home Loan Mortgage Corporation Act".
- 12 USC 1436. (3) Section 16 of the Federal Home Loan Bank Act is amended by inserting immediately after "Government National Mortgage Association" the following: "; in mortgages, obligations, or other securities which are or ever have been sold by the Federal Home Loan Mortgage Corporation pursuant to section 305 or section 306 of the Federal Home Loan Mortgage Corporation Act".
- 12 USC 1464. (4) Section 5(c) of the Home Owners' Loan Act of 1933 is amended by inserting immediately after "Federal Home Loan Bank" in the first paragraph the following: "; or in mortgages, obligations, or other securities which are or ever have been sold by the Federal Home Loan Mortgage Corporation pursuant to section 305 or 306 of the Federal Home Loan Mortgage Corporation Act".
- 12 USC 1757. (5) Section 107(8)(E) of the Federal Credit Union Act is amended by inserting immediately after "Government National Mortgage Association" the following: "; in mortgages, obligations, or other securities which are or ever have been sold by the Federal Home Loan Mortgage Corporation pursuant to section 305 or section 306 of the Federal Home Loan Mortgage Corporation Act";.

FEDERAL NATIONAL MORTGAGE ASSOCIATION AMENDMENTS

- 12 USC. 1717. Sec. 806. (a) Section 302(a)(2) of the National Housing Act is amended—
- (1) by striking out "the effective date established pursuant to section 808 of the Housing and Urban Development Act of 1968" in the matter preceding subparagraph (A) and inserting in lieu thereof "September 1, 1968"; and
 - (2) by striking out "effective" in subparagraphs (A) and (B).
- (b) The third sentence of section 302(a)(2)(B) of such Act is amended—
- (1) by inserting "or the metropolitan area thereof" immediately after "District of Columbia";
 - (2) by inserting "jurisdiction and" immediately before "venue";
 - and
 - (3) by striking out "resident thereof" and inserting in lieu thereof "District of Columbia corporation".
- (c) Section 302(b)(2) of such Act is amended by striking out "75 per centum" each place it appears and inserting in lieu thereof "80 per centum".
- (d) Clause (C) of the second sentence of section 302(b)(2) of such Act is amended by striking out "private".
- (e) The fourth sentence of section 302(b)(2) of such Act is amended by striking out "10 per centum" and inserting in lieu thereof "20 per centum".
- (f) The last sentence of section 302(b)(2) of such Act is amended by striking out "which are comparable to the limitations which would be applicable if the mortgage were insured by the Secretary of Housing and Urban Development under section 203(b) or 207 of the National Housing Act" and inserting in lieu thereof the following: "; but such limitations shall not exceed the limitations contained in the first proviso of the first sentence of section 5(c) of the Home Owners Loan Act of 1933".
- (g) Section 303(a) of such Act is amended—

12 USC 1718.

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- (1) by striking out all of the first sentence which follows "directors" and inserting in lieu thereof a period; and
- (2) by striking out everything after the second sentence.
- (h) Section 303(c) of such Act is amended—
- (1) by striking out "the effective date established pursuant to section 808 of the Housing and Urban Development Act of 1968" in the fourth sentence and inserting in lieu thereof "September 1, 1968,"; and
- (2) by striking out the proviso in the last sentence.
- (i) Subsections (d) and (e) of section 303 of such Act are repealed. Repeal.
12 USC 1719.
- (j) The last sentence of section 304(a) (1) of such Act is amended by striking out "section 502 of the Emergency Home Finance Act of 1970" and inserting in lieu thereof "section 243 of the National Housing Act".
- (k) Except with respect to any person receiving an annuity on the date of the enactment of this Act, section 309(d) (2) of such Act is amended—
- (1) by striking out "the termination of the transitional period referred to in section 810(b) of the Housing and Urban Development Act of 1968" and inserting in lieu thereof "January 31, 1972,";
- (2) by inserting "positions listed" immediately before "in section 5312"; and
- (3) by inserting before the period at the end of the next to last sentence the following: "Provided, That with respect to any person whose employment is made subject to the civil service retirement law by section 806 of the Housing and Community Development Act of 1974, there shall not be considered for the purposes of such law that portion of his basic pay in any one year which exceeds the basic pay provided for positions listed in section 5316 of such title 5 on the last day of such year".
- (l) Subsections (b) and (c) of section 810 of the Housing and Urban Development Act of 1968 are repealed. Repeal.
12 USC 1723a
note.
12 USC 1723a.

LIMITATION ON DOLLAR AMOUNT OF GNMA-PURCHASED MORTGAGES

Sec. 807. Clause (3) of the proviso in the first sentence of section 302(b) (1) of the National Housing Act is amended by striking out "\$22,000" and inserting in lieu thereof the following: "\$33,000 (or such higher amount not in excess of \$38,000 as the Secretary may by regulation specify in any geographical area where he finds that cost levels so require)".

12 USC 1717.

PROHIBITION AGAINST DISCRIMINATION ON ACCOUNT OF SEX IN EXTENSION OF MORTGAGE ASSISTANCE; FAIR HOUSING

Sec. 808. (a) Title V of the National Housing Act is (as amended by sections 301 and 305 of this Act) is amended by adding at the end thereof the following new section: Arts., p. 678.

"PROHIBITION AGAINST DISCRIMINATION ON ACCOUNT OF SEX IN EXTENSION OF MORTGAGE ASSISTANCE

"Sec. 527. No federally related mortgage loan, or Federal insurance, guaranty, or other assistance in connection therewith (under this or any other Act), shall be denied to any person on account of sex; and every person engaged in making mortgage loans secured by residential real property shall consider without prejudice the combined income of both husband and wife for the purpose of extending mort-

12 USC 1735f-5.

0428

88 STAT. 729

"Federally
related mort-
gage loan"

gage credit in the form of a federally related mortgage loan to a married couple or either member thereof.

"(b) For purposes of subsection (a), the term 'federally related mortgage loan' means any loan which—

"(1) is secured by residential real property designed principally for the occupancy of from one to four families; and

"(2)(A) is made in whole or in part by any lender the deposits or accounts of which are insured by any agency of the Federal Government, or is made in whole or in part by any lender which is itself regulated by any agency of the Federal Government; or

"(B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by the Secretary of Housing and Urban Development or any other officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency; or

"(C) is eligible for purchase by the Federal National Mortgage Association, the Government National Mortgage Association, or the Federal Home Loan Mortgage Corporation, or from any financial institution from which it could be purchased by the Federal Home Loan Mortgage Corporation; or

"(D) is made in whole or in part by any 'creditor', as defined in section 103(f) of the Consumer Credit Protection Act of 1968 (15 U.S.C. 1602(f)), who makes or invests in residential real estate loans aggregating more than \$1,000,000 per year."

(b)(1) Subsections (a), (b), (c), (d), and (e) of section 804 of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes", approved April 11, 1968 (42 U.S.C. 3604), are amended by inserting a comma and the word "sex" immediately after the word "religion" each time it appears.

42 USC 3605.

(2) Section 805 of such Act is amended by inserting a comma and the word "sex" immediately after the word "religion".

42 USC 3606.

(3) Section 806 of such Act is amended by inserting a comma and the word "sex" immediately after the word "religion".

42 USC 3631.

(4) Subsection (a), paragraph (1) of subsection (b), and subsection (c) of section 901 of such Act are amended by inserting a comma and the word "sex" immediately after the word "religion" each time it appears.

NATIONAL INSTITUTE OF BUILDING SCIENCES

12 USC 1701j-2.

SEC. 809. (a)(1) The Congress finds (A) that the lack of an authoritative national source to make findings and to advise both the public and private sectors of the economy with respect to the use of building science and technology in achieving nationally acceptable standards and other technical provision for use in Federal, State, and local housing and building regulations is an obstacle to efforts by and imposes severe burdens upon all those who procure, design, construct, use, operate, maintain, and retire physical facilities, and frequently results in the failure to take full advantage of new and useful developments in technology which could improve our living environment; (B) that the establishment of model buildings codes or of a single national building code will not completely resolve the problem because of the difficulty at all levels of government in updating their housing and building regulations to reflect new developments in technology, as well as the irregularities and inconsistencies which arise in applying such requirements to particular localities or special local conditions; (C) that the lack of uniform housing and building regulatory provisions increases the costs of construction and thereby reduces the amount

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of housing and other community facilities which can be provided; and (D) that the existence of a single authoritative nationally recognized institution to provide for the evaluation of new technology, could facilitate introduction of such innovations and their acceptance at the Federal, State, and local levels.

(2) The Congress further finds, however, that while an authoritative source of technical findings is needed, various private organizations and institutions, private industry, labor, and Federal and other governmental agencies and entities are presently engaged in building research, technology development, testing, and evaluation, standards and model code development and promulgation, and information dissemination. These existing activities should be encouraged and these capabilities effectively utilized wherever possible and appropriate to the purposes of this section.

(3) The Congress declares that an authoritative nongovernmental instrument needs to be created to address the problems and issues described in paragraph (1), that the creation of such an instrument should be initiated by the Government, with the advice and assistance of the National Academy of Sciences-National Academy of Engineering-National Research Council (hereinafter referred to as the "Academies-Research Council") and of the various sectors of the building community, including labor and management, technical experts in building science and technology, and the various levels of government.

(b)(1) There is authorized to be established, for the purposes described in subsection (a)(3), an appropriate nonprofit, nongovernmental instrument to be known as the National Institute of Building Sciences (hereinafter referred to as the "Institute"), which shall not be an agency or establishment of the United States Government. The Institute shall be subject to the provisions of this section and, to the extent consistent with this section, to a charter of the Congress if such a charter is requested and issued or to the District of Columbia Non-profit Corporation Act if that is deemed preferable.

National Institute of Building Sciences Establishment.

D.C. Code 29-1001.

(2) The Academies-Research Council, along with other agencies and organizations which are knowledgeable in the field of building technology, shall advise and assist in (A) the establishment of the Institute; (B) the development of an organizational framework to encourage and provide for the maximum feasible participation of public and private scientific, technical, and financial organizations, institutions, and agencies now engaged in activities pertinent to the development, promulgation, and maintenance of performance criteria, standards, and other technical provisions for building codes and other regulations; and (C) the promulgation of appropriate organizational rules and procedures including those for the selection and operation of a technical staff, such rules and procedures to be based upon the primary object of promoting the public interest and insuring that the widest possible variety of interests and experience essential to the functions of the Institute are represented in the Institute's operations. Recommendations of the Academies-Research Council shall be based upon consultations with and recommendations from various private organizations and institutions, labor, private industry, and governmental agencies entities operating in the field, and the Consultative Council as provided for under subsection (c)(8).

(3) Nothing in this section shall be construed as expressing the intent of the Congress that the Academies-Research Council itself be required to assume any function or operation vested in the Institute by or under this section.

(c)(1) The Institute shall have a Board of Directors (hereinafter referred to as the "Board") consisting of not less than fifteen nor more than twenty-one members, appointed by the President of the United

Board of Directors.

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States by and with the advice and consent of the Senate. The Board shall be representative of the various segments of the building community, of the various regions of the country, and of the consumers who are or would be affected by actions taken in the exercise of the functions and responsibilities of the Institute, and shall include (A) representatives of the construction industry, including representatives of construction labor organizations, product manufacturers, and builders, housing management experts, and experts in building standards, codes, and fire safety, and (B) members representative of the public interest in such numbers as may be necessary to assure that a majority of the members of the Board represent the public interest and that there is adequate consideration by the Institute of consumer interests in the exercise of its functions and responsibilities. Those representing the public interest on the Board shall include architects, professional engineers, officials of Federal, State, and local agencies, and representatives of consumer organizations. Such members of the Board shall hold no financial interest or membership in, nor be employed by, or receive other compensation from, any company, association, or other group associated with the manufacture, distribution, installation, or maintenance of specialized building products, equipment, systems, subsystems, or other construction materials and techniques for which there are available substitutes.

(2) The members of the initial Board shall serve as incorporators and shall take whatever actions are necessary to establish the Institute as provided for under subsection (b) (1).

Term of office.

(3) The term of office of each member of the initial and succeeding Boards shall be three years; except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and (B) the terms of office of members first taking office shall begin on the date of incorporation and shall expire, as designated at the time of their appointment, one-third at the end of one year, one-third at the end of two years, and one-third at the end of three years. No member shall be eligible to serve in excess of three consecutive terms of three years each. Notwithstanding the preceding provisions of this subsection, a member whose term has expired may serve until his successor has qualified.

Vacancies.

(4) Any vacancy in the initial and succeeding Boards shall not affect its power, but shall be filled in the manner in which the original appointments were made, or, after the first five years of operation, as provided for by the organizational rules and procedures of the Institute.

Chairman.

(5) The President shall designate one of the members appointed to the initial Board as Chairman; thereafter, the members of the initial and succeeding Boards shall annually elect one of their number as Chairman. The members of the Board shall also elect one or more of their Members as Vice Chairmen. Terms of the Chairman and Vice Chairman shall be for one year and no individual shall serve as Chairman or Vice Chairman for more than two consecutive terms.

Compensation and travel expenses.

(6) The members of the initial or succeeding Boards shall not, by reason of such membership, be deemed to be employees of the United States Government. They shall, while attending meetings of the Board or while engaged in duties related to such meetings or in other activities of the Board pursuant to this section, be entitled to receive compensation at the rate of \$100 per day including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, equal to that authorized under section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

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(7) The Institute shall have a president and such other executive officers and employees as may be appointed by the Board at rates of compensation fixed by the Board. No such executive officer or employee may receive any salary or other compensation from any source other than the Institute during the period of his employment by the Institute.

(8) The Institute shall establish, with the advice and assistance of the Academies-Research Council and other agencies and organizations which are knowledgeable in the field of building technology, a Consultative Council, membership in which shall be available to representatives of all appropriate private trade, professional, and labor organizations, private and public standards, code, and testing bodies, public regulatory agencies, and consumer groups, so as to insure a direct line of communication between such groups and the Institute and a vehicle for representative hearings on matters before the Institute.

(d)(1) The Institute shall have no power to issue any shares of stock, or to declare or pay any dividends.

(2) No part of the income or assets of the Institute shall inure to the benefit of any director, officer, employee, or other individual except as salary or reasonable compensation for services.

(3) The Institute shall not contribute to or otherwise support any political party or candidate for elective public office.

(e)(1) The Institute shall exercise its functions and responsibilities in four general areas, relating to building regulations, as follows:

(A) Development, promulgation, and maintenance of nationally recognized performance criteria, standards, and other technical provisions for maintenance of life, safety, health, and public welfare suitable for adoption by building regulating jurisdictions and agencies, including test methods and other evaluative techniques relating to building systems, subsystems, components, products, and materials with due regard for consumer problems.

(B) Evaluation and prequalification of existing and new building technology in accordance with subparagraph (A).

(C) Conduct of needed investigations in direct support of subparagraphs (A) and (B).

(D) Assembly, storage, and dissemination of technical data and other information directly related to subparagraphs (A), (B), and (C).

(2) The Institute in exercising its functions, and responsibilities described in paragraph (1) shall assign and delegate, to the maximum extent possible, responsibility for conducting each of the needed activities described in paragraph (1) to one or more of the private organizations, institutions, agencies, and Federal and other governmental entities with a capacity to exercise or contribute to the exercise of such responsibility, monitor the performance achieved through assignment and delegation, and, when deemed necessary, reassign and delegate such responsibility.

(3) The Institute in exercising its functions and responsibilities under paragraphs (1) and (2) shall (A) give particular attention to the development of methods for encouraging all sectors of the economy to cooperate with the Institute and to accept and use its technical findings, and to accept and use the nationally recognized performance criteria, standards, and other technical provisions developed for use in Federal, State, and local building codes and other regulations which result from the program of the Institute; (B) seek to assure that its actions are coordinated with related requirements which are imposed in connection with community and environmental development generally; and (C) consult with the Department of Justice and other agen-

88 STAT. 733

cies of government to the extent necessary to insure that the national interest is protected and promoted in the exercise of its functions and responsibilities.

Contracts and grants.

(f) (1) The Institute is authorized to accept contracts and grants from Federal, State, and local governmental agencies and other entities, and grants and donations from private organizations, institutions, and individuals.

Fees.

(2) The Institute may, in accordance with rates and schedules established with guidance as provided under subsection (b) (2), establish fees and other charges for services provided by the Institute or under its authorization.

(3) Amounts received by the Institute under this section shall be in addition to any amounts which may be appropriated to provide its initial operating capital under subsection (h).

(g) (1) Every department, agency, and establishment of the Federal Government, in carrying out any building or construction, or any building- or construction-related programs, which involves direct expenditures, and in developing technical requirements for any such building or construction, shall be encouraged to accept the technical findings of the Institute, or any nationally recognized performance criteria, standards, and other technical provisions for building regulations brought about by the Institute, which may be applicable.

(2) All projects and programs involving Federal assistance in the form of loans, grants, guarantees, insurance, or technical aid, or in any other form, shall be encouraged to accept, use, and comply with any of the technical findings of the Institute, or any nationally recognized performance criteria, standards, and other technical provisions for building codes and other regulations brought about by the Institute, which may be applicable to the purposes for which the assistance is to be used.

(3) Every department, agency, and establishment of the Federal Government having responsibility for building or construction, or for building- or construction-related programs, is authorized and encouraged to request authorization and appropriations for grants to the Institute for its general support, and is authorized to contract with and accept contracts from the Institute for specific services where deemed appropriate by the responsible Federal official involved.

(4) The Institute shall establish and carry on a specific and continuing program of cooperation with the States and their political subdivisions designed to encourage their acceptance and its technical findings and of nationally recognized performance criteria, standards, and other technical provisions for building regulations brought about by the Institute. Such program shall include (A) efforts to encourage any changes in existing State and local law to utilize or embody such findings and regulatory provisions; and (B) assistance to States in the development of inservice training programs for building officials, and in the establishment of fully staffed and qualified State technical agencies to advise local officials on questions of technical interpretation.

Appropriation.

(h) There is authorized to be appropriated to the Institute not to exceed \$5,000,000 for the fiscal year 1975, and \$5,000,000 for the fiscal year 1976 (with each appropriation to be available until expended), to provide the Institute with initial capital adequate for the exercise of its functions and responsibilities during such years; and thereafter the Institute shall be financially self-sustaining through the means described in subsection (f).

Annual report to President.

(i) The Institute shall submit an annual report for the preceding fiscal year to the President for transmittal to the Congress within sixty days of its receipt. The report shall include a comprehensive and detailed report of the Institute's operations, activities, financial con-

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dition, and accomplishments under this section and may include such recommendations as the Institute deems appropriate.

URBAN HOMESTEADING

Sec. 810. (a) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to transfer without payment to a unit of general local government or a State, or a public agency designated by a unit of general local government or a State, any real property—

12 USC 1706e.

- (1) which is improved by a one- to four-family residence;
- (2) to which the Secretary holds title;
- (3) which is not occupied;
- (4) which is requested by such unit, State, or agency for use in an urban homestead program; and

(5) which the Secretary determines is suitable for use in an urban homestead program which meets the requirements of subsection (b). In determining the suitability of such property for use in an urban homestead program, the Secretary shall consider—

- (A) the difficulties and delays which would be involved in the sale of the property;
- (B) the value of any repairs and improvements required by the program;
- (C) the benefits to the community, and the reduced administrative costs to the Federal Government which would accrue from the expedited occupancy of the unoccupied property; and
- (D) the possible financial loss to the Federal Government which may result from the transfer of the property without payment.

(b) For the purposes of subsections (a) and (c), the Secretary shall approve an urban homestead program carried out by a unit of general local government or a State or a public agency designated by a unit of general local government or a State, which provides for—

(1) the conditional conveyance of unoccupied residential property by the responsible administrative entity to an individual or a family without any substantial consideration;

(2) an equitable procedure for selecting the recipients of the unoccupied residential property, giving special consideration to the recipients' need for housing and capacity to make or cause to be made the repairs and improvements required under paragraph (3)(C) of this subsection;

(3) an agreement whereby the individual or family to whom such property is conveyed agrees to—

(A) occupy such property as a principal residence for a period of not less than three years;

(B) make repairs required to meet minimum health and safety standards for occupancy prior to occupying the property;

(C) make such repairs and improvements to the property as may be necessary to meet applicable local standards for decent, safe, and sanitary housing within eighteen months after occupying the property; and

(D) permit reasonable periodic inspections at reasonable times by employees of the unit of general local government or State or the public agency designated by the unit of general local government or State for the purpose of determining compliance with the agreement;

(4) the revocation of such conveyance upon any material breach of the agreement referred to in paragraph (3);

(5) the conveyance from the unit of general local government or State or the public agency designated by the unit of general local government or State of fee simple title to such property without consideration upon compliance with the agreement; and

(6) a coordinated approach toward neighborhood improvement through the homestead program and the upgrading of community services and facilities.

The Secretary may approve such other programs as he determines to reasonably fulfill these criteria.

(c) The Secretary is authorized to enter into agreements with units of general local government or States or public agencies designated by units of general local government or State to provide technical assistance for the administration of urban homestead programs which meet the requirements of subsection (b) and to individuals and families who are participants in such programs.

(d) The Secretary is authorized to issue such rules and regulations as may be necessary to carry out his functions under this section.

(e) The Secretary shall conduct a continuing evaluation of programs carried out pursuant to this section and, beginning with the third year commencing after the date of enactment of this section, shall transmit to the Congress an annual report containing a summary of his evaluation of such programs and his recommendations for future conduct of such programs.

(f) In order to facilitate planning for purposes of this section, the Secretary shall, upon request of a unit of general local government or a State or a public agency designated by a unit of general local government or a State, provide a listing of all unoccupied one- to four-family residences to which the Secretary holds title and which are located within the geographic jurisdiction of such unit, State, or agency.

(g) To reimburse the housing loan funds for properties transferred pursuant to this section, and to carry out the provisions of subsection (c), there are authorized to be appropriated not to exceed \$5,000,000 for the fiscal year 1975, and not to exceed \$5,000,000 for the fiscal year 1976. Any amounts so appropriated shall remain available until expended.

COUNSELING AND TECHNICAL ASSISTANCE

12 USC 1701x.

SEC. 811. (a) Section 106 of the Housing and Urban Development Act of 1968 is amended by redesignating the heading to read as follows: "Technical Assistance, Counseling to Tenants and Homeowners, and Loans to Sponsors of Low- and moderate-income Housing".

(b) (1) Section 106(a)(1)(iii) of such Act is amended to read as follows:

"(iii) counseling and advice to tenants and homeowners with respect to property maintenance, financial management, and such other matters as may be appropriate to assist them in improving their housing conditions and in meeting the responsibilities of tenancy or homeownership; and".

(2) Section 106(a) of such Act is amended by redesignating paragraph (2) as paragraph (3) and inserting immediately after paragraph (1) the following new paragraph:

"(2) The Secretary shall provide the services described in clause (iii) of paragraph (1) for homeowners assisted under section 235 of the National Housing Act. For purposes of this paragraph and clause (iii) of paragraph (1), the Secretary may provide the services described in such clause directly or may enter into contracts with, make grants to, and provide other types of assistance to private or public organizations with special competence and knowledge in counseling low- and moderate-income families to provide such services."

12 USC 1715c.

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88 STAT. 736
Ante, p. 735.

(c) Section 106(a)(1) of such Act is further amended by adding at the end thereof the following new subparagraph:

"(iv) the provision of technical assistance to communities, particularly smaller communities, to assist such communities in planning, developing, and administering Community Development Programs pursuant to title I of the Housing and Community Development Act of 1974."

Ante, p. 633.

(d) Section 106(a)(3) of such Act (as redesignated by subsection (b)(2) of this section) is amended by striking out "not to exceed \$5,000,000" and inserting in lieu thereof "such sums as may be necessary".

(e) Section 106(b)(1) of such Act is amended by inserting "or public housing agencies" immediately after "nonprofit organizations".

(f) Section 106(b)(2) of such Act is amended by inserting "or public housing agency" immediately after "nonprofit organization".

INTERSTATE LAND SALES

Sec. 812. (a) Section 1402 of the Housing and Urban Development Act of 1968 is amended—

15 USC 170L.

(1) by inserting after "land" where it first appears in paragraph (3) the following: "located in any State or in a foreign country."; and

(2) by inserting before the semicolon at the end of paragraph (7) the following: "or between any foreign country and any State".

(b) Section 1403(a) of such Act is amended by striking out "or" at the end of paragraph (9), by striking out the period at the end of paragraph (10) and inserting in lieu thereof "; or", and by adding after paragraph (10) the following new paragraph:

15 USC 1702.

"(11) the sale or lease of real estate which is zoned by the appropriate governmental authority for industrial, or commercial development, when—

Real estate,
sale or lease.

"(A) local authorities have approved access from such real estate to a public street or highway;

"(B) the purchaser or lessee of such real estate is a duly organized corporation, partnership, trust, or business entity engaged in commercial or industrial business;

"(C) the purchaser or lessee of such real estate is represented in the transaction of sale or lease by a representative of its own selection;

"(D) the purchaser or lessee of such real estate affirms in written writing to the seller that it either (i) is purchasing or leasing such real estate substantially for its own use or (ii) has a binding commitment to sell, lease, or sublease such real estate to an entity which meets the requirements of subparagraph (B), is engaged in commercial or industrial business, and is not affiliated with the seller or agent; and

"(E) a policy of title insurance or title opinion is issued in connection with the transaction showing that title to the real estate purchased or leased is vested in the seller or lessor, subject only to such exceptions as may be approved in writing by such purchaser or the lessee prior to recordation of the instrument of conveyance or execution of the lease, but (1) nothing herein shall be construed as requiring the recordation of a lease, and (2) any purchaser or lessee may waive, in writing in a separate document, the requirement of this subparagraph that a policy of title insurance or title opinion be issued in connection with the transaction."

Waiver.

0436

88 STAT. 737

15 USC 1703.

(c) (1) The second sentence of section 1404(b) of such Act is amended—

(A) by striking out "within forty-eight hours" where it first appears and inserting in lieu thereof "until midnight of the third business day following the consummation of the transaction"; and

(B) by striking out all after "provide" and inserting in lieu thereof a period.

Effective date.

15 USC 1703 note.

(2) The amendments made by paragraph (1) shall be effective sixty days after the date of the enactment of this Act.

MASS TRANSPORTATION

49 USC 1602.

Sec. 813. (a) Section 3 of the Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new subsection:

"(f) No Federal financial assistance under this Act may be provided for the purchase of buses unless the applicant or any public body receiving such assistance for the purchase of buses, or any publicly owned operator receiving such assistance, shall as a condition of such assistance enter into an agreement with the Secretary that such public body, or any operator of mass transportation for such public body, will not engage in charter bus operations outside the urban area within which it provides regularly scheduled mass transportation service, except as provided in the agreement authorized by this subsection. Such agreement shall provide for fair and equitable arrangements, appropriate in the judgment of the Secretary, to assure that the financial assistance granted under this Act will not enable public bodies and publicly and privately owned operators for public bodies to foreclose private operators from the intercity charter bus industry where such private operators are willing and able to provide such service. In addition to any other remedies specified in the agreement, the Secretary shall have the authority to bar a grantee or operator from the receipt of further financial assistance for mass transportation facilities and equipment where he determines that there has been a continuing pattern of violations of the terms of agreement. Upon receiving a complaint regarding an alleged violation, the Secretary shall investigate and shall determine whether a violation has occurred. Upon determination that a violation has occurred, he shall take appropriate action to correct the violation under the terms and conditions of the agreement."

49 USC 1602a.

(b) Section 164(a) of the Federal-Aid Highway Act of 1973 is amended—

(1) by inserting "or" before "(2)" in the first sentence;

(2) by striking out "or (3) the Urban Mass Transportation Act of 1964," in the first sentence; and

(3) by striking out all after the word "operations" in the first sentence and all of the second sentence, and inserting in lieu thereof "outside the urban area (or areas) within which it provides regularly scheduled mass transportation service, except as provided in an agreement authorized and required by section 3(f) of the Urban Mass Transportation Act of 1964, which section shall apply to Federal financial assistance for the purchase of buses under the provisions of title 23, United States Code, referred to in clauses (1) and (2) of this sentence."

23 USC 101 et seq.

49 USC 1602a

note.

(c) The Secretary shall amend any agreements entered into pursuant to section 164(a) of the Federal-Aid Highway Act of 1973, to conform to the requirements of the amendments made by this section. The effective date of such conformed agreements shall be the effective date of the original agreements entered into pursuant to such section 164(a).

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SOLAR ENERGY

SEC. 814. Title V of the Housing and Urban Development Act of 1970 is amended by adding at the end thereof the following new section:

12 USC 1701z-1.

"SOLAR ENERGY

"Sec. 506. (a) In carrying out activities under section 501, the Secretary may, after consultation with the National Science Foundation, undertake demonstrations to determine the economic and technical feasibility of utilizing solar energy for heating or cooling residential housing (including demonstrations of new housing design or structure involving the use of solar energy). Demonstrations carried out under this section should involve both single family and multifamily housing located in areas having distinguishable climatic characteristics in urban as well as rural environments. To carry out the purpose of this section the Secretary is authorized—

Demonstrations.
12 USC 1701z-5.

"(1) to enter into contracts with, to make grants to, and to provide other types of assistance to individuals and entities with special competence and knowledge to contribute to the planning, design, development, and operation of such housing;

"(2) to utilize the contract, loan, or mortgage insurance authority of any federally assisted housing program in the actual planning, development, and occupancy of such housing; and

"(3) to set aside any development, construction, design, or occupancy requirements for the purpose of any demonstration under this section if he determines that such requirements inhibit such demonstration.

"(b) The Secretary shall include in any demonstration under this section an evaluation of the demonstration to cover the full experience involved in all stages of the demonstration.

Evaluation.

"(c) The Secretary shall transmit to the Congress not later than 6 months following the close of any year in which he carries out a demonstration under this section a full report on such demonstration. Such report may include an evaluation of the economic and technological feasibility of the widespread application of solar energy to residential housing.

Report to
Congress.

ADDITIONAL RESEARCH AUTHORITY

SEC. 815. Title V of the Housing and Urban Development Act of 1970 (as amended by section 814 of this Act) is amended by adding at the end thereof the following new section:

"ADDITIONAL RESEARCH AUTHORITY

"Sec. 507. (a) In carrying out activities under section 501, the Secretary may undertake special demonstrations to determine the housing design, the housing structure, and the housing-related facilities, and amenities most effective or appropriate to meet the need of groups with special housing needs including the elderly, the handicapped, the displaced, single individuals, broken families, and large households. For this purpose, the Secretary is authorized to enter into contracts with, to make grants to, and to provide other types of assistance to individuals and entities with special competence and knowledge to contribute to the planning, development, design, and management of such housing.

12 USC 1701z-6.

"(b) In carrying out his functions under this section, the Secretary shall give preferential attention to demonstrations which in his judgment involve areas of housing user needs most neglected in past and current research and demonstration efforts.

"(c) The Secretary is authorized to undertake demonstrations involving the actual planning, development, and occupancy of housing utilizing the contract and loan authority of any federally assisted housing program. He is also authorized to set aside any development, construction, design, and occupancy requirements, for the purposes of these demonstrations, if in his judgment they inhibit the testing of housing designed to meet the special housing needs.

Evaluation.

"(d) In carrying out this section, the Secretary shall include, as part of any demonstration, an evaluation of the demonstration to cover the full experience involved in planning, development, and occupancy.

"(e) In addition to any other contract or loan authority which the Secretary may utilize under subsection (c), not more than \$10,000,000 from amounts approved in appropriation Acts shall be available for research under this section."

FLOOD INSURANCE PROGRAM

SEC. 816. (a) Chapter III of title XIII of the Housing and Urban Development Act of 1968 is amended by adding at the end thereof the following new section:

42 USC 4201.

"NOTICE OF FLOOD HAZARDS

"Sec. 1364. Each Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions shall by regulation require such institutions, as a condition of making, increasing, extending, or renewing (after the expiration of thirty days following the date of the enactment of this section) any loan secured by improved real estate or a mobile home located or to be located in an area that has been identified by the Secretary under this title or Public Law 93-234 as an area having special flood hazards, to notify the purchaser or lessee (or obtain satisfactory assurances that the seller or lessor has notified the purchaser or lessee) of such special flood hazards, in writing, a reasonable period in advance of the signing of the purchase agreement, lease, or other documents involved in the transaction."

42 USC 4104a.

87 Stat. 975.

42 USC 4014.

(b) Section 1307 of such Act is amended by adding at the end thereof the following new subsection:

Flood insurance, eligibility.

"(e) Notwithstanding any other provision of law, any community that has made adequate progress, acceptable to the Secretary, on the construction of a flood protection system which will afford flood protection for the one-hundred year frequency flood as determined by the Secretary, shall be eligible for flood insurance under this title (if and to the extent it is eligible for such insurance under the other provisions of this title) at premium rates not exceeding those which would be applicable under this section if such flood protection system had been completed. The Secretary shall find that adequate progress on the construction of a flood protection system as required herein has been only if (1) 100 percent of the project cost of the system has been authorized, (2) at least 60 percent of the project cost of the system has been appropriated, (3) at least 50 percent of the project cost of the system has been expended, and (4) the system is at least 50 percent completed."

LIMITATION ON WITHHOLDING OR CONDITIONING OF ASSISTANCE

SEC. 817. Assistance provided for in this Act, the National Housing Act, the United States Housing Act of 1937, the Housing Act of 1949, the Demonstration Cities and Metropolitan Development Act of 1966, and the Housing and Urban Development Acts of 1965, 1968, 1969,

12 USC 1701.
Arts, p. 653.
42 USC 1441
note, 3301 note.

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and 1970 shall not be withheld or made subject to conditions or preference by reason of the tax-exempt status of bonds or other obligations issued or to be issued to provide financing for use in connection with such assistance, except where otherwise expressly provided or authorized by law.

12 USC 1749a
note, 1701t
note, 1720
note, 1701s
note.

ADDITIONAL ASSISTANT SECRETARIES OF HOUSING AND URBAN DEVELOPMENT

Sec. 818. (a) Section 4 of the Department of Housing and Urban Development Act (Public Law 89-174, 79 Stat. 667) is amended—

42 USC 3533.

(1) by striking out "six" in the first sentence of subsection (a) and inserting in lieu thereof "eight";

(2) by striking out subsection (b); and

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively,

(b) Section 5316 of title 5, United States Code, is amended by striking out paragraph (122).

80 Stat. 463.

(c) Paragraph (87) of section 5315 of title 5, United States Code, is amended by striking out "(6)" and inserting in lieu thereof "(8)".

MORTGAGE PROCEEDS FRAUDULENTLY MISAPPROPRIATED BY MORTGAGOR

Sec. 819. The Secretary of Housing and Urban Development shall take action to secure the payment of any deficiency after foreclosure on a mortgage insured or assisted under Federal law where the Secretary has reason to believe that mortgage proceeds have been fraudulently misappropriated by the mortgagor.

12 USC 17011-1.

NEIGHBORHOOD DEVELOPMENT PROGRAM

Sec. 820. Notwithstanding the provisions of section 133(b) of the Housing Act of 1949 or of any other law, local expenditures made in connection with the Broad and Front Street Garage in Trenton, New Jersey, shall, to the extent otherwise eligible, be counted as a local grant-in-aid to the first two action years of the Trenton Neighborhood Development Program (N.J. A-1) in accordance with the provisions of title I of the Housing Act of 1949.

42 USC 1469b.

42 USC 1450.

CONDOMINIUM AND COOPERATIVE STUDY

Sec. 821. The Secretary of Housing and Urban Development is authorized and directed to conduct a full and complete investigation and study, and report to Congress not later than one year after the date of enactment of this Act, with respect to condominiums and cooperatives, and the problems, difficulties, and abuses or potential abuses applicable to condominium and cooperative housing.

42 USC 3532
note.
Report to
Congress.

DIRECT FINANCING STUDY

Sec. 822. The Secretary of Housing and Urban Development and the Secretary of the Treasury shall study the feasibility of financing the programs authorized under section 236 of the National Housing Act and section 802 of this Act through various financing methods, including direct loans from the Federal Financing Bank, with a view to determining whether there is any such method that would result in net savings to the Federal Government (after taking into account the direct and indirect effects of such method). The Secretary of Housing and Urban Development and the Secretary of the Treasury

12 USC 1715z-1
note.

Report to
Congress.

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shall transmit to the Congress a report on the study required by this section not later than one year after the date of enactment of this Act.

Approved August 22, 1974.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 93-1114 accompanying H.R. 15361 (Comm. on Banking and Currency) and No. 93-1279 (Comm. of Conference).

SENATE REPORT No. 93-693 (Comm. on Banking, Housing and Urban Affairs).
CONGRESSIONAL RECORD, Vol. 120 (1974):

Mar. 8, 11, considered and passed Senate.

June 20, considered and passed House, amended, in lieu of H.R. 15361.

Aug. 13, Senate agreed to conference report.

Aug. 15, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 10, No. 34:

Aug. 22, Presidential statement.

APPENDIX XII

Agency Responses Pursuant to Congressional Research
Service Request Regarding Indian
•Housing Activities

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C., September 18, 1974.

MR. RICHARD S. JONES,
Government Division, Congressional Research Service, Library of
Congress, Washington, D.C.

DEAR MR. JONES: The Senate Committee on Interior and Insular Affairs is beginning work on a background study and evaluation of Indian housing in the United States.

Pursuant to this study, it is important that the Committee compile a detailed breakdown and summary of: (1) past and present Indian housing programs (including programs providing related services to housing such as roads, sanitation facilities, water, etc.) sponsored by federal agencies; (2) the total funds expended on each of those programs; and, (3) the number, location and type of units or related services constructed, renovated and/or provided under these programs.

In order to provide the necessary historical perspective and overview, it is very important that these figures span as long a time frame as possible depending upon how long a particular program was or has been in existence. While I fully recognize the problems associated with the collection of this information, it is imperative that a meaningful study of Indian housing include data on types of programs available, how many units that have been constructed, and how much money is being expended on providing housing for Indians.

Additionally, there are several administrative documents and/or memoranda directly related to Indian housing needed by the Committee in drafting its report. Any assistance that you and the Library of Congress can give in locating these documents will be greatly appreciated:

"Special Program 13" established in the early 1960's giving the Federal National Mortgage Company (FNMA) the authority to buy Federal Housing Administration (FHA) insured mortgages thus clearing the way for federally guaranteed mortgages and other programs on trust lands;

A legal opinion, rendered in the late 1960's by the then "Public Housing Authority (PHA), which held that Indians were eligible to participate in public housing programs;

Administrative documents which established, in December 1962, a Mutual-Help Housing Program for Indians within the PHA;

An agreement signed by the Commissioners of the PHA and Bureau of Indian Affairs (BIA) in May 1963, setting out procedures and regulations for public housing for Indians;

An April 1969 Memorandum of Understanding between the Department of Housing and Urban Development (HUD), BIA, and the Department of Health, Education, and Welfare (HEW), outlining each agency's responsibilities with regard to Indian housing; and

Administrative documents establishing a Housing Improvement Program (HIP) within the Bureau of Indian Affairs in 1965.

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It is the intent of the Committee that this study be completed by the early part of January 1975. Please direct inquiries regarding this matter to Tom Williams of the Interior Committee staff, Room 3106, Dirksen Senate Office Building, 225-4971.

Thanking you in advance for your cooperation, I am

Sincerely yours,

HENRY M. JACKSON, *Chairman.*

THE LIBRARY OF CONGRESS,
CONGRESSIONAL RESEARCH SERVICE,
Washington, D.C., October 2, 1974.

Mr. MORRIS THOMPSON,
Commissioner, Bureau of Indian Affairs,
Washington, D.C.

DEAR MR. THOMPSON: The Congressional Research Service has been asked by a Congressional office to assist in obtaining information concerning Indian housing in the United States.

Pursuant to this request, it is important that we receive a detailed breakdown and summary of: (1) past and present Indian housing programs (including programs providing related services to housing such as roads, sanitation facilities, water, etc.) sponsored by federal agencies; (2) the total funds expended on each of those programs; and, (3) the number, location and type of units or related services constructed, renovated and/or provided under these programs.

It is important that these figures span as long a time frame as possible depending upon how long a particular program was or has been in existence.

We will appreciate any assistance you can provide. Kindly address your reply to:

Mr. Richard S. Jones
Government Division
Congressional Research Service
Library of Congress
Washington, D.C. 10540
Sincerely,

LESTER S. JAYSON, *Director.*

[STAFF NOTE: Identical letters containing the same text were also mailed to HUD, IHS & FmHA]

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United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D. C. 20245

Housing Assistance

DEC 12 1974

Mr. Richard S. Jones
Government Division
Congressional Research Service
Library of Congress
Washington, D.C. 10540

Dear Mr. Jones:

Commissioner Thompson has asked us to thank you and reply to your recent inquiry concerning Indian housing in the United States. We have developed the following information:

The Bureau of Indian Affairs' Housing Improvement Program (HIP) provides assistance to needy Indians who are unable to obtain housing assistance from any other source. It involves principally the repair or enlargement of existing housing and the construction of new homes in isolated areas. Another facet of the program provides financial assistance to qualified Indian families in making down payments for the purchase of new houses. Such grants may only be made in the case of families who would not otherwise have the required income to qualify for federally-insured or guaranteed loans.

Under the HIP priorities for the selection of families are established by the tribes or tribal housing entities on the basis of need and funds available. It is one of the most popular programs among the Indian people as it combines the elements of individual choice, simplicity, speed and self-help. The HIP assisted in the repair of approximately 23,000 and built approximately 3,500 new homes during fiscal years 1968 through 1974.

The authority is provided by the Snyder Act, November 2, 1921, 42 Stat. 208, P.L. 67-85, 25 U.S.C. 13.

The following is a fiscal year breakdown of actual appropriations and number of repairs and new housing starts for which accurate records could be obtained:

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<u>Fiscal Year</u>	<u>Repairs</u>	<u>New</u>	<u>Appropriation</u>
1965	()	()	(500,000)
1966	(128)	(367)	(997,000)
1967	()	()	(1,000,000)
1968	1,814	311	3,080,000
1969	3,095	262	3,671,000
1970	3,573	656	5,711,000
1971	3,873	574	6,652,000
1972	4,501	493	9,164,000
1973	4,437	436	10,475,000
1974	3,750	679	10,432,000
1975*	4,400	500	10,402,000

*Anticipated figures.

The NIP provides for the repair of many units either to make them standard or to make them more liveable until the families can obtain standard housing through other means. Many of the repair projects listed above did not serve to make the dwelling standard. Vital repairs were made to many of the houses in an attempt to make them more sanitary and more comfortable places to stay until those families could have opportunities to obtain standard housing.

Annual NIP appropriations are distributed among all 12 BIA Area offices according to the tribal needs and relative priorities for housing repair services to Indian homes located within their jurisdiction. We have enclosed for your reference copies of the consolidated annual area housing inventories for FY 1968 through FY 1974.

We are also providing you a copy of the Criteria and Administration of the NIP which includes an explanation of "standard housing". This Criteria has been used since the program became operational, however, for the past 30 days new "proposed rules" for the implementation of the NIP have been published in the Federal Register. (A copy of this notice is also enclosed for your information)

If we can be of further assistance, please do not hesitate to call on us.

Sincerely yours,

151 *L. Monte D. McMichael*
 G. Ronald Peake
 Chief, Division of Housing
 Assistance

Enclosures

HOUSING IMPROVEMENT PROGRAMCRITERIA AND ADMINISTRATIONIntroduction.

The housing policy of the Bureau of Indian Affairs' is in line with the Declaration of National Housing Policy set out in the Housing Act of 1949; that is, the Bureau's policy is that every Indian should have (or should have the opportunity to obtain) decent, safe, and sanitary housing in a suitable environment. To the extent that Indian families lack sufficient income and assets to enable them to achieve such housing, the primary sources of assistance in obtaining such housing are the Federal housing programs which are designed to meet needs of low income families such as the conventional low-rent; mutual-help and Turnkey III housing programs of the Department of Housing and Urban Development; the direct and insured loan programs of the Farmers Home Administration; and the below market interest rate loan, rent supplement programs and the home ownership and rental housing programs for lower income families of the Federal Housing Administration.

The primary purpose of the Bureau's Housing Assistance activity is to assist Indian communities and families to participate in Federal housing programs (in cooperation with the Bureau's Credit staff where appropriate) and to provide for the planning and implementation of the Housing Improvement Program.

The Housing Improvement Program is intended to:

- I. Provide repairs, renovations, and enlargements to improve existing substandard housing (see "Housing Standards" below) to make it more livable and less hazardous to live in until the families have the opportunity to obtain decent, safe, and sanitary housing;
- II. Provide repairs, renovations, and enlargements to existing structurally sound but substandard or deteriorating housing which can economically be placed or maintained in decent, safe, and sanitary conditions by the performance of such work;

- III. Provide newly constructed housing which constitutes improved or more adequate shelter (but which does not meet the standards for Category V) for families living in unrepairable, grossly substandard housing until the families have the opportunity to obtain decent, safe, and sanitary housing;
- IV. Provide grants to reduce the amounts of loans required to provide decent, safe, and sanitary housing under a tribal credit or Federal housing program (or other credit sources with low interest rates and standards for housing comparable to such a program) where the grant will enable families in substandard housing to obtain housing loans which would otherwise not be available to them because of their low incomes and limited financial resources; and
- V. Provide newly constructed decent, safe, and sanitary housing for needy families for which there is no reasonable prospect of their having the opportunity to obtain such housing by any other means.

The above categories shall be used for HI program reporting purposes and are referred to herein by number.

Administration

The Area Directors are responsible for the administration of the HI program in their areas in a manner consistent with the provisions of this document and with policies, criteria, and guidelines hereafter provided by the Commissioner.

To the extent that Area and Agency Housing Assistance, Plant Management, or other staff is assigned or diverted to the HI program, the costs of such staff may be charged to the cost of the Area's or Agency's HI program. Where the services of the Field Technical Office are requested, the cost of such services may be covered by a transfer of HI allocation and any necessary ceiling positions from the requesting Area to the FTO.

Methods

To the extent that the Area Director deems it feasible to do so, preference should be given to contracting with tribal organizations and Indian or non-Indian private contractors, and to the making of grants to individuals (for example, by depositing funds in IIM accounts) to enable them to accomplish their own purchasing or contracting (with or without Bureau technical assistance). Performance of work by the Bureau may be accomplished where no other method is deemed feasible.

Every effort should be made to utilize HI program funds in conjunction with training or other programs where the result will be the accomplishment of a greater amount of housing improvement than would be possible with HI program funds alone. In such cases the HI funds might be limited to provision of materials and perhaps, to providing inspection and technical assistance inasmuch as the training program can be expected to include funds for labor (trainees) and skilled supervisors (instructors).

Projects may involve undertakings included in one or more of the categories listed above and described individually below.

Housing Standards

Housing in standard condition means housing which is decent, safe and sanitary in that it meets the following minimum standards:

1. General construction will conform to appropriate building standards for the region. The structure will be in sound condition and deterioration, if any, will not be at a level to create a health, safety or comfort problem.
2. The heating system will have the capacity to maintain a minimum temperature of 70 degrees in the dwelling during the coldest weather experienced in the area. The system shall be safe to operate and maintain, and shall deliver a uniform distribution of heat. The local accepted heating codes may be used as an alternative.

3. The plumbing system will include a properly installed system of piping and fixtures supplied with cold and hot water in adequate volume for cooking, bathing, and toilet purposes. Minimum fixtures will consist of a kitchen sink, and a partitioned bathroom with lavatory, toilet, and bath or shower. The water supply, plumbing system and sewage disposal system will meet the Indian Health Service standards.
4. The electrical system will include wiring and equipment properly installed to safely supply electrical energy for adequate lighting and for the operation of appliances. There will be a minimum of two circuits per dwelling and provision for at least one additional circuit for future use. The state or tribal electrical code may be used as an alternative.
5. Overcrowding will exist if the following is exceeded:
 - One bedroom dwelling - One to three persons (husband, wife and child up to 24 months).
 - Two bedroom dwelling - Up to six persons (husband, wife and child up to 24 months in one, and three children of same sex in other).
 - Three bedroom dwelling - Adequate for all but very largest families (the first bedroom will have 100 sq. ft. and a minimum of 80 sq. ft. for others).

Costs

As used here, the term "cost" refers only to costs charged to the HI program for construction supervision, procurement, contract inspection and supervision, labor, materials, etc., and does not include costs borne by the Indian Health Service or IHD-assisted training programs.

Variations from Criteria

Proposals for variations from the criteria contained herein should be submitted to the Central Office.

Reports

Reports for each Category utilized are to be submitted by the Area offices to the Central Office at the end of each quarter of the fiscal year in a format such as the following: (Show actual information for past quarters and estimated information for future quarters.)

	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>
	<u>Qtr.</u>	<u>Qtr.</u>	<u>Qtr.</u>	<u>Qtr.</u>
No. Underway at Start				
No. Starts During Quarter				
No. Completions During Quarter				
No. Underway at End				
Cumulative Completions				

For each Category there shall be one form indicating Area totals and separate forms for each reservation and Agency involved. Each form should also state the estimated cost of the Category undertaking and the estimated total number of man years of temporary employment involved.

CATEGORY IDefinition

Category I includes undertakings to provide economical repairs, renovations, and enlargements to improve existing substandard housing to make it more livable and less hazardous to live in until the families have the opportunity to obtain decent, safe, and sanitary housing. It should be noted that Category II includes those cases where repairs, etc., result in existing housing being brought up to decent, safe, and sanitary condition and that the distinction between Categories I and II is only for purposes of reporting.

Methods

Category I undertakings may be accomplished by contracting with tribal organizations or private contractors or by the making of grants to individuals (for example, by depositing the grant funds in IIM accounts) to enable them to accomplish their own purchasing or contracting. Where grants are made to individuals, the Bureau may provide assistance in obtaining reasonable prices and in determining the adequacy of contract specifications and will inspect to make reasonably certain that value is obtained by the use of the grant funds. The work may also be accomplished by Bureau purchasing materials, employing labor, and supervising the work.

Preference should be given to HI program undertakings in conjunction with OEO-assisted training and other programs where the result will be the accomplishment of a greater amount of housing improvement than would otherwise be possible with HI program funds alone.

Standards

In the case of Category I undertakings, the standard to be used is improvement in the condition of the house although it may be obvious that such undertakings will not improve the housing involved to the extent that it could meet the "decent, safe, and sanitary" standard. As indicated in the definition, these undertakings should result in

improving livability and reducing health and safety hazards and may involve weathertightening; re-roofing; installing of electrical wiring; repairing chimneys; foundations, etc.; installing heating and sanitary facilities; painting; providing additional living or sleeping space; adding kitchens or bathrooms in conjunction with Indian Health Service projects; and other similar items.

Cost Limitations

Category I undertakings should not involve an expenditure of HI program funds of over \$3,500 for any one dwelling.

Eligibility and Selection

Families and individuals eligible for Category I benefits are those which would be eligible for continued occupancy in public housing and which the Agency Superintendent determines to be living in substandard housing and to have insufficient resources to accomplish the housing improvements themselves. Preference should be given to families with the greatest needs and in the most crowded conditions. In determining eligibility the tribes should be involved and the selection of families should be made by or concurred in by the tribal governing body or by an agency or committee of the tribe such as the tribal housing authority, unless the Area Director determines in a specific situation that selection by such methods is not feasible.

Miscellaneous

There shall be no requirement for transfer of title to housing improved by Category I undertakings and there shall be no restrictions on the future use of such housing because of assistance under this Category.

CATEGORY IIDefinition

Category II includes undertakings to provide repairs, renovations, and enlargements to existing structurally sound but substandard or deteriorating housing which can economically be placed or maintained in decent, safe, and sanitary condition by the performance of such work.

Methods

Category II undertakings may be accomplished by the same methods as described for Category I undertakings.

Standards

Upon completion of work on housing in Category II undertakings, the housing should meet the "decent, safe, and sanitary" standard (page 3).

Cost Limitations

The cost limitations for Category II undertakings are the same as for Category I.

Eligibility and Selection

Eligibility and selection criteria for Category II undertakings are the same as for Category I.

Miscellaneous

There shall be no requirement for transfer of title to housing improved in Category II undertakings and there shall be no restrictions on the future use of such housing because of assistance under this Category.

CATEGORY IIIDefinition

Category III includes undertakings to provide newly constructed housing which constitutes improved or more adequate shelter (but which does not meet the standards for Category V) for families living in unrepairable, grossly substandard housing until the families have the opportunity to obtain decent, safe, and sanitary housing.

Methods

Category III undertakings may be accomplished by the same methods as described for Category I undertakings.

Standards

Each Category III undertaking must be expressly approved in writing by the Central Office. Category III proposals should include information as to the applicability of any housing codes to the proposed housing.

Cost Limitations

Category III undertakings should not exceed cost of \$5,000 per dwelling.

Eligibility and Selection

Eligibility and selection criteria for Category III undertakings are the same as for Category I.

Miscellaneous

Each Category III proposal should indicate whether the benefiting families will make any contribution (cash or labor) to the undertaking, who will own the homes, what maintenance requirements will be imposed and who will be responsible for enforcement, who will collect any periodic payments required of the families, and what disposition will be made of the funds collected.

CATEGORY IVDefinition

Category IV includes the provision of grants to families to reduce the amounts of loans required to provide them with decent, safe, and sanitary housing under Federal housing programs or other credit source with low interest rates and standards for housing comparable to such a program, including U. S. direct loan and tribal credit programs. These grants will be made in those cases where the Agency Superintendent determines that the grant will enable families in substandard housing to obtain loans which would not otherwise be available to them because of their low incomes and limited financial resources. "Federal housing programs" includes those programs providing insured, guaranteed, or direct loans to families through the Federal Housing Administration, Veterans Administration, and Farmers Home Administration.

Methods, Limitations and Eligibility

Category IV grants of up to \$3,500 each may be made in cases where the Agency Superintendent determines that a family could not obtain a loan without the reduction of the loan by way of a grant because of its low income and limited financial resources. The cost of housing provided in connection with Category IV grants should not exceed \$16,000 excluding closing costs.

The method of payment of the grant should insure that the funds are used for the purpose intended. No lien need be taken on the house because of a grant.

The selection of families should be concurred in by the tribal governing body or by an agency or committee of the tribe such as the tribal housing authority, unless the Area Director determines in a specific situation that selection by such method is not feasible.

Inspection

The Agency Superintendent shall provide inspection of the housing provided through assistance under this Category where inspection is not provided pursuant to the requirements of a Federal housing program.

CATEGORY VDefinition

Category V includes undertakings to provide decent, safe, and sanitary housing for needy families living in unrepairable, grossly substandard housing and for which there is no reasonable prospect of their having the opportunity to obtain such housing by any other means.

Methods

Category V undertakings may be accomplished by contracting with tribal organizations or private contractors or by Bureau directed construction. Where it is feasible to do so, the undertakings may be in connection with OEO or IDTA-assisted training programs.

Standards

The minimum housing provided under Category V should meet the requirements of housing standards outlined previously (page 3). In the case of PL 280 or possible termination reservations the housing should meet the appropriate codes which would apply to non-Indian housing in the locality.

Subject to the above, the Category V housing may be of the type included in the suggested HI materials prepared by the FTO for the 1968 HI program, the type used in the mutual-help program, or any house which has been approved for use in the Farmers Home Administration, the Federal Housing Administration, Veterans Administration housing programs, or tribal credit programs.

In addition, the following criteria shall also apply to Category V undertakings subject to exceptions approved by the Agency Superintendent on an individual basis:

- A. Locations which would not be adverse to occupants, such as: residence next to a saloon, town dump, locations which would be unacceptable environment for children, etc.
- B. Locations accessible to school bus routes where children are involved.

Cost Limitations

The cost of housing provided under Category V should not exceed an average of \$16,000 per unit.

Eligibility and Selection

Housing provided under Category V is intended for use by families and elderly persons who are at the time of their selection receiving or are eligible for welfare assistance or who have a record of dependence upon assistance during part of the year and for whom it is not possible to provide housing under the public housing or other programs. Preference should be given to families with minor children in the home.

There should be a maximum tribal involvement in the selection of the initial occupants of the housing provided under this Category, unless the Area Director determines that such involvement is not feasible. The initial proposed selections should be made by the tribe (or tribal entity designed for this purpose) or the proposed selections may be made by the Superintendent and the tribe jointly. All selections will be subject to approval by the Area Director based on documentation indicating present housing conditions, financial situation, and other factors supporting the selection.

Miscellaneous

Housing provided under Category V should be placed on tribal land or land leased to the tribe or tribal organization (such as a housing authority) for at least 25 years. The housing should be on sites which would facilitate use of the housing by families other than those selected for initial occupancy. Where possible the sites should be in clusters or located in or adjacent to existing communities.

Ownership and responsibility for management of Category V housing should be turned over to the tribe or a tribal organization such as a housing authority. The Bill of Sale transferring title to the housing should specify that in the selection of any replacements for the initial occupants, the transferee will give first preference to families and individuals eligible for welfare assistance and such selections will be subject to the concurrence of the Agency Superintendent. The Bureau will not require the imposition of income limits for continued occupancy. The owner of the housing should carry adequate fire insurance where feasible.

Consolidated AREA HOUSING INVENTORY F.Y. 1968

AREAS	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Total Number existing units	Total Number Standard housing units in Condition	Housing units in Substandard Condition	Housing units Requiring Replacement	Housing units Requiring Rehabilitation	Total Units Required	Housing units Requiring Replacement	Utilities Housing units Requiring
ABERDEEN								
BERGEN	8,031	2,169	5,862	3,370	2,492	7,453	3,370	4,083
ALBUQUERQUE								
ALBUQUERQUE	5,094	1,939	3,155	789	2,366	3,568	789	2,779
ANADARKO								
ANADARKO	2,225	609	1,616	735	881	2,191	735	1,456
BILLINGS								
BILLINGS	4,552	1,801	2,751	1,652	1,099	2,333	1,652	681
JUNEAU								
JUNEAU	9,565	508	9,057	8,702	355	9,237	8,702	535
MINNEAPOLIS								
MINNEAPOLIS	2,933	787	2,146	1,549	597	1,821	1,549	272
MUSKOGEE								
MUSKOGEE	12,914	6,014	6,900	5,447	1,453	5,658	5,447	211
NOVATO								
NOVATO	18,400	5,240	13,160	6,580	6,580	7,465	6,580	885
PHOENIX								
PHOENIX	7,167	1,084	6,083	4,368	1,715	6,184	4,368	1,816
PORTLAND								
PORTLAND	3,820	1,522	2,298	1,211	1,087	1,833	1,211	622
SACRAMENTO								
SACRAMENTO	1,167	212	955	342	613	373	342	31
HEROKEE								
HEROKEE, N. C.	850	170	680	500	180	650	500	150
MICCOVUEE								
MICCOVUEE, FLA. <i>eastern</i>	34	25	9	6	3	16	6	10
SEMIHOLE								
SEMIHOLE, FLA. <i>new</i>	114	47	67	50	17	84	50	34
TOTALS	76,866	22,127	54,739	35,301	19,438	48,866	35,301	13,565

CONSOLIDATED F.Y. 1969 HOUSING INVENTORY

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
Total Number existing housing units	Housing Units Standard Condition	(Subtotal) Substandard Units in Condition	Housing Units Replacement	Housing Units Renovation	Total New Housing Units Required	Housing Units Replacement	Existing Housing Units	
ABERDEEN	7980	2826	5154	2779	2375	6830	2779	4051
ALBUQUERQUE	5193	2125	3068	1570	1498	4369	1570	2799
ANADARKO	3469	910	2559	1318	1241	2737	1318	1419
BILLINGS	4687	2206	2481	1363	1118	1971	1363	608
BUNEAU	9700	651	9049	8738	311	9700	8738	962
MINNEAPOLIS	2933	1017	1916	1407	509	1560	1407	153
MUSKOGEE	13051	6317	6734	5364	1370	6864	5364	1500
NAVAJO	8860	6287	12573	7544	5029	8359	7544	815
PHOENIX	7612	1399	6213	4760	1453	5776	4760	1016
PORTLAND	4352	2110	2242	1102	1140	1667	1102	565
SACRAMENTO	1425	233	1192	537	655	588	537	51
CHEROKEE	860	213	647	479	168	650	479	171
SEMINOLE	112	77	35	26	9	95	26	69
HICCOCKS	34	25	9	6	3	16	6	10
TOTALS	60268	26396	53872	3093	1879	51182	36993	14189

Consolidated FY 1970 AREA HOUSING INVENTORY

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
	Total Number Existing Housing Units	Standard Condition	Housing Units in Standard Condition (Excludes Substandard Condition)	Housing Units Requiring Replacement	Housing Units Requiring Repairs	Total New Housing Units Required	Housing Units Requiring Replacement	Families Needing Housing Units	
Aberdeen	7,970	2,957	* (141)	4,872	3,985	887	6,346	3,985	2,361
Albuquerque	5,330	2,314	3,016	1,752	1,264	4,162	1,752	2,410	
Anadarko	3,466	956	* (79)	2,437	1,280	1,152	2,703	1,280	1,423
Billings	5,107	2,811	2,296	1,275	1,021	1,680	1,275	405	
Juneau	10,344	1,626	8,718	8,437	281	9,445	8,437	1,099	
Minneapolis	2,947	992	1,955	1,349	606	1,414	1,349	65	
Muskogee	13,760	8,242	5,518	4,310	1,208	5,807	4,310	1,497	
Navajo	19,671	6,125	* (3,965)	9,581	5,026	4,555	5,874	5,026	848
Phoenix	7,665	5,583	* (53)	6,026	4,775	1,254	5,770	4,775	495
Portland	4,411	2,376	2,157	1,114	1,053	1,755	1,114	641	
Sacramento	1,445	164	1,281	855	426	915	855	60	
Cherokee	870	270	600	443	157	596	443	153	
Seminole	146	120	26	26	0	61	26	35	
Miccosukee	34	25	9	6	3	16	6	10	
			* (4,277)	48,500	35,633	13,867	46,544	34,633	11,911

* houses in standard condition except one or more of the utilities not available.

Consolidated FY 1971 AREA HOUSING INVENTORY

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
existing housing units	Total Number Standard Housing Units in Standard Condition	Housing Units in Substandard Condition	Replacement Housing Units	Housing Units Requiring Replacement	Total New Housing Units Required	Housing Units Requiring Replacement	Utilities Requiring Replacement	
Aberdeen	8712	3716	(353) 4954	3653	(381) 1311	5424	3553	1771
Albuquerque	5163	2229	2934	1186	1748	3574	1186	2388
Anadarko	3479	760	2719	1272	1447	239	1272	1122
Billings	5357	3056	2301	1306	995	1781	1306	475
Juneau	10844	2216	8629	7812	816	9180	7812	1368
Minneapolis	2959	1306	1653	1161	492	1266	1161	125
Muskogee	11584	4684	6900	4872	2028	9181	4872	4309
Navajo	21507	2130	(4140) 15241	6092	(4140) 9130	6835	6092	742
Phoenix	7980	2131	5849	4822	1026	5021	4822	1098
Portland	4532	2551	1981	980	1001	1833	980	852
Sacramento	1521	284	1237	770	467	1233	770	462
Cherokee **	1049	340	709	402	217	680	402	188
Escimole **	165	131	34	14	20	107	14	93
Choctaw **	472	147	325	206	20	304	206	98
Microsukoc **	34	25	9	6	3	16	6	10
TOTALS	85,358	25,700	(4140) 55,474	34,735	(4140) 20,739	49,840	34,735	15,105

*House in standard condition except one or more utilities not available.

**Considered as southeastern United States.

CONSOLIDATED AREA HOUSING INVENTORY

FISCAL YEAR 1972

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
Total Number existing housing units	Existing Standard Condition	Existing Units in Substandard Condition	(Subtotal) Standard Replacement	Existing Units Requiring Replacement	Rebuild Date Units & Units Requiring Replacement	Total New Housing Units Required	Existing Units Requiring Replacement	Existing Units Requiring Replacement
Aberdeen	893	4169	²⁽¹⁴⁴⁾ 4767	3500	(144) 1263	5133	3504	1629
Albuquerque	6019	3002	3017	1928	1989	3365	1028	2337
Anadarko	3504	973	2591	1058	1533	2200	1058	1222
Billings	5413	2916	2497	1495	1002	1912	1495	417
Bureau	11002	2715	8287	7329	928	8871	7359	1512
Minneapolis	2407	1008	1339	961	378	1063	961	102
Muskogee	12043	5738	6305	4376	1929	8226	4376	3850
Nawaho	22143	2828	^{*(4249)} 19315	5987	(4249) 13323	6028	5987	841
Phoenix	8183	2608	5575	5126	449	6162	5126	1036
Portland	4919	2903	2016	902	1034	1941	982	959
Sacramento	1590	349	1241	792	449	12	792	603
Southeast Agency	1757	861	896	649	247	1102	649	453
New York Tribes	474	14	460	136	324	175	136	39
TOTAL:	88450	30144	*(4393) 36306	33453	(4393) 24853	48113	33453	14660
*house in standard condition except one or more utilities not available.								

Consolidated FY 1973 AREA HOUSING INVENTORY

AREA	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
	Total Number existing housing units	Standard Housing Condition	Housing Units in Standard Condition	(Subtotal) Replacement Housing Units	Housing Units Replacement Housing Units	Total New Housing Units Required	Housing Units Replacement Housing Units	Utilities Replacement Housing Units	
ABERDEEN		9050	4697	(284) 4353	3243	1110	4739	3243	143
ALBUQUERQUE		6201	3370	2831	997	1834	3325	997	232
ANADARKO		4018	1401	2617	1043	1574	2398	1043	135
BILLINGS		5604	3335	2269	1394	875	1861	1394	46
JUNEAU		11254	2751	8503	7913	590	9209	7913	129
MINNEAPOLIS		3094	1685	1409	903	506	1092	903	189
MUSKOGEE		12718	7171	5547 (4345)	3710	1837 (4345)	7044	3710	332
NAVAJO		22368	3344	19024	5891	13133	7324	5891	143
PHOENIX		8502	3193	5309	4883	426	6025	4883	114
PORTLAND		5282	3331	1951	970	981	1804	970	83
SACRAMENTO		1598	604	994	615	379	1166	615	55
SOUTHLAST AGENCY (Eastern Area)		2379	1153	1226	695	531	1084	695	38
TOTAL		92068	36035	*(4629) 56033	32257	*(4629) 23776	47071	32257	1482

*Houses in standard condition except one or more utilities not available.

CONSOLIDATED AREA HOUSING INVENTORY
Fiscal Year 1974

AREA/AGENCY	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
	Existing Housing Units	Total Housing Units in Standard Condition	Housing Units in Substandard Condition	(C) (1974) Total Housing Units	Housing Units in Substandard Condition	Total New Housing Units Required	Housing Units in Substandard Condition	Total Housing Units	
Aberdeen		9442	5580	(396)	2779	1083	4227	2779	1448
Albuquerque		6625	3872	2753	994	1759	3252	994	2253
Anadarko		4058	1674	2384	937	1447	2230	937	1293
Billings		5683	3505	2173	1415	763	2030	1415	615
Juneau		11302	3813	7489	6545	944	8321	6545	1776
Minneapolis		3413	2029	1384	793	591	1089	793	296
Muskogee		13857	8445	5392	3513	1879	7545	3513	4022
				(4517)		(4517)			
Navajo		22765	3955	18809	5719	13090	7759	5719	2040
Phoenix		9106	4124	4982	4425	557	5759	4425	1334
Portland		5555	3733	1822	925	897	1946	925	1021
Sacramento		1611	720	891	579	312	1172	579	593
Eastern *		2757	1413	1344	815	529	1226	815	411
Total		96154	42869	53285	29439	23846	46556	29439	17117

NOTE:
Micosukwe excluded due to NON-submittal of Reports during FY-1974.

* Houses in standard condition except one or more utilities not available.



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL HOUSING ADMINISTRATION

WASHINGTON, D. C. 20412

DEC 6 1974

IN REPLY REFER TO

Mr. Richard S. Jones
Government Division
Congressional Research Service
Library of Congress
Washington, D. C. 20540

Dear Mr. Jones:

In response to a request from Mr. Lester S. Jayson, the Director of the Congressional Research Service, we are providing you with the following information concerning HUD-assisted housing in Indian areas.

1. Brief narrative summarizing HUD's utilization of the Low-Rent Public Housing Program in Indian areas. (Some changes will be necessary in the program description as a result of the recently enacted Housing and Community Development Act of 1974.)
2. Statistical data summarizing the number, types, status and locations of HUD-assisted housing units in Indian areas. (We are unable to include information concerning the amount of funds which have been expended because HUD assistance to Indian areas is stated in terms of units, and not dollar amounts.)
3. Description of GNMA Program Number 13 - Mortgages on Restricted Indian Lands. (This program was funded only temporarily. Problems involving property titles were never resolved sufficiently to permit the program to get underway.)
4. PHA Circular dated December 5, 1962, with legal opinion indicating that the Public Housing Administration could undertake a Mutual-Help Housing Program for Indians.
5. Circular HPMC-FHA 7580.3 dated June 19, 1972. Paragraph 2 contains the legal basis of Indian Housing Authorities and HUD's assistance under the public housing program.

Sincerely,

Morris Sholder
Morris Sholder
Director
Publicly Financed Housing Division

Enclosures

7-487 blank

STATISTICAL DATA

Attached hereto is the following data which provides a detailed statistical summary of HUD activities in Indian areas.

1. Indian Housing Program Accomplishments - Fiscal Years 1962 - 1974
Attachment 1 - Annual Contributions Contracts (ACCs)
Fiscal Years 1970 - 1974
Attachment 2 - Construction Starts, Fiscal Years 1970 - 1974
2. Indian Housing Program Inventory as of June 30, 1974
3. Indian Housing Production Summary as of June 30, 1974
4. Status of HUD Commitment to Provide 30,000 housing units in Indian areas during Fiscal Years 1970 - 1974
5. Special Report - Indian Programs Development Progress Directory, December 31, 1972, with updated Tables (151 and 152) for pages vi and vii. (A completely updated Directory is expected to be available by April 1975.)

LOW-RENT PUBLIC HOUSING
INDIAN HOUSING PROGRAM ACCOMPLISHMENTS (FISCAL YEARS 1962-1974)

Fiscal Year	U M I T S				
	Applications Approved	ACC's Executed	Construction Starts	Completed for Occupancy	
1962 *	299	74	51	0	0
1963 *	1,114	500	56	0	0
1964 *	1,827	2,239	294	83	83
1965 *	500	94	624	201	201
1966 *	354	598	533	603	603
1967 *	511	753	1,222	513	513
1968 *	1,515	898	1,206	992	992
1969 *	3,949	1,794	1,049	1,523	1,523
Sub-Total (FY62-69)	10,469	6,950	5,035	3,915	3,915
1970 **	5,679	4,358	3,763	1,206	1,206
1971 **	5,606	7,304	4,974	2,160	2,160
1972 **	9,714	3,706***	3,111	2,869	2,869
1973 **	562	1,498***	2,675	3,788	3,788
1974 **	1,288	600	2,639	3,499	3,499
Sub-Total (FY70-74)	22,922	17,226	17,161	13,942	13,942
Total (FY62-74)	33,398	24,476	22,196	17,457	17,457

* Data Source - Special Report, Indian Programs dated 12-31-71 (HPMC-FAR)

** Data Source - Public Housing Performance Analysis (HPMC-FHA-FS)

*** Represents ACC List Approvals

1/ See Attachment 1

2/ See Attachment 2

INDIAN HOUSING, ANNUAL CONTRIBUTIONS CONTRACTS
 LOW-COST PUBLIC HOUSING PROGRAM--FISCAL YEARS 1970-74
 (BY STATE)

State	UNITS				
	Fiscal Year 1971*	Fiscal Year 1972**	Fiscal Year 1973**	Fiscal Year 1974*	Total
Alaska	-0-	200	45	160	405
Arizona	247	963	300	46	1,556
California	60	110	0-	0-	190
Colorado	28	0-	38	0-	60
Florida	0-	70	0-	0-	70
Idaho	15	15	0-	0-	30
Illinois	30	34	20	0-	84
Indiana	0-	0-	70	0-	70
Iowa	33	28	0-	0-	61
Kansas	30	127	0-	0-	157
Kentucky	0-	200	0-	0-	200
Montana	0-	515	240	260	1,015
Nebraska	38	30	169	0-	237
Nebraska	38	30	169	0-	237
Nevada	1,218	211	160	0-	2,589
New York	0-	645	159	0-	804
North Carolina	0-	0-	0-	10	10
North Carolina	0-	200	0-	0-	200
North Dakota	130	260	90	180	660
Oklahoma	1,912	2,395	1,885	314	6,506
Oregon	0-	0-	100	20	120
South Dakota	360	963	364	549	1,978
Texas	90	0-	0-	39	129
Texas	90	71	0-	0-	161
Washington	0-	55	155	65	315
Wisconsin	70	293	80	0-	443
Wyoming	0-	60	61	0-	121
Total	3,336	7,304	3,706	660	17,526

* ACC Executions
 ** ACC Last Approvals

Publicly Financed Housing Division
 HPNC-PHA 24 OCT 1974



INDIAN HOUSING CONSTRUCTION STARTS
 LOW-RENT PUBLIC HOUSING FROM FISCAL YEARS 1970-74
 (BY STATE)

UNITS

State	FISCAL YEAR					Total
	1970	1971	1972	1973	1974	
Alabama	-0-	-0-	200	90	95	385
Arizona	222	751	112	175	125	1,385
California	50	-0-	50	-0-	-0-	100
Colorado	58	-0-	-0-	30	-0-	50
Florida	-0-	-0-	70	-0-	-0-	70
Illinois	55	18	-0-	-0-	20	80
Indiana	10	54	-0-	-0-	-0-	84
Iowa	-0-	-0-	-0-	70	-0-	70
Kentucky	49	58	-0-	-0-	-0-	73
Michigan	50	52	78	-0-	16	193
Minnesota	20	-0-	50	60	-0-	140
Mississippi	183	273	300	183	375	1,474
Missouri	38	36	234	30	-0-	336
Nebraska	78	210	27	6	95	413
Nevada	219	916	5	229	443	1,812
New York	-0-	-0-	-0-	10	-0-	10
North Carolina	30	100	76	100	-0-	306
North Dakota	130	560	-0-	160	70	810
Ohio	2,161	1,379	1,236	1,000	887	6,663
Oregon	-0-	-0-	50	-0-	-0-	50
South Dakota	430	555	475	160	413	2,023
Texas	16	24	-0-	-0-	39	79
Utah	33	71	-0-	-0-	40	144
Washington	-0-	20	88	200	20	328
Wisconsin	29	167	20	170	-0-	386
Wyoming	-0-	60	-0-	60	-0-	120
Total	3,703	4,974	3,111	2,675	2,638	17,161

Publicly Financed Housing Division
 HPMC-FHA- 84 OCT 8/4

PUBLIC HOUSING INVENTORY
 INDIAN HOUSING PROGRAM
 AS OF JUNE 30, 1974

Region	Appl. Rec'd.	Appl. App'd.	ACC*List Approved U N I T S	ACC* Executed	Under Construct
I Boston	-0-	45	-0-	-0-	-0-
II New York	-0-	50	-0-	-0-	-0-
III Philadelphia	-0-	-0-	-0-	-0-	-0-
IV Atlanta	-0-	275	-0-	70	170
V Chicago	-0-	49	-0-	40	152
VI Fort Worth	650	323	-0-	409	3,210
VII Kansas City	100	72	-0-	-0-	90
VIII Denver	790	928	100	100	1,896
IX San Francisco	-0-	2,250	-0-	1,240	1,644
X Seattle	115	1,273	45	79	185
Total	<u>1,655</u>	<u>5,265</u>	<u>145</u>	<u>1,938</u>	<u>7,347</u>

24 Oct 1974

Region	Locality	Proj. No.	Type*	Appl. Rec'd	Appl. App'd	ACC List App'd UNITS	ACC Executed	Unk. Const
New England Area:	Massachusetts	ME-13-A	AWR	-0-	5	-0-	-0-	-0-
	Penobscot	ME-12-A	C-HO	-0-	32	-0-	-0-	-0-
	Penobscot	ME-12-A	C	-0-	8	-0-	-0-	-0-
	Total			-0-	45	-0-	-0-	-0-
Buffalo Area:	Seneca Nation	NY-40-B	T	-0-	50	-0-	-0-	-0-
	Total			-0-	50	-0-	-0-	-0-
Jackson Area:	Pearl River	MISS-92-5	T-MH	-0-	-0-	-0-	70	-0-
	Total			-0-	-0-	-0-	70	-0-
Greensboro Area:	Qualla	NC-41-6	T-MH	-0-	-0-	-0-	-0-	100
	Qualla	NC-41-F	T-MH	-0-	200	-0-	-0-	-0-
	Pembroke	NC-114-1	C	-0-	-0-	-0-	-0-	70
	Pembroke	NC-114-2	C	-0-	75	-0-	-0-	-0-
	Total			-0-	275	-0-	-0-	170
Detroit Area:	Saginaw-Chippewa	MICH-43-C	C	-0-	14	-0-	-0-	-0-
	Total			-0-	14	-0-	-0-	-0-
Minneapolis Area:	Bols Forts	MINN-81-3	T	-0-	-0-	-0-	-0-	16
	Total			-0-	-0-	-0-	-0-	16

* AWR Acquisition With Rehabilitation (Rental)
 C or CONV Conventional (Rental)
 T or TKY Turnkey (Rental)
 C-HO or CONV-HO .. Conventional Homeownership
 T-HO or TKY-HO .. Turnkey Homeownership
 C-MH or CONV-MH .. Conventional Mutual-Help
 T-MH or TKY-MH .. Turnkey Mutual-Help
 ME-MH Remote Housing - Mutual-Help

24 OCT 87

Region	Locality	Proj. No.	Type	Appl. Rec'd	Appl. App'd	ACC List App'd UNITS	ACC Executed	Under Constr.
-Milwaukee Area:	WIS-27-2		T	-0-	-0-	-0-	-0-	66
	WIS-54-2		T	-0-	-0-	-0-	-0-	55
	WIS-54-3		T	-0-	-0-	-0-	-0-	15
	WIS-12-D		T	-0-	-0-	-0-	40	-0-
	WIS-10-D		T	-0-	25	-0-	-0-	-0-
	WIS-180-A		T	-0-	10	-0-	-0-	-0-
	Total			35	-0-	40	136	
-Dallas Area:	TEX-338-B		T-MH	-0-	33	-0-	-0-	-0-
	Alabama-Coushatta		Total		33	-0-	-0-	-0-
-Oklahoma City Area:	OKLA-91-2		T-MH	-0-	-0-	-0-	-0-	60
	OKLA-91-3		T-MH	-0-	-0-	-0-	-0-	50
	Absentee-Shawnee		T-MH	-0-	-0-	-0-	-0-	50
	Absentee-Shawnee		T-MH	-0-	-0-	-0-	-0-	-0-
	Apache Tribe		T-MH	-0-	-0-	-0-	50	-0-
	Caddo Tribe		T-MH	-0-	-0-	-0-	-0-	125
	Cherokee		T	-0-	-0-	-0-	-0-	147
	Cherokee		T-MH	-0-	-0-	-0-	-0-	50
	Cherokee		T-MH	-0-	-0-	-0-	-0-	72
	Cherokee		T-MH	-0-	-0-	-0-	-0-	72
	Cherokee		T-MH	-0-	-0-	-0-	-0-	29
	Cherokee		T	-0-	-0-	-0-	-0-	19
	Cherokee		T	-0-	-0-	-0-	-0-	19
	Cherokee		T	-0-	-0-	-0-	-0-	100
	Cherokee		T-MH	-0-	-0-	-0-	-0-	75
	Cherokee		T-MH	60	-0-	-0-	-0-	-0-
	Cherokee		T-MH	50	-0-	-0-	-0-	-0-
	Cherokee		T-MH	50	-0-	-0-	-0-	-0-
	Cherokee		T-MH	50	-0-	-0-	-0-	100
	Cheyenne-Arapaho		T-MH	-0-	-0-	-0-	-0-	50
Cheyenne-Arapaho		T-MH	100	-0-	-0-	-0-	-0-	
Cheyenne-Arapaho		T-MH	100	-0-	-0-	-0-	-0-	
Chickasaw		T-MH	100	-0-	-0-	-0-	-0-	

24 OCT 1974

0474

Station	Locality	Proj. No.	Type	Appl.		ACC List		ACC Executed	Under Constru.
				Rec'd	App'd	App'd	UNITS		
Oklahoma City Area (Cont'd):									
Chickasaw		OKLA-47-7	T-MH	-0-	-0-	-0-	-0-	-0-	300
Chickasaw		OKLA-47-8	T-MH	-0-	-0-	-0-	-0-	-0-	97
Chickasaw		OKLA-47-9	T-MH	-0-	-0-	-0-	-0-	80	-0-
Chickasaw		OKLA-47-12	T-MH	-0-	-0-	-0-	-0-	-0-	61
Chickasaw		OKLA-47-15	T-MH	-0-	-0-	-0-	-0-	-0-	75
Chickasaw		OKLA-47-16	T-MH	-0-	-0-	-0-	-0-	-0-	25
Chickasaw		OKLA-47-17	T-MH	-0-	-0-	-0-	-0-	-0-	50
Chickasaw		OKLA-47-18	T-MH	-0-	-0-	-0-	-0-	-0-	50
Chickasaw		OKLA-47-19	T-MH	-0-	-0-	-0-	-0-	-0-	50
Choctaw		OKLA-49-21	T-MH	-0-	-0-	-0-	-0-	-0-	50
Choctaw		OKLA-49-22	T-MH	-0-	-0-	-0-	-0-	-0-	100
Choctaw		OKLA-49	T-MH	100	-0-	-0-	-0-	-0-	45
Comanche		OKLA-110-1	T-MH	-0-	-0-	-0-	-0-	-0-	-0-
Comanche		OKLA-110-2	T-MH	-0-	-0-	-0-	-0-	-0-	100
Comanche		OKLA-110-3	T-MH	-0-	-0-	-0-	-0-	-0-	100
Comanche		OKLA-110-4	T-MH	-0-	-50	-0-	-0-	-0-	-0-
Creek		OKLA-51-4	T-MH	-0-	-0-	-0-	-0-	59	-0-
Creek		OKLA-51-9	T-MH	-0-	-0-	-0-	-0-	-0-	100
Creek		OKLA-51-10	T-MH	-0-	-0-	-0-	-0-	-0-	50
Creek		OKLA-51-11	T-MH	-0-	-0-	-0-	-0-	-0-	50
Creek		OKLA-51-12	T	-0-	-0-	-0-	-0-	-0-	50
Creek		OKLA-51-13	T-MH	-0-	100	-0-	-0-	-0-	74
Creek		OKLA-51-14	T-MH	-0-	20	-0-	-0-	-0-	-0-
Kiowa		OKLA-98-1	T-MH	-0-	-0-	-0-	-0-	-0-	-0-
Kiowa		OKLA-98-2	T-MH	-0-	-0-	-0-	-0-	-0-	450
Osage		OKLA-127-	T-MH	100	-0-	-0-	-0-	100	-0-
Otoe-Missouria		OKLA-114-1	T-MH	-0-	-0-	-0-	-0-	-0-	-0-
Otoe-Missouria		OKLA-114-2	T-MH	-0-	50	-0-	-0-	-0-	50
Pawnee		OKLA-94-1	T-MH	-0-	-0-	-0-	-0-	-0-	-0-
Pawnee		OKLA-94-2	T-MH	-0-	-0-	-0-	-0-	-0-	20
Ponca		OKLA-54-3	T-MH	-0-	-0-	-0-	-0-	-0-	50
Ponca		OKLA-54-4	T-MH	-0-	-0-	-0-	-0-	-0-	70
Ponca		OKLA-54-5	T	-0-	-0-	-0-	-0-	-0-	100
Ponca		OKLA-54-E	T-MH	-0-	-0-	-0-	-0-	-0-	30
Creek		OKLA-51	T-MH	-0-	20	-0-	-0-	-0-	-0-

24 OCT 1964

gion	Locality	Proj. No.	Type	App'l. Rec'd	App'l. App'd	ACC List App'd UNITS	ACC Executed	Under Constr.
<u>Oklahoma City Area (Cont'd):</u>								
	Sac and Fox	OKLA-90-2	T	-0-	-0-	-0-	20	-0-
	Sac and Fox	OKLA-90-4	T	-0-	-0-	-0-	-0-	45
	Sac and Fox	OKLA-90-5	T	-0-	-0-	-0-	50	-0-
	Sac and Fox	OKLA-90-6	T	-0-	-0-	-0-	50	-0-
	Seminole	OKLA-93-4	T	-0- 650	50 290	-0- -0-	-0- 409	-0- 3,210
<u>Kansas City Area:</u>								
	Iowa Tribe	KANS-67-1	T	-MH	-0-	-0-	-0-	20
	Iowa Tribe	KANS-67-2	T	-MH	-22	-0-	-0-	-0-
	Iowa Tribe	KANS-67-3	T	-0-	50	-0-	-0-	-0-
	Potawatomi	KANS-84-A	T	-MH	60	-0-	-0-	-0-
	Potawatomi	KANS-84-B	T	-MH	40	-0-	-0-	-0-
	Total			100	72	-0-	-0-	20
<u>Omaha Area:</u>								
	Macy	NEB-13-3	C	-0-	-0-	-0-	-0-	70
	Total			-0-	-0-	-0-	-0-	70
<u>Denver Region:</u>								
	South Ute	COLO-10-1	T	-MH	-0-	-0-	-0-	30
	Ute Mt. Ute	COLO-47-1	C	-MH	50	-0-	-0-	-0-
	Blackfeet	MONT-8-8	T	-0-	-0-	-0-	-0-	103
	Blackfeet	MONT-8-9	T	-MH	-0-	-0-	-0-	97
	Crow	MONT-14-D	T	120	-0-	-0-	-0-	-0-
	Flathead	MONT-13-3	T	-0-	-0-	-0-	-0-	43
	Flathead	MONT-13-4	T	-HO	-0-	-0-	-0-	27
	Flathead	MONT-13-5	C	-MH	36	-0-	-0-	-0-

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gion	Locality	Proj. No.	Type	Appl. Rec'd	Appl. App'd	ACC List		Under Construc
						App'd	Executed	
-Denver Region (Cont'd):						UNITS	UNITS	
	Fort Beiknap	MONT-10-7	C-MH	-0-	50	-0-	-0-	-0-
	Fort Peck	MONT-9-10	C	-0-	-0-	-0-	10	-0-
	Fort Peck	MONT-9-9	C-MH	-0-	-0-	-0-	90	-0-
	North Cheyenne	MONT-12-7	T-MH	-0-	-0-	-0-	-0-	75
	North Cheyenne	MONT-12-8	T-MH	-0-	100	-0-	-0-	-0-
	Rocky Boy	MONT-11-10	T-MH	100	-0-	-0-	-0-	-0-
	Rocky Boy	MONT-11-8	T-MH	-0-	-0-	-0-	-0-	65
	Rocky Boy	MONT-11-9	T-MH	-0-	-0-	-0-	-0-	35
	Fort Berthold	ND-5-5	T-MH	-0-	-0-	-0-	-0-	69
	Fort Berthold	ND-5-D	T	30	-0-	-0-	-0-	-0-
	Fort Totten	ND-8-3	C-MH	-0-	-0-	-0-	-0-	40
	Fort Totten	ND-8-4	C	-0-	-0-	-0-	-0-	48
	Fort Totten	ND-8-D	C	400	-0-	-0-	-0-	-0-
	Turtle Mountain	ND-6-5	T-HO	-0-	-0-	-0-	-0-	86
	Turtle Mountain	ND-6-6	C	-0-	-0-	-0-	-0-	70
	Turtle Mountain	ND-6-7	T-HO	-0-	-0-	100	-0-	-0-
	Turtle Mountain	ND-6-8	C	-0-	100	-0-	-0-	-0-
	Trenton	ND-42-1	T-MH	-0-	20	-0-	-0-	-0-
	Cheyenne River	SD-5-4	C	-0-	-0-	-0-	-0-	186
	Cheyenne River	SD-5-5	C	-0-	-0-	-0-	-0-	120
	Cheyenne River	SD-5-6	C-MH	-0-	-0-	-0-	-0-	42
	Cheyenne River	SD-5-7	C-MH	-0-	-0-	-0-	-0-	54
	Crow Creek	SD-4-6	C	-0-	-0-	-0-	-0-	40
	Crow Creek	SD-4-7	C-MH	-0-	-0-	-0-	-0-	30
	Crow Creek	SD-4-F	C	100	-0-	-0-	-0-	-0-
	Lower Brule	SD-3-4	T-MH	-0-	-0-	-0-	-0-	20
	Lower Brule	SD-3-5	T	-0-	-0-	-0-	-0-	10
	Pine Ridge	SD-1-5	T	-0-	-0-	-0-	-0-	256
	Pine Ridge	SD-1-6	T	-0-	-0-	-0-	-0-	90
	Pine Ridge	SD-1-7	C-MH	-0-	-0-	-0-	-0-	50
	Pine Ridge	SD-1-9	C-MH	-0-	150	-0-	-0-	-0-
	Standing Rock	SD-6-4	T-HO	-0-	-0-	-0-	-0-	29
	Standing Rock	SD-6-5	T	-0-	-0-	-0-	-0-	85

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Region	Locality	Proj. No.	Type	Appl. Rec'd	Appl. App'd	ACC List App'd UNITS	ACC Executed	Under Constr
<u>-Denver Region (Cont'd):</u>								
	Standing Rock	SD-6-6	T-MH	-0-	-0-	-0-	-0-	15
	Flandreau	SD-6-7	C	-0-	64	-0-	-0-	-0-
	Res Bud	SD-49-A	C	40	-0-	-0-	-0-	-0-
	Wapreton	SD-2-7	C	-0-	220	-0-	-0-	-0-
	Yarnton Sx.	SD-15-4	T-MH	-0-	50	-0-	-0-	-0-
	Uintah and Ouray	SD-12-2	C-MH	-0-	48	-0-	-0-	71
	Uintah and Ouray	UT-1-5	C-MH	-0-	-0-	-0-	-0-	-0-
	Uintah and Ouray	UT-1-6	C	-0-	40	-0-	-0-	-0-
	Total		T	790	928	100	100	1,896
<u>-San Francisco Area:</u>								
	Hoopa Valley	CAL-90-1	C	-0-	-0-	-0-	30	-0-
	Hoopa Valley	CAL-90-AR	C	-0-	30	-0-	-0-	-0-
	Modoc Lassen	CAL-83-1	C	-0-	-0-	-0-	60	-0-
	Dresslerville (Woodsford)	NEV-3-3	C	-0-	-0-	-0-	22	-0-
	Dresslerville (Carson Colony)	NEV-3-4	C	-0-	-0-	-0-	14	-0-
	Dresslerville	NEV-3-5	C	-0-	-0-	-0-	20	-0-
	Duck Valley (Owyhee)	NEV-6-3	C	-0-	-0-	-0-	-0-	40
	Duck Valley (Owyhee)	NEV-6-4	C	-0-	-0-	-0-	4	-0-
	Duck Valley (Owyhee)	NEV-6-5	C	-0-	37	-0-	-0-	17
	Ely (Goshute)	NEV-15-1	C	-0-	-0-	-0-	-0-	-0-
	Ely (Goshute)	NEV-15-3	C	-0-	-0-	-0-	10	-0-
	Lovelock (Winnemuccal)	NEV-17-2	C	-0-	-0-	-0-	6	-0-
	Lovelock	NEV-17-3	C	-0-	-0-	-0-	10	-0-
	Reno-Sparks (Reno)	NEV-12-3	C	-0-	-0-	-0-	-0-	30
	Reno-Sparks (Reno)	NEV-12-4	C	-0-	-0-	-0-	-0-	16
	Te-Moak (Elkot S. Fork)	NEV-16-2	C	-0-	-0-	-0-	15	-0-
	Walker River (Schurz)	NEV-8-3	C	-0-	-0-	-0-	-0-	40
	Yerrington	NEV-10-3	C	-0-	-0-	-0-	-0-	10
	Total		T	790	67	191	191	152

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Region	Locality	Proj. No.	Type	App'l.		ACC List App'd'd	ACC Executed	Under Constr
				Rec'd	App'd			
<u>-Los Angeles Area:</u>								
	San Carlos	ARIZ-11-9	C	-0-	-0-	-0-	40	-0-
	San Carlos	ARIZ-11-10	C-MH	-0-	-0-	-0-	21	-0-
	San Carlos	ARIZ-11-11	C-MH	-0-	12	-0-	-0-	-0-
	San Carlos	ARIZ-11-12	C-MH	-0-	40	-0-	-0-	-0-
	San Carlos	ARIZ-11-13	C-MH	-0-	35	-0-	-0-	-0-
	San Carlos	ARIZ-11-14	C-MH	-0-	25	-0-	-0-	-0-
	San Carlos	ARIZ-11-15	C-MH	-0-	17	-0-	-0-	-0-
	Navaho	ARIZ-12-7	T-MH	-0-	-0-	-0-	-0-	30
	Navaho	ARIZ-12-17	C-MH	-0-	-0-	-0-	15	-0-
	Navaho	ARIZ-12-18	C-MH	-0-	-0-	-0-	10	-0-
	Navaho	ARIZ-12-19	C-MH	-0-	-0-	-0-	30	-0-
	Navaho	ARIZ-12-20	C-MH	-0-	-0-	-0-	-0-	20
	Navaho	ARIZ-12-21	C-MH	-0-	-0-	-0-	-0-	30
	Navaho	ARIZ-12-22	C-MH	-0-	-0-	-0-	-0-	-0-
	Navaho	ARIZ-12-23	C-MH	-0-	-0-	-0-	40	-0-
	Navaho	ARIZ-12-24	C-MH	-0-	-0-	-0-	-0-	10
	Navaho	ARIZ-12-25	C-MH	-0-	-0-	-0-	-0-	30
	Navaho	ARIZ-12-26	C-MH	-0-	-0-	-0-	20	-0-
	Navaho	ARIZ-12-27	C-MH	-0-	-0-	-0-	20	-0-
	Navaho	ARIZ-12-28	C-MH	-0-	-0-	-0-	25	-0-
	Navaho	ARIZ-12-29	C-MH	-0-	-0-	-0-	25	-0-
	Navaho	ARIZ-12-30	C-MH	-0-	-0-	-0-	20	-0-
	Navaho	ARIZ-12-31	C-MH	-0-	-0-	-0-	30	-0-
	Navaho	ARIZ-12-32	C-MH	-0-	-0-	-0-	-0-	25
	Navaho	ARIZ-12-33	C-MH	-0-	-0-	-0-	10	-0-
	Navaho	ARIZ-12-34	C-MH	-0-	-0-	-0-	30	-0-
	Navaho	ARIZ-12-35	C-MH	-0-	-0-	-0-	20	-0-
	Navaho	ARIZ-12-36	C-MH	-0-	-0-	-0-	20	-0-
	Navaho	ARIZ-12-37	C	-0-	-0-	-0-	10	-0-
	Navaho	ARIZ-12-38	C	-0-	-0-	-0-	-0-	10
	Navaho	ARIZ-12-39	C	-0-	-0-	-0-	10	-0-
	Navaho	ARIZ-12-40	C	-0-	-0-	-0-	10	-0-

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Region	Locality	Proj. No.	Type	Appl. Rec'd	Appl. App'd	ACC List App'd UNITS	ACC Executed	Under Constr.
<u>-Los Angeles Area (Cont'd):</u>								
	Navaho	ARIZ-12-41	C-MH	-0-	-0-	-0-	30	-0-
	Navaho	ARIZ-12-H	C-MH	-0-	90	-0-	-0-	-0-
	Navaho	ARIZ-12-I	C-MH	-0-	180	-0-	-0-	-0-
	Salt River	ARIZ-14-2	C-MH	-0-	-0-	-0-	-0-	30
	Salt River	ARIZ-14-B	C	-0-	120	-0-	-0-	-0+
	Gila River	ARIZ-15-6	C	-0-	-0-	-0-	-0-	80
	Gila River	ARIZ-15-8	C	-0-	-0-	-0-	22	-0-
	Gila River	ARIZ-15-C	C-MH	-0-	100	-0-	-0-	-0-
	Gila River	ARIZ-15-D	C-MH	-0-	100	-0-	-0-	-0-
	Fort Apache	ARIZ-16-11	C-MH	-0-	-0-	-0-	10	-0-
	Fort Apache	ARIZ-16-12	C-MH	-0-	-0-	-0-	10	-0-
	Fort Apache	ARIZ-16-14	C-MH	-0-	-0-	-0-	5	-0-
	Fort Apache	ARIZ-16-15	C-MH	-0-	-0-	-0-	10	-0-
	Fort Apache	ARIZ-16-16	C-MH	-0-	-0-	-0-	15	-0-
	Fort Apache	ARIZ-16-18	C-MH	-0-	-0-	-0-	25	-0-
	Fort Apache	ARIZ-16-19	C-MH	-0-	-0-	-0-	15	-0-
	Fort Apache	ARIZ-16-20	C-MH	-0-	-0-	-0-	15	-0-
	Fort Apache	ARIZ-16-21	C-MH	-0-	-0-	-0-	10	-0-
	Fort Apache	ARIZ-16-22	C-MH	-0-	-0-	-0-	10	-0-
	Fort Apache	ARIZ-16-E	RH-MH	-0-	60	-0-	-0-	-0-
	Hualapai	ARIZ-17-2	C-MH	-0-	-0-	-0-	-0-	170
	Hualapai	ARIZ-17-C	C-MH	-0-	40	-0-	-0-	10
	Colorado River	ARIZ-18-6	C	-0-	-0-	-0-	-0-	100
	Colorado River	ARIZ-18-7	C	-0-	-0-	-0-	25	-0-
	Colorado River	ARIZ-18-C	C-MH	-0-	50	-0-	-0-	-0-
	Fort McDowell	ARIZ-19-2	C-MH	-0-	-0-	-0-	10	-0-
	Cocopah	ARIZ-20-2	C-MH	-0-	-0-	-0-	25	-0-
	Camp Verde	ARIZ-22-2	C-MH	-0-	-0-	-0-	40	-0-
	Camp Verde	ARIZ-22-C	T--MH	-0-	20	-0-	-0-	-0-
	Kaibab-Paiute	ARIZ-24-B	C-MH	-0-	-0-	-0-	-0-	20
	Gila River	ARIZ-15-1	C-MH	-0-	15	-0-	-0-	-0-
	Gila River	ARIZ-15-5	C	-0-	-0-	-0-	-0-	10
	Gila River	ARIZ-15-7	C	-0-	-0-	-0-	-0-	10

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Station	Locality	Proj. No.	Type	Appl. Rec'd	Appl. App'd	ACC List App'd UNITS	ACC Executed	Unconst. Construc
Papago	ARIZ-26-1		C-MH	-0-	-0-	-0-	-0-	30
Papago	ARIZ-26-5		C-MH	-0-	-0-	-0-	-0-	30
Papago	ARIZ-26-6		C-MH	-0-	-0-	-0-	25	-0-
Papago	ARIZ-26-8		C-MH	-0-	-0-	-0-	10	-0-
Papago	ARIZ-26-9		C-MH	-0-	-0-	-0-	15	-0-
Papago	ARIZ-26-G		C-MH	-0-	50	-0-	-0-	-0-
Papago	ARIZ-26-I		C-MH	-0-	74	-0-	-0-	-0-
Hopi	ARIZ-27-2		C-MH	-0-	-0-	-0-	23	-0-
Hopi	ARIZ-27-3		C-MH	-0-	-0-	-0-	50	-0-
Fort Yuma	ARIZ-27-D		T-MH	-0-	100	-0-	-0-	-0-
Paumotu	CAL-54-C		C-MH	-0-	25	-0-	-0-	-0-
All Mission (Paumotu)	CAL-80-1		T-MH	-0-	-0-	-0-	-0-	2
All Mission (Pala)	CAL-80-2		T-MH	-0-	-0-	-0-	-0-	12
All Mission (Rincon)	CAL-80-3		T-MH	-0-	-0-	-0-	-0-	12
All Mission (Soboba)	CAL-80-4		T-MH	-0-	-0-	-0-	-0-	12
All Mission (Barona)	CAL-80-5		T-MH	-0-	-0-	-0-	-0-	12
All Mission	CAL-80-B		C-MH	-0-	50	-0-	-0-	-0-
Owens Valley	CAL-98-A		C	-0-	160	-0-	-0-	-0-
Owens Valley	CAL-98-B		C	-0-	20	-0-	-0-	-0-
Laguna Pueblo	NM-12-3		T-MH	-0-	-0-	-0-	-0-	170
Laguna Pueblo	NM-12-C		C-MH	-0-	205	-0-	-0-	-0-
Mescalero	NM-13-B		C	-0-	35	-0-	-0-	-0-
Jicarilla-Apache	NM-14-B		C-MH	-0-	60	-0-	-0-	-0-
Jicarilla-Apache	NM-14-C		C-MH	-0-	40	-0-	-0-	-0-
Navaho	NM-15-18		C	-0-	-0-	-0-	-0-	15
Navaho	NM-15-19		C-MH	-0-	-0-	-0-	-0-	20
Navaho	NM-15-20		C-MH	-0-	-0-	-0-	-0-	10
Navaho	NM-15-21		C-MH	-0-	-0-	-0-	-0-	20
Navaho	NM-15-22		C-MH	-0-	-0-	-0-	-0-	15
Navaho	NM-15-23		C-MH	-0-	-0-	-0-	-0-	20
Navaho	NM-15-24		C-MH	-0-	-0-	-0-	-0-	10
Navaho	NM-15-25		C	-0-	-0-	-0-	45	-0-
Navaho	NM-15-26		C	-0-	-0-	-0-	10	-0-
Navaho	NM-15-27		C	-0-	-0-	-0-	10	-0-
Navaho	NM-15-28		C	-0-	-0-	-0-	20	-0-
Navaho	NM-15-29		C	-0-	-0-	-0-	20	-0-
Papago	ARIZ-26-4		C-MH	-0-	-0-	-0-	-0-	12
Papago	ARIZ-26-7		C-MH	-0-	-0-	-0-	-0-	10

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Region	Locality	Proj. No.	Type	Appl. Rec'd	Appl. App'd	ACC List App'd UNITS	ACC Executed	Under Constr.
3-Los Angeles Area (Conf'd):	Navaho	NM-15-30	C	-0-	-0-	-0-	30	-0-
	Navaho	NM-15-K	C-MH	-0-	160	-0-	-0-	-0-
	Zuni Pueblo	NM-19-6	T-MH	-0-	-0-	-0-	-0-	160
	Zuni Pueblo	NM-19-F	T	-0-	25	-0-	-0-	-0-
	Zuni Pueblo	NM-19-5	T	-0-	-0-	-0-	-0-	20
	All Indian Pueblo	NM-31-18	C-MH	-0-	-0-	-0-	10	-0-
	All Indian Pueblo	NM-31-7	C-MH	-0-	-0-	-0-	-0-	25
	All Indian Pueblo	NM-31-19	C-MH	-0-	-0-	-0-	-0-	61
	All Indian Pueblo	NM-31-20	C-MH	-0-	-0-	-0-	-0-	34
	All Indian Pueblo	NM-31-22	C-MH	-0-	-0-	-0-	36	-0-
	All Indian Pueblo	NM-31-23	C-MH	-0-	-0-	-0-	-0-	46
	All Indian Pueblo	NM-31-24	C-MH	-0-	-0-	-0-	-0-	57
	All Indian Pueblo	NM-31-31	C	-0-	-0-	-0-	-0-	42
	All Indian Pueblo	NM-31-32	C	-0-	-0-	-0-	-0-	41
	All Indian Pueblo	NM-31-33	C-MH	-0-	-0-	-0-	-0-	31
	All Indian Pueblo	NM-31-T	C-MH	-0-	100	-0-	-0-	-0-
	Northern Pueblo	NM-40-1	C-MH	-0-	-0-	-0-	-0-	18
	Northern Pueblo	NM-40-2	C-MH	-0-	-0-	-0-	42	-0-
	Northern Pueblo	NM-40-3	C-MH	-0-	-0-	-0-	-0-	15
	Northern Pueblo	NM-40-4	C-MH	-0-	-0-	-0-	-0-	15
	Northern Pueblo	NM-40-5-A	C-MH	-0-	-0-	-0-	-0-	35
Navaho	UTAH-5-A	C-MH	-0-	30	-0-	-0-	-0-	
Navaho	UTAH-5-B	C	-0-	20	-0-	-0-	-0-	
Navaho	NN-16-1	T-MH	-0-	-0-	-0-	-0-	-5	
	Total			2,183		1,049	1,792	
0-Portland Area:	Umatilla	ORE-12-3	T	-0-	-0-	20	-0-	-0-
	Fort Hall	IDA-9-C	T	-0-	60	-0-	-0-	-0-
	Total				60	20	-0-	-0-

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Region	Locality	Proj. No.	Type	App'l. Rec'd	App'l. App'd	ACC List App'd UNITS	ACC Executed	Under Constr.
10-Seattle Area:								
	Anaktuvuk Pass							
	Angoon	AK-1AAM0	TKY-HO		12	-0-	-0-	-0-
	Angoon	AK-4-1	TKY-HO		-0-	-0-	-0-	30
	Angoon	AK-4-G	TKY		25	-0-	-0-	-0-
	Barrow	AK-1-AW	TKY-HO		100	-0-	-0-	-0-
	Craig	AK-4-W	TKY-HO		15	-0-	-0-	-0-
	Dillingham	AK-1-AZ	TKY-HO		50	-0-	-0-	-0-
	Emsonak	AK-1AAI	TKY-HO		30	-0-	-0-	-0-
	Fort Yukon	AK-3-C	TKY-HO		40	-0-	-0-	-0-
	Galena	AK-1-2I	CONV-MH		-0-	28	28	0
	Galena	AK-3-B	TKY-MH		30	-0-	-0-	-0-
	Gambell	AK-3-K	TKY-HO		30	-0-	-0-	-0-
	Haines	AK-4-I	TKY-HO		25	-0-	-0-	-0-
	Hoonah	AK-4-2	TKY-HO		-0-	-0-	-0-	-0-
	Hoonah	AK-4-J	TKY-HO		30	-0-	-0-	35
	Hooper Bay	AK-1-AAL	TKY-HO		30	-0-	-0-	-0-
	Kake	AK-4-4	TKY-HO		-0-	-0-	-0-	-0-
	Kaktovik	AK-1-AAAR	TKY-HO		15	-0-	-0-	30
	Kotzebue	AK-1-AT	TKY-HO		100	-0-	-0-	-0-
	Kwethluk	AK-1-25	CONV-MH		-0-	-0-	-0-	-0-
	Larson Bay	AK-1-AAAN	TKY-HO		15	-0-	-0-	30
	Mountain Village	AK-1-AMG	TKY-HO		25	-0-	-0-	-0-
	Nikolai	AK-AAAI	TKY-HO		15	-0-	-0-	-0-
	Notak	AK-1-AAH	TKY-HO		30	-0-	-0-	-0-
	Noorvik	AK-1-AAP	TKY-HO		20	-0-	-0-	-0-
	Sand Point	AK-3-F	TKY-HO		30	-0-	-0-	-0-
	Savonga	AK-3-J	TKY-HO		25	-0-	-0-	-0-
	Shaktolik	AK-3-G	TKY-HO		20	-0-	-0-	-0-
	Shungnak	AK-1-AAAK	TKY-HO		18	-0-	-0-	-0-
	St. Marys	AK-3-D	TKY-HO		20	-0-	-0-	-0-
	St. Michaels	AK-3-E	TKY-HO		25	-0-	-0-	-0-
	Stebbins	AK-3-H	TKY-HO		20	-0-	-0-	-0-
	Tanacross	AK-3-A	TKY-HO		25	-0-	-0-	-0-
	Teller	AK-3-N	TKY-HO		30	-0-	-0-	-0-
	Togiak	AK-3-M	TKY-HO		30	-0-	-0-	-0-



Region	Locality	Proj. No.	Type	App'l. Rec'd	App'l. App'd	ACC List App'd	ACC Executed	Under Constr
						UNITS		
	1a-Seattle Area (Cont'd):							
	Unalakleet							
	Venetie	AK-3-1	TKY-HO	20		-0-	-0-	-0-
	Wales	AK-1-AAAL	TKY-HO	15		-0-	-0-	-0-
	Yakutat	AK-3-1	TKY-HO	18		-0-	-0-	-0-
	Colville	AK-1-AY	TKY-HO	20		-0-	-0-	-0-
	Chehalis	WASH-43-A	TKY-HO	180		-0-	-0-	-0-
	Lummi	WASH-48-A	TKY-HO	25		-0-	-0-	-0-
	Makah	WASH-28-4	TKY	-0-		25	-0-	-0-
	Quinalt	WASH-28-B	TKY-HO	35		-0-	-0-	-0-
	Quinalt	WASH-29-C	TKY-HO	45		-0-	-0-	-0-
	Spokane	WASH-27-3	TKY-HO	-0-		-0-	-0-	-0-
	Yakima	WASH-27-4	TKY-HO	-0-		-0-	12	-0-
	Yakima	WASH-37-B	TKY-HC	20		-0-	-0-	-0-
	Yakima	WASH-22-1	TKY-MH	-0-		-0-	7	-0-
	Yakima	WASH-22-7	TKY-MH	-0-		-0-	40	-0-
	Yakima	WASH-22-E	TKY	25		-0-	-0-	-0-
	Cover D'Alene	IDA-7-1	TKY-MH	-0-		-0-	-0-	10
	Nez Perce	IDA-8-1	TKY-MH	-0-		-0-	-0-	10
	Hydaburg	AK-4-K	TKY-HO	15		-0-	-0-	-0-
	Kake	AK-4-L	TKY-HO	20		-0-	-0-	-0-
	Klawock	AK-4-M	TKY-HO	12		-0-	-0-	-0-
	Kluwan	AK-4-N	TKY-HO	23		-0-	-0-	-0-
	Yakutat	AK-4-O	TKY-HO	35		-0-	-0-	-0-
	Total			113	1,293	45	75	113

LOW-RENT PUBLIC HOUSING PROGRAM - FISCAL YEAR 1975

INDIAN HOUSING UNITS

PRODUCTION SUMMARY - AS OF 6-30-74

REGION	APPLICATIONS APPROVED	AGILIST APPROVAL	CONSTRUCTION STARTS	COMPLETED OCCUPANCY
I Boston.....	.....	.....	.....	70
II New York.....	50	.....	.....	10
III Philadelphia.....	.....	.....	.....	.....
IV Atlanta.....	200	75	.....	120
V Chicago.....	.....	.....	16	68
VI Fort Worth.....	.....	325	926	1,176
VII Kansas City.....	.....	.....	.....	355
VIII Denver.....	758	1,175	898	116
IX San Francisco.....	.....	.....	663	658
X Seattle.....	280	85	135	426
Totals.....	1,738	660	2,638	3,499

Publicly Financed Housing Division
 HPNC-PHA - 18 OCT 1974

ACC - Annual Contributions Contract



Attachment 1

INDIAN HOUSING ANNUAL CONTRIBUTIONS CONTRACTS
 LOW-INCOME PUBLIC HOUSING PROGRAM - FISCAL YEAR 1970-74
 (BY REGIONS)

Region	UNITS					Total
	Fiscal Year 1970*	Fiscal Year 1971*	Fiscal Year 1972**	Fiscal Year 1973**	Fiscal Year 1974	
Boston	-0-	-0-	70	-0-	-0-	70
New York	-0-	-0-	-0-	10	-0-	10
Philadelphia	-0-	-0-	-0-	-0-	-0-	-0-
Atlanta	30	470	-0-	-0-	75	575
Chicago	173	405	-85	80	-0-	743
Dallas	1,962	2,295	1,585	353	325	6,520
Kansas City	65	64	209	-0-	-0-	338
Denver	558	1,071	812	669	175	4,085
San Francisco	1,555	1,929	645	171	-0-	4,300
Seattle	15	270	300	215	85	885
Total	4,358	7,304	3,706	1,498	660	17,526

* ACC Executions

** ACC List Approvals

Publicly Financed Housing
 HPNC-PHA - 34 OCT 1974

INDIAN HOUSING CONSTRUCTION STARTS
LOW-RENT PUBLIC HOUSING PROGRAM--FISCAL YEARS 1970-74
(BY REGIONS)

Region	UNITS				Total
	Fiscal Year 1970	Fiscal Year 1971	Fiscal Year 1972	Fiscal Year 1973	
Boston	-0-	-0-	-0-	70	70
New York	-0-	-0-	-0-	10	10
Philadelphia	-0-	-0-	-0-	-0-	-0-
Atlanta	60	100	190	160	510
Chicago	127	244	95	170	652
Dallas	2,177	1,403	1,236	1,000	6,742
Kansas City	45	56	283	30	414
Denver	763	1,259	775	335	4,230
San Francisco	566	1,827	194	110	3,710
Seattle	25	35	338	290	823
Total	3,763	4,974	3,111	2,675	17,161

Publicly Financed Housing Division
HPMC-FHA- 24 OCT 1974

HUD COMMITMENT
TO PROVIDE HOUSING IN INDIAN AREAS

In 1969, the Department of Interior (Bureau of Indian Affairs), the Department of Health, Education and Welfare (Indian Health Service), and the Department of Housing and Urban Development executed a Memorandum of Understanding which provided for the construction of 40,000 housing units in Indian areas during the five fiscal years 1970 through 1974. The HUD commitment was established at an annual level of 6,000 units over the five-year period for a total of 30,000 units; the Bureau of Indian Affairs (BIA) and tribal groups were committed to provide the balance of 10,000 units; and the Indian Health Service (IHS) was committed to providing water and sewer facilities.

STATUS OF HUD
30,000 UNIT COMMITMENT

HUD Construction Start Commitment	30,000
Less: Actual Starts FY 70-74	<u>17,161</u>
Total Unmet Commitment	12,839
Less: Under ACC, Not Under Construction	2,083
Authorized, Not Under ACC	<u>6,558</u>
Total "Pipeline"	<u>8,641</u>
Net Unmet Commitment - Not Authorized	<u>4,198</u>
Present Authorization	6,000
Excess over Original 30,000	1,802

The Housing and Community Development Act of 1974 authorized a \$15,000,000 production set-aside per year for FY 75 and FY 76; however, this authorization was stated in terms of units placed under ACC after July 1, 1974. It is calculated that, at today's prices, \$15,000,000 will fund 6,000 units. The 6,558 units presently authorized, but not under ACC, will exhaust the FY 75 funding set-aside, and the 6,000 units being authorized will establish a pipeline for the FY 76 funding.

**SPECIAL
REPORT-**

INDIAN PROGRAMS

HOUSING ACT OF 1949

DEVELOPMENT

PROGRESS

DIRECTORY

DECEMBER 31, 1972

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING PRODUCTION AND MORTGAGE CREDIT
FHA DIVISION OF RESEARCH AND STATISTICS
STATISTICS BRANCH**

0489

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Department of Housing and Urban Development
 Housing Production and Mortgage Credit-FHA
 Division of Research and Statistics
 Statistics Branch

III
EXPLANATORY NOTES

Coverage

This directory contains information for all Indian projects developed or being developed under programs administered by the Housing Assistance Administration of the Department of Housing and Urban Development. Included are applications, reservations and projects under selected stages of development.

An Indian Project

Low-rent housing developed under the auspices of an Indian Local Housing Authority. An Indian tribe which has the power to govern its Reservation under an established Constitution and By-laws can organize a Local Housing Authority to perform all legal functions pertaining to the development and management of a low-rent housing project. In Oklahoma and Maine where the tribes don't have this legal or police power the state legislatures enacted statutes to provide for the establishment of housing authorities to perform the functions of a typical Local Housing Authority.

Generally, the housing programs for Indians are developed and operated essentially in the same manner as non-Indian programs. However, the application of the Turnkey method for Indian programs does provide for two unique arrangements (a) the tribal council itself may act as the Turnkey developer for a project and then subcontract for the actual construction of the project. (b) Arrangements may be made with a developer for the employment of Indians to perform some of the construction work on the project. A further adaptation of the Turnkey method on Indian reservations provides that the developer's proposal include a provision for the utilization of self-help labor of future owners of the project. This type of program is indicated in Column 3 as IX-Indian Turnkey method-mutual or self-help project.

Locality and Local Housing Authority (column 4)

States are arranged alphabetically. The name of the city, town, area, reservation or tribe in which the project or project part(s) is located or the nearest post office address which serves to identify the location is listed alphabetically within each state. Where the location name is not the same as that of the Local Authority, the name of the responsible Local Authority, usually tribe or reservation, follows the name of the locality. An Indian Reservation may extend across state lines, for example, the boundaries of the Navajo Reservation extends into three States (Utah, Arizona and New Mexico).

IV

Program Reservation or Project Number (column 2)

The officially assigned program reservation and project number, if any, are listed serially within each location. Applications for units not yet approved show only the prefix of the project number for Local Housing Authority with programs in later stages. Applications, reservations and projects or parts of applications, reservations and projects for each designated location proceeding in more than one stage are listed on separate lines for each stage with respective progress dates. An example of a project number entry is as follows:

<u>Prefix</u>	<u>Reservation</u>	<u>Reservation part</u>	<u>Project number</u>
001	AA	01	001

Type of Program (column 3)

The symbol in this column indicates the type of program.

- IC - Indian Program--conventional-new construction (bid method)
- IA - Indian Program--acquisition with and/or without rehabilitation
- IL - Indian Program--leased housing
- IS - Indian Program--mutual or self-help
- IT - Indian Program--turnkey method-new construction
- IX - Indian Program--turnkey method-mutual or self-help
- IR - Indian Program--leased housing with rehabilitation

Housing Units (columns 4-7)

The number of Indian Housing units shown is that covered by the latest development progress stage for which entries are shown (column 8-11 and 13).

Total (column 4)

Total number of housing units currently reported.

Elderly (column 5)

The number of housing units designed or to be designed specifically for elderly families.

Rehabilitation (column 6)

The number of housing units which are to be or have been rehabilitated.

Completed Units (column 7)

The number of housing units accepted by the Local Housing Authority and available for dwelling use.

Progress Dates (column 8-12)Applications Received (column 8)

The date (month and year) the Application for Program Reservation was received.

Application of Reservation Approved (column 9)

The date (month and year) the program Reservation was issued.

Annual Contributions Contract Executed (column 10)

The date (month and year) the Annual Contributions Contract was executed by the Assistant Regional Administrator for Housing Assistance and the Local Authority?

Construction Started (column 11)

The effective date of the Notice to Proceed. For projects involving rehabilitation by the local authority after acquisition, the entry is the date when the property is acquired except when work is to be done by contract, the entry is the effective date of the Notice to proceed. For project involving rehabilitation by a developer before acquisition by a developer before acquisition by the LHA (turnkey project), the entry is the date when rehabilitation has been started on the first unit in the sales agreement. For leased projects, the entry is N.A. (not applicable).

Date of Initial Occupancy (column 12)

The date the first unit in the project was occupied.

Date of Full Availability (column 13)

The last day of the month in which substantially all housing units in the project became available for occupancy as reported in the Notice of Full Availability (HUD-52423). If an "S" follows the date, the date is the scheduled or estimated date of full availability, except that if the date of full availability is the same month as the report or earlier, all units have been reported available for occupancy but a Notice of Date of Full Availability (HUD-52423) has not been received. For leased housing the entry is N.A. (not applicable)

LOW-RENT PUBLIC HOUSING FOR INDIANES: ACTIVITY STATUS BY STATE, No. OF UNITS, PROJECTS AND PLACES AS OF DECEMBER 31, 1972

STATE	TOTAL	ELDERLY	NUMBER OF UNITS UNDER EACH STAGE										No. of PROJECTS				No. of PLACES			
			APPL. REC'D.	RECV. APPR.	ACC. EXEC.	CONSTR. STARTS	AVAIL. FOR OCCUP.	ACC. EXEC.	CONSTR. STARTS	AVAIL. FOR OCCUP.	ACC. EXEC.	CONSTR. STARTS	AVAIL. FOR OCCUP.	ACC. EXEC.	CONSTR. STARTS	AVAIL. FOR OCCUP.				
TOTAL	37,306	1,990	7,408	3,376	6,065	12,024	100	166	314	57	135	246								
ALABAMA.....	200	50	200	20	129	141	1	6	8	1	6	6								
ALASKA.....	1,660	25	1,144	20	981	1,226	44	33	47	37	18	34								
CALIFORNIA.....	4,478	335	1,405	60	30	80	5	5	3	6	5	3								
COLORADO.....	335	---	---	---	---	---	---	---	---	---	---	---								
CONNECTICUT.....	112	---	---	---	---	---	---	---	---	---	---	---								
FLORIDA.....	176	---	---	---	---	---	---	---	---	---	---	---								
GEORGIA.....	344	26	60	20	10	80	2	2	2	2	2	2								
ILLINOIS.....	115	---	---	---	---	---	---	---	---	---	---	---								
KANSAS.....	344	60	60	70	74	30	2	3	1	2	3	3								
MAINE.....	115	---	---	---	---	---	---	---	---	---	---	---								
MICHIGAN.....	413	68	45	70	2	91	2	2	4	1	2	4								
MINNESOTA.....	583	48	43	20	137	383	1	1	16	1	3	9								
MISSISSIPPI.....	435	66	200	90	60	105	1	1	3	1	6	3								
MISSOURI.....	1,666	66	120	415	10	444	477	15	28	1	6	6								
MONTANA.....	804	64	30	115	91	203	225	4	4	7	3	13								
NEBRASKA.....	803	91	109	91	20	285	17	20	41	14	19	32								
NEW MEXICO.....	4,685	14	1,080	582	891	1,288	60	60	60	60	60	60								
NEW YORK.....	120	5	60	---	---	---	---	---	---	---	---	---								
NORTH CAROLINA.....	386	32	170	216	2	216	2	2	6	2	2	7								
NORTH DAKOTA.....	1,030	128	170	90	37	633	2	1	12	1	1	10								
OHIO.....	1,933	859	1,832	780	2,422	3,678	54	40	54	31	31	57								
OKLAHOMA.....	134	---	---	---	---	---	---	---	---	---	---	---								
OREGON.....	3,074	97	249	50	50	1,780	2	10	27	1	5	19								
SOUTH CAROLINA.....	247	10	82	10	24	148	1	1	6	1	1	2								
TENNESSEE.....	247	22	92	10	24	148	1	1	6	1	1	2								
TEXAS.....	1,267	194	252	154	103	148	4	4	6	3	3	4								
WASHINGTON.....	942	184	267	35	35	368	1	10	15	3	9	11								
WISCONSIN.....	163	---	---	---	---	---	---	---	---	---	---	---								

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING PRODUCTION AND MORTGAGE CREDIT-FHA
DIVISION OF RESEARCH AND STATISTICS
STATISTICAL OPERATIONS BRANCH
MAY 7, 1973

RENT PUBLIC HOUSING FOR INDIANS: ACTIVITY STATUS BY STATES, NO. OF UNITS, PROJECTS AND PLACES AS OF DECEMBER 31, 1973

STATE	NUMBER OF UNITS UNDER EACH STAGE										NO. OF PROJECTS			NO. OF PLACES		
	TOTAL	ELDERLY	APPL. REC'D.	REVA. APPR.	ACC EXEC.	CONST. STARTS	AVAIL. FOR OCCUP.	ACC E-CC.	CONST. STARTS	AVAIL. FOR OCCUP.	ACC EXEC.	CONST. STARTS	AVAIL. FOR OCCUP.	ACC EXEC.	CONST. STARTS	AVAIL. FOR OCCUP.
TOTAL	37963	2196	7022	6310	3524	8135	12052	113	222	380	63	116	194			
ALABAMA																
ALASKA	1845	35	271	174	30	170	260			14	1	6	12			
ARIZONA	4321	25	76	132	401	305	1577	43	14	58	11	11	17			
CALIFORNIA	8355	22	30	205	90	60	210	2	2	3	22	22	3			
COLORADO	117					30	114		1	7	1	1	1			
FLORIDA	170	10			20	74	30	2	2	2	2	2	3			
IDAHO	214	25		110		70	50		3			2	5			
KANSAS	115			45		7			2			2	1			
MAINE	93	8				2	91					2	4			
MICHIGAN	693	48		13	30	52	464		1	2	1	2	6			
MINNESOTA	212			250	101	100	837	2	2	3	2	9	7			
MISSISSIPPI	712		230	240		20	137			5		3	3			
MONTANA	317	64		40		170	127		3			2	3			
NEBRASKA	217		25	37	150	103	311	10	9	17	7	8	17			
NEVADA	346	48		830	792	557	1570	24	10	52	11	9	17			
NEW MEXICO	172				160				1			2	7			
NEW YORK	52					170	212			2		2	2			
NORTH CAROLINA	223		200		30	153	375		6	14		17	10			
NORTH DAKOTA	178		100			130	320		10	19		14	4			
OKLAHOMA	1273	921	2137	1702	1184	3226	3269	21	11	64	17	30	40			
OREGON	131	20		20		50	64					1	2			
SOUTH DAKOTA	372	327	232		100	122	171	2	13	29	1	10	13			
TEXAS	87				10	33	45		1			1	2			
UTAH	209			50		24	115		1			1	2			
WASHINGTON	113	104	320	322		257	416	1	8	10	1	5	8			
WISCONSIN	832	109			7	167	480		5	27		5	14			
WYOMING	123					80	103		20			4	7			

Low Rent Public Housing For Indians: Units being Developed or Under Management in Programs of 125 Indian Local Housing Authorities, by State, as of December 31, 1974

Latest Stage	Total	New Construction		Federal Help		Leasing		Acquisition		
		Conventional	Turn Key	Construction	Turn Key	Without Rehab	Rehab	New	With Rehab	Without Rehab
All Stages	3021	4566	2923	3670	13188	66	230	177	45	25
Reservations Approved	6310	677	2466	200	2773	20	-	-	-	10
Preconstruction	3564	232	424	515	2354	33	-	-	-	-
Under Construction	8635	963	2957	267	3744	-	10	-	-	-
Under Management	1250	268	3202	1777	4117	13	220	177	45	25

Table 151

LOW-RENT PUBLIC HOUSING

INDIAN HOUSING UNDER MANAGEMENT

PRODUCTION METHOD, COM. THRU. Dec. 31, 1972

SERIES	Total		Mutual- Fund		Turnover or Project		Turnover or Project		Amortization		Lease	
	PROJECT	UNIT	PROJECT	UNIT	PROJECT	UNIT	PROJECT	UNIT	PROJECT	UNIT	PROJECT	UNIT
I	5	60	1	35	---	---	---	---	---	---	---	25
II	---	---	---	---	---	---	---	---	---	---	---	---
III	---	---	---	---	---	---	---	---	---	---	---	---
IV	11	365	---	64	---	---	---	---	---	---	---	---
V	35	863	3	243	4	94	2	56	6	245	---	---
VI	95	5,180	9	641	4	222	14	327	8	198	---	---
VII	5	155	---	---	---	---	15	590	56	3,242	---	460
VIII	75	3,496	25	650	---	---	2	65	1	30	---	---
IX	67	1,698	---	---	24	437	16	1773	9	335	---	20
X	24	363	---	---	48	868	9	189	2	100	---	---
	---	---	17	235	17	235	2	25	4	98	---	---
TOTAL	5%	21,094	67	2,439	97	1,856	60	3,005	86	4,244	2	45

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING PRODUCTION AND MORTGAGE CREDIT-FHA
DIVISION OF RESEARCH AND STATISTICS
STATISTICAL OPERATIONS BRANCH
MAY 4, 1973

VII

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING PRODUCTION AND MORTGAGE CREDIT

INDIAN PROGRAMS

PAGE 1

DECEMBER 31, 1972

Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Program Dates					Date of full availability (12)	
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Secured (10)	Construction Started (11)	Initial Occupancy (12)		
ALABAMA													
GREENE COUNTY	GREENE COUNTY												
	170 B 2		288				10-78	2-71					
STATE TOTALS	PROJECTS							1					
	UNITS		288					288					
	LOCALITIES												

STATISTICS BRANCH

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING PRODUCTION AND MORTGAGE CREDIT

PAGE 2

1969 PROGRAMS

DECEMBER 31, 1972

Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Program (3)	Number of Units					Program Dates					Date of full availability (13)	
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Executed (10)	Construction Started (11)	Initial Occupancy (12)			
ALASKA														
AMBLER	ALASKA STATE 1 60 20	18	14				16	11-70	2-71	2-71	8-71	5-72	8-72	
ANATOTUK PASS	ALASKA STATE 1 60	17	12					2-72	8-72					
ANCHER	ALASKA STATE 1 VR 1	17	20					12-69	2-71					
	1	17	40	5				12-69						
BAMBRA	ALASKA STATE 1 60	17	100					8-71	10-71					
BEAVER	ALASKA STATE 1 60	17	20					5-72	5-72					
CHAMBER LAKE	ALASKA STATE 1 60	17	19					5-72	5-72					
BILLINGHAM	ALASKA STATE 1 62	17	50					9-21	10-71					
ENDRUS	ALASKA STATE 1 61	17	20					10-71	2-72					
FORT TUDOR	ALASKA FEDERATION NATIVES 2 C	17	40					8-72	8-72					
GALENA	ALASKA STATE 1 60 21	15	20					11-70	2-71	2-71				
GARRELL	ALASKA FEDERATION NATIVES 2 H	17	25					8-72	8-72					
ABBONENS 400	ALASKA STATE 1 61 20	15	20					11-70	2-71	2-71	8-71			
HOLY CROSS	ALASKA STATE 1 60 21	15	10					11-70	2-71	2-71	8-71			
HOUTH	ALASKA STATE 1 60 1	15	30					12-69	2-71					
	1	17	70	15				12-69						
	1	17	15					7-72						
	1 PW 1 17	15	15				15	11-65	8-66	12-67	9-68	7-70	8-70	
HUPER 401	ALASKA STATE 1 61	17	30					11-21	12-71					

STATISTICS BRANCH

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING PRODUCTION AND MORTGAGE CREDIT

INDIAN PROGRAMS

PAGE 2

DECEMBER 31, 1972

Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Total (3)	Number of Units			Program Dates						Date of full availability (12)
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Approved (10)	Construction Started (11)	Initial Occupancy (11)	
ALASKA (CONTINUED)												
HYDABURG	ALASKA STATE 1 2R 1	18	68				12-69	2-71				
		17	25	5			12-69					
JUNEAU (IN VILLAGE)	ALASKA STATE 1	17	52				7-72					
KAKE	ALASKA STATE 1 2R 1	17	28				12-69	2-71				
		17	60	9			12-69					
		17	18				7-72					
KARTOVIK	ALASKA STATE 1 6R	17	10				2-72	2-72				
KALTA	ALASKA STATE 1 6R 2R	18	19			19	11-70	2-71	2-71	6-71		9-72
KEANE	ALASKA STATE 1	17	25				7-72					
KLADOCK	ALASKA STATE 1 2R 1	17	20				12-69	2-71				
		17	20				12-69					
KOTZEBURG	ALASKA STATE 1 6T	17	100				11-70	2-71				
KOETHLUK	ALASKA STATE 1 6R 2R	18	20				11-70	2-71	2-71	6-71		
LARSEN BAY	ALASKA STATE 1 6R	17	10				2-72	1-72				
MANGROTAN	ALASKA STATE 1 6P 2R	18	19			19	11-70	2-71	2-71	6-71		9-72
MEMBERTUX	ALASKA STATE 1 6U 2L	18	20				7-71	7-71	12-71	2-71		
		17	90				10-69					
	2 6R 1	18	15			15	9-64	8-64	6-64	2-65	2-66	2-66
	2 6R 2	18	15			15	2-66	8-66	6-66	1-67	6-68	2-68
	2 6R 3	18	15			15	9-67	8-68	6-72	7-72	12-72	2-73
	2 6R 4	18	15			15	10-71	9-70	6-72	7-72	10-72	2-72

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Program (3)	Number of Units				Progress Dates					Date of full availability (12)	
			Total (4)	Elderly (5)	Subsid. (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	APC Encouraged (10)	Construction Started (11)			
ALASKA	(CONTINUED)												
MOUNTAIN VILLAGE	ALASKA STATE 1 AB		17	25				2-72	2-72				
NEO STUTANOK	ALASKA STATE 1 AB 2P		18	17			17	1-70	2-71	2-71	8-71		6-72
NIROGLAI	ALASKA STATE 1		17	5				2-72					
	1 A1		17	15				2-72	2-72				
NOATOK	ALASKA STATE 1 AH		17	20				2-72	2-72				
NORVIX	ALASKA STATE 1 AP		17	20				9-71	10-71				
	1		17	10				9-71					
NORTHWAY	ALASKA STATE 1 AB		17	20				5-72	5-72				
ST MARTS	ALASKA STATE 1		17	20				10-71					
	2 B		17	20				6-72	6-72				
SAINI MICHAEL	ALASKA FEDERATION NATIVES 2 E		17	20				6-72	6-72				
SANA PAINT	ALASKA FEDERATION NATIVES 2 F		17	20				6-72	6-72				
SAVOONAS	ALASKA FEDERATION NATIVES 2 J		17	20				6-72	6-72				
SARHAN	ALASKA STATE 1 AB 1		17	20				12-69	2-71				
	1		17	10	2			12-69					
SHUTPOOLIA	ALASKA FEDERATION NATIVES 2 G		17	20				6-72	6-72				
SHUWONAK	ALASKA STATE 1		17	4				2-72					
	1 AK		17	15				2-72	2-72				
SITKA	ALASKA STATE 1		17	10	10			7-72					

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Locality - Local Housing Authority	Reservation or Project Number	Type of Program	Number of Units				Program Dates					
			Total	Elderly	Subsid.	Completed	Applications Received	Applications Approved	ACC Executed	Construction Started	Initial Occupancy	Date of full availability
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
ALASKA	(CONTINUED)											
STEBBINS	PALMERA FEDERATION NATIVE	2 H	27	28			8-72	8-72				
TANACROSS	PALMERA FEDERATION NATIVE	2 A	27	25			8-72	8-72				
TELLER	PALMERA FEDERATION NATIVE	2 H	27	28			8-72	8-72				
TOSIAK	PALMERA FEDERATION NATIVE	2 H	27	28			8-72	8-72				
TRIN HILLS	PALMERA STATE	1 AE	27	6			9-72	9-72				
UNALASKET	PALMERA STATE	1 AD 2B	25	14			11-78	2-71	2-71	8-71		
		2 I	27	28			8-72	8-72				
VENETIC	PALMERA STATE	1	27	5			2-72					
		1 AL	27	15			2-72	2-72				
RAINBRIGHT	PALMERA STATE	1 AD 2B	25	25			11-78	2-71	2-71	9-71		
PALES	PALMERA FEDERATION NATIVE	2 L	27	18			8-72	8-72				
YANUAT	PALMERA STATE	1 AY	27	28			9-71	8-71				
		1	27	18			7-72					
STATE TOTALS	PROJECTS						10	25	1	6		
	UNITS		1888	50			191	924	28	128		
	LOCALITIES						6	16	28	1	6	

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type (3)	Number of Units				Program Dates					Date of full availability (13)	
			Total	Elderly	Rehab	Completed	Applications Received	Applications Approved	ACC Reached	Construction Started	Initial Occupancy		
			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)		
ARIZONA													
BLAZ AREA	SAN CARLOS	31 AR 1 7	13	25			25	1-63	3-63	10-63	11-69	2-68	1-68
		31 AR 1 3	13	25			25	9-63	1-64	6-69	9-70	6-71	9-71
CARESON	SHAYARD	32 AR 1 17	28	16				3-69	4-71	12-71			
		32 AR 1 17	28	16				3-69	4-71	12-71			
		32 CB	13	20				1-71	6-71				
		32 AR 1 17	13	12			12	11-65	3-66	6-66	8-67	9-68	9-68
CANYON BAY	MOUNTAIN PACHE	34 AR 3 16	13	16				1-71	3-71	6-71			
		34 AR 1 5	15	19			19	9-63	1-64	6-64	6-68	9-67	8-67
CANYON BAY	MOUNTAIN PACHE	34 CB 3 16	13	18				5-69	8-69	3-70	3-71		
		34 AR 3 16	13	16				3-70	10-71	3-72			
CORRIZO	MOUNTAIN PACHE	36 AR 4 6	13	5			5	9-63	1-64	6-64	1-69	9-69	9-69
		36 CB 7 16	13	5				5-69	8-69	3-70	3-71		
CASO BLANCA AREA													
CEDAR CREEK	MOUNTAIN PACHE	38 AR 3 4	13	20			20	9-63	1-64	6-64	3-66	11-69	11-69
		38 AR 2 4	13	17			17	9-63	1-64	6-64	1-67	12-67	12-69
CHINLE	SHAYARD	32 AR 4 11	15	18				5-69	8-69	3-70	3-71		
		32 AR 3 11	15	18				6-72					
CHINLE	SHAYARD	32 AR 3 11	15	20				3-69	6-71				
		32 AR 1 3	15	110			110	4-63	5-63	3-64	1-67	6-68	9-68
		32 AR 1 4	15	20			20	6-67	7-67	3-68	2-69	7-69	7-69
		32 AR 2 10	15	20			20	6-67	7-67	6-69	7-69	8-70	9-69
CHUICHO VILLAGE													
CIBICUC	MOUNTAIN PACHE	36 AR 3 7	13	10				8-67	1-69	12-69	6-72		
		36 AR 3 7	13	10				8-67	3-70	6-71	6-72		
CIBICUC	MOUNTAIN PACHE	36 AR 3 4	13	30			30	9-63	1-64	6-64	2-68	9-69	9-68
		36 CB 5 17	13	18				5-69	8-69	3-70	3-71		
		36 AR 3 20	13	18				3-71	4-71	3-72			

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Locality - Lead Housing Authority	Redevelopment or Project Number	Census Tract	Number of Units				Program Dates						
			1. 1970				Application Received	Application Approved	ACC Expects	Construction Started	Initial Occupancy	Date of full availability	
			Total	Elderly	Subsid	Completed							
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	
ARIZONA (CONTINUED)													
COAL MINE RES	04VAB												
COCHOPAN INDIAN RES	04COPAN												
COLORADO RIVER RES	04CLORADO RIVER INDIAN												
COTTONWOOD	04VAB												
DIABNO CREEK	04WHITE MOUNTAIN APACHE												
DILCOH	04VAB												
EAST PARK	04WHITE MOUNTAIN APACHE												
EAST FORK-SEVEN MILE	04WHITE MOUNTAIN APACHE												
FORT APACHE RESERVATION	04WHITE MOUNTAIN APACHE												
FORT BELFLECE	04VAB												
FT HARBRELL MONTE RES	047 HARBRELL MONTE APACHE												

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Program Dates						
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Application Received (8)	Application Approved (9)	ACC Executed (10)	Construction Started (11)	Initial Occupancy (12)	Date of Full Availability (13)	
001204 (CONTINUED)													
GRAND	02 PR 4 20	20	20				3-69	6-71	6-71				
	14 BR 2 26	26	18				3-69	6-71	6-71				
GILA BEND RESERVATION	02 PR 4 11	11	10				6-67	6-68	6-69	6-71			
	02 BR 1 11	11	10				6-67	3-70	6-71	6-91			
GILA CROSSING-ST. JOHNS	02 PR 4 11	11	10				6-68	6-68	12-70				
	02 BR 3 11	11	10				6-68	6-68	12-70				
GILA RIVER	02 PR 4 11	11	100				6-68	6-71					
	02 BR 1 11	11	100				6-68	6-71					
	02 BR 1 11	11	50				6-68	6-68	6-70	6-70	10-71	10-71	
GREASE-MOON	02 PR 6 21	21	20				2-69	6-71	6-71				
HOP1 RESERVATION	02 PR 6 21	21	20				2-69	6-71	6-71				
	02 BR 1 21	21	100				6-70	6-71					
	02 BR 1 21	21	20				6-68	1-69	7-69	6-69	12-71	6-71	
	02 BR 2 21	21	20				6-70	2-70	6-71				
	02 BR 3 21	21	50				6-70	2-71	6-71				
HOUCA	02 PR 6 22	22	40				2-69	6-71	12-71				
MUALAPAL INDIAN RES	02 PR 6 22	22	40				2-69	6-71	12-71				
	02 BR 1 22	22	40				2-70	6-71					
	02 BR 2 22	22	70				2-70	2-70	6-71	2-72			
KADOB	02 PR 6 22	22	15				10-71	2-72					
	02 BR 1 22	22	0				10-71						
	02 BR 1 22	22	10				10-71	2-72					
	02 BR 1 22	22	10				10-71	2-72					
KADIBTO	02 PR 7 23	23	10				11-66	3-67	6-67	6-66	6-70	6-70	
	02 BR 7 23	23	10				3-66	6-71	12-71				
KATENTS	02 PR 8 24	24	15				3-66	6-71					
	02 BR 2 24	24	60				6-62	6-62	3-64	1-67	6-68	6-68	
	02 BR 2 24	24	20				6-67	7-67	2-68	1-69	7-69	7-69	
	02 BR 2 24	24	20				6-69	6-71	6-71				

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Program (3)	Number of Units				Program Dates						
			Total (4)	Elderly (5)	Subsid. (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Executed (10)	Construction Started (11)	Initial Occupancy (12)	Date of full availability (13)	
ARIZONA (CONTINUED)													
DAYENTA	12 GR 3 39	IC	18				3-69	4-71	6-71				
KINLICHE	03 PR 4 26	1-6	48				3-69	4-71	12-71				
BLAZETH	03 PR 18 26	15	28				3-69	4-71	6-71				
KOHATEK	04 PA 03 TRIBAL	13	12				6-67	3-78	4-71				
LECHEE	03 PR 2	17	28				3-69	4-71					
	02 GR 1 16	13	28				3-69	7-78	4-71	4-71			
LEUPP	03 PR 1	13	28				3-69	4-71					
	02 PR 11 27	15	28				3-69	4-71	12-71				
LONG BUTTE FARMS	03 PR 2 4	10	18				4-68	9-68	12-78	9-72			
	05 GR 4 7	10	18				4-68	9-68	4-71	4-71			
LURACHUKAI	03 PR 4	03	28				3-69	4-71					
LUTON	03 PR 12 26	05	28				3-69	4-71	4-71				
MC HACT	03 GR A 12	05	18				10	5-69	8-69	3-78	3-71	4-71	8-71
MCHART	03 PR 9 21	05	18				3-71	4-71	3-72				
MART FARMS	03 GR 9 16	08	28				28	4-67	7-67	5-69	9-69	4-71	4-71
MATAUD	12	10	180					4-72					
MASLINI	03 PR 18	04	18				3-69	4-71					
M KOWELIC	04 PA 03 TRIBAL	03	12				8-67	3-78	4-71				

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Program Dates						
			Total (4)	Elderly (5)	Subs. (6)	Com- pleted (7)	Applica- tions Received (8)	Applica- tions Approved (9)	ACC Execution (10)	Construc- tion Started (11)	Initial Occu- pancy (12)	Date of full availa- bility (13)	
ARIZONA (CONTINUED)													
NORTH FORK	SHINING MOUNTAIN APACHE												
	SA CR 2 16	15	10					8-69	8-69	3-70	3-71		
PAGAGO	APACHE TRIBAL												
	PA 1R 1	10	74					8-67	9-71				
	PA 1R	10	24					8-67	9-71				
PAGE	OHAYAJU												
	12 PR 13 20	13	26					3-69	9-71	12-71			
PANZER	COLEMAN RIVER INDIAN												
	10 BR 3 6	10	100					6-68	8-69	3-71	6-71		
PEACH SPRINGS AREA	OHANAPAI												
	17 BR	15	10				10	9-63	1-64	6-65	6-65	6-67	6-67
PINE SPRINGS	OHAYAJU												
	12 1R 11	12	10					3-69	6-71				
PIPINIB	APACHE TRIBAL												
	SA CR 4 6	12	10					8-67	3-70	6-71			
POSTON	COLEMAN RIVER INDIAN												
	10 BR 1 0	10	50				50	6-68	8-69	12-70	3-71	12-71	12-71
POSTON-PANZER AREA	COLEMAN RIVER INDIAN												
	10 BR 2 6	10	50					6-68	8-69	12-70	6-71		
REN LAKE	OHAYAJU												
	12 PR 14 30	12	10					3-69	9-71	12-71			
ROCK POINT	OHAYAJU												
	12 1R 1	12	10					3-69	6-71				
ROUND ROCK	OHAYAJU												
	12 1R 0	12	20					3-69	6-71				
ROUND ROCK	OHAYAJU												
	12 BR 10 14	15	10				10	6-67	7-67	5-69	6-70	1-72	1-72
ST MICHAELS	OHAYAJU												
	12 BR 6 11	12	20				20	6-67	7-67	2-68	1-69	9-69	9-69
	12 PR 14 30	12	25					3-69	9-71	12-71			
SACATON	ABILENE RIVER												
	15 BR 1 1	15	20					9-63	1-64	6-64	6-71		
	15 BR 7 7	15	13				13	9-63	1-64	6-64	9-65	11-66	12-66

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Program Dates					Date of Full Availability (17)		
			Tot (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	Accounts Executed (10)	Construction Started (11)	Initial Occupancy (12)			
ARIZONA	(CONTINUED)													
SACATON AREA	OGILA RIVER													
	08 AR 3 0	0C	22					9-62	1-66	6-66				
SALT RIVER PIMA DIST	SALT RIVER PIMA HORICOP													
	04	17	80					10-71						
	04 AR 1 1	1B	10				10	8-62	1-66	6-66	11-66	9-66	8-66	
	04 AR 2 2	12	30					5-62	1-66	6-66	10-68	8-68	4-72	
	04 AR 3 2	13	10				10	8-62	1-66	6-66	7-66	6-68	6-68	
SAN CARLOS APACHE DIST	SAN CARLOS													
	01 0	10	117					2-70	9-71					
	01	1C	10					2-70						
	01 00 2 6	10	10				10	9-62	1-66	6-66	2-68	2-69	2-69	
	01 00 3 6	10	27				27	9-62	1-66	6-66	9-69	9-70	9-70	
	01 00 5 2	0E	24					9-62	1-66	6-66	2-71			
	01 00 6 0	0B	10					9-62	1-66	6-66	2-71			
	01 00 9	0C	40					2-70	2-71	5-71				
	01 0 1 10	10	21					2-70	9-71					
	01 0 2 11	0B	12					2-70	9-71					
SAN CARLOS PAPERBUSH AREA	SAN CARLOS													
	01 AR 2 2	0B	10				10	1-62	2-62	10-62	8-62	8-66	8-66	
SANTA ROSA	PAPAGO TRIBAL													
	00 00 2 6	0E	10					8-67	2-70	6-71				
SAN SAVIEN	PAPAGO TRIBAL													
	00 00 2	0E	10				10	8-67	9-68	8-69	1-71	7-71	7-71	
SARHILL	CHAVAZO													
	02 00 10 21	0B	20					2-69	9-71	6-71				
BELLO	PAPAGO TRIBAL													
	00 00	0E	50					8-67	8-71					
	00 00 2	0E	50					2-70	8-71					
	00 00 1	0C	20					8-67	9-68	8-69				
	00 00 1 5	0C	20					8-67	2-70	6-71				
	00 00 1 12	0C	80					2-70	8-71	6-71				
SEVEN HILL	SAN CARLOS													
	01 00 2 4 1	0E	10				10	1-62	2-62	8-62	8-70	6-71	8-71	
	01 00 1 6 2	0E	4				4	9-62	1-66	6-66	8-70	6-71	8-71	
	01 00 2 9	0E	20					8-69	8-69	2-70	2-71			

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Locality - Local Housing Authority (1)	Registration or Project Number (2)	Type of Project (3)	Number of Units				Progress Dates						
			Total (4)	Elderly (5)	Subsid. (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Executed (10)	Construction Started (11)	Initial Occupancy (12)	Date of full availability (13)	
ATYEMK	TCURTINBURY												
STEAMBOAT CANTON	0NAYAGU												
	12 IR 7	11	30				2-69	6-71					
TECHOSOPS	0NAYAGU												
	12 IR 9	14	18				3-69	6-71					
	12 PR 17 23	23	10				2-69	6-71	12-71				
TEESTS	0NAYAGU												
	12 PR 18 20	18	38				3-69	6-71	6-71				
TOLANI LAKE	0NAYAGU												
	12 IR 2	11	20				2-69	6-71					
TRAILER - LECHEE	0NAYAGU												
	12	1C	30				6-72						
TUGA CITY	0NAYAGU												
	12 AR 3 1	1C	60				6-63	6-62	3-64	1-67	6-68	5-68	
	12 BR 5 2	11	38				6-67	7-67	2-68	6-71			
	12 BR 7 6	11	48				6-67	7-67	6-69	6-70	12-71	12-71	
	12 PR 19 20	23	20				3-69	6-71	6-71				
	12 BR 8 46	21	18				3-69	6-71	6-71				
WHEATFIELDS	0NAYAGU												
	12 IR 5	11	28				3-69	6-71					
WHITE RIVER	0WHITE MOUNTAIN APACHE												
	1A ER	15	48				3-70	6-71					
	1A CR 9 10	15	15				6-69	6-69	2-70	2-71			
	1A DR 17	1C	68				3-70	6-71	6-71	6-71			
	1A PR 1 16	11	20				2-70	6-71	2-72				
WHITERIVERCANTON DAT	0WHITE MOUNTAIN APACHE												
	1A BR 1 7	15	26				5-69	6-69	6-70	6-70	6-71	6-71	
WIDE AVENS	0NAYAGU												
	12 PR 20 21	23	20				2-69	6-71	6-71				
WINDO ROCK	0NAYAGU												
	12 HR 5	17	20				3-69	6-71					
	12 AR 4 4	1C	48				6-62	6-62	3-64	1-67	12-67	11-67	
	12 CR 12	17	60				6-62	7-67	6-70	6-70	6-71	1-71	
STATE TOTALS	PROJECTS						67	7	22	66	23		
	UNITS		6078	26			1224	661	1165	1065	306		
	LOCALITIES						34	7	26	37	18		

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Locality - Local Housing Authority	Reservation or Project Number	DECEMBER 31, 1972					Program Dates						
		Total	Elderly	Nehals	Completed	Applications Received	Applications Approved	ACC Executed	Construction Started	Initial Occupancy	Date of Availability		
												(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
CALIFORNIA													
ALL MISSION INDIAN	FALL MISSION INDIAN												
	BB 5	18	28					5-78	9-71				
BARONA	FALL MISSION INDIAN												
	BB AR 5 4	14	12					5-78	12-78	6-71	3-72		
PORT JUNA RESERVATION	QUEVEDO TRIBAL												
	BB CB	12	25					4-71	5-71				
	BB AB 1	15	28					10-62	1-64	6-64	7-78	12-78	12-78
	BB BB 1 3	10	50					9-69	12-69	5-78	6-78	6-72	9-72
HOBPA VALLEY RESV	HOBPA VALLEY RESERVATION												
	BB AB 2	15	28					10-71	12-71				
	BB	15	28					5-72					
	BB AB 1 1	15	28					10-71	2-71				
HOBBCLASSEN GLENN CBS	HOBBCLASSEN INDIAN												
	BB A 1 1	14	40					3-71	6-71	6-71			
PALO	FALL MISSION INDIAN												
	BB AB 1 2	14	13					5-78	2-78	6-71	3-72		
PAVNA	FALL MISSION INDIAN												
	BB AB 2 1	14	3					5-78	2-78	6-71	3-72		
REINCH	FALL MISSION INDIAN												
	BB AB 2 5	24	12					7-78	2-78	6-71	3-72		
SOBORA	FALL MISSION INDIAN												
	BB AB 4 4	24	12					5-78	2-78	6-71	3-72		
WINTERHAYEN	QUEVEDO TRIBAL												
	BB AB 3	18	18										
STATE TOTALS	PROJECTS							3	1	4	1	5	
	UNITS		326					88	28	178	48	58	
	LOCALITIES							3	2	1	1	5	

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Project Type (3)	Number of Units				Program Dates					
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Executed (10)	Construction Started (11)	Initial Occupancy (12)	Date of Full Availability (13)
COLORADO												
ISHACU	4504	CR	20				4-66	5-67	6-72	8-72		
	50 CR	2	25				5-66	11-66	11-69	2-70	8-70	8-70
STATE TOTALS	PROJECTS						1					
	UNITS		55				25				20	
	LOCALITIES						1				1	

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Project Data					Date of Full Availability (13)
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC (10)	Construction Started (11)	Construction Completed (12)	
FLORIDA												
BIG CYPRESS	Seminole Tribal	A 1 1	10			10	1-71	1-71	1-71	1-71	1-71	1-71
		B 2 2	10			10	2-71	2-71	2-71	2-71	2-71	2-71
		C 2 2	10				2-71	4-71	4-71	4-71	4-71	4-71
ORIONTON RESERVATION	Seminole Tribal	A 3 1	12			12	1-65	1-65	2-66	2-67	2-67	2-67
		B 3 3	10			10	2-67	2-67	2-67	2-67	2-67	2-67
		C 3 3	30				2-71	4-71	4-71	4-71	4-71	4-71
DANE	Seminole Tribal	A 2 1	2			2	1-65	1-65	2-66	2-67	2-67	2-70
		B 2 1	10			10	2-71	4-71	4-71	4-71	4-71	4-71
		C 3 3				3						
WILLOW HAV. - SINGLE TRAIL			2								12-70	12-70
STATE TOTALS	PROJECTS		64			64			70			66
	UNITS								70			66
	LOCALITIES					3			3			3

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Locality - Local Housing Authority (1)	Reservation or Project Name (2)	Type of Project (3)	Number of Units				Program Status				Date of full availability (12)	
			Total (4)	Elderly (5)	Subs. (6)	Com- pleted (7)	Applia- tion Received (8)	Applia- tion Approved (9)	ACC Approved (10)	Construc- tion Started (11)		
IBAND												
COCHON & ALENE RESERVATION	COCHON & ALENE TRIBAL											
	7 AN 1 1		10	10			11-62	1-64	6-64			
DE SRET	COCHON & ALENE TRIBAL											
	7 AN 2 2		10	10		10	11-62	1-64	6-64	6-64	12-66	12-66
PT HALL INDIAN RESV	PT HALL											
	9 AN 6		17	60			6-71	8-71				
	9 AN 1 1		11	10		10	12-68	9-68	3-70	5-70	10-70	10-70
	9 AN 2 2		11	10		10	13-65	9-65	8-71	8-71	11-71	11-71
KAMIAH	PERCE TRIBAL											
	8 AN 1 3		10	10		10	9-62	1-64	6-64	9-69	11-70	11-70
LaPOAI	PERCE TRIBAL											
	8 AN 2 2		10	10		10	9-62	1-64	6-64	6-68	10-68	10-68
	8 AN 3 4		13	10		10	9-62	1-64	6-64	2-67	11-68	11-68
	8 AN 4 6		15	5			9-62	1-64	6-64	6-70		
	8 AN 5 6		15	5			9-62	1-64	6-64	6-70		
NEE PERCE RESERVATION	PERCE TRIBAL											
	8 AN 4 1		10	10			9-62	1-64	6-64			
WORLEY AREA	COCHON & ALENE TRIBAL											
	7 AN 2 3		10	10		10	11-62	1-64	6-64	6-67	8-69	8-69
STATE TOTALS	PROJECTS					7		1	2	2		
	UNITS		170			20		60	20	10		
	LOCALITIES					5		4	5	2		

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Program (3)	Number of Units				Program Dates						
			Total (4)	Elderly (5)	Handicapped (6)	Completed (7)	Application Received (8)	Application Home Approved (9)	ACC Executed (10)	Construction Started (11)	Initial Occupancy (12)	Date of Full Availability (13)	
KANSAS													
JACKSON COUNTY	POKATONGE		14	100				12-70					
			37	10				12-70					
KANSAS - NEBRASKA RESV	IOWA TRIBE OF KAN AND NEB												
	37 A L 1		14	20				6-70	2-71	10-71	6-72		
	37 A 2 2		14	20				6-70	3-71				
KICKAPOO	KICKAPOO TRIBE OF INDIAN												
	NO		14	20	10			6-71					
	NO SR 1 1 1		14	10			10	9-60	2-60	10-65	1-70	3-71	9-71
	NO SR 2 1 2		14	20			20	9-60	12-60	10-69	8-70	2-71	9-71
	NO SR 2		14	20				9-71	5-71	6-71	10-71		
WHITE CLOUD	IOWA TRIBE OF KAN AND NEB												
	37		17	50	10			9-72					
	37 A 1		14	20				6-70	2-71	10-71	11-71		
	37 B 2		14	20				6-70	2-71				
STATE TOTALS	PROJECTS						1	2	2		3		
	UNITS		244	26			20	100	60		74		
	LOCALITIES						1	2	2		3		

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Progress Dates					
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Approved (10)	Construction Started (11)	Initial Occupancy (12)	Date of full availability (13)
MAINE												
PENOBSCOT RESERVATION												
	32 A 1	7A	25				9-68	10-68				
	32 A 2	1A	5		5		9-68	10-68				
PERM												
PLEASANT PT PASSAMAQUODDY												
	33 A 2	1A	5		5		12-68	2-69				
	33 A 1	1C	40				12-68	2-69		12-71		
PRINCETON												
HIDDEN TOP PASSAMAQUODDY												
	34 A 1	1C	25				12-69	2-69	3-72			
STATE TOTALS	PROJECTS							2	2			
	UNITS		110		10			48	78			
	LOCALITIES							2	2			

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Program (3)	Number of Units			Program Dates					Date of Full Availability (13)	
			Total (4)	Elderly (5)	Subs. (6)	Completed (7)	Appl. Home Received (8)	Appl. Home Approved (9)	ACC. Accepted (10)	Construction Started (11)		Initial Occupancy (12)
MICHIGAN												
DAY HILLS INDIAN RESV	02 AN 1	ST	10			0	7-68	8-68	7-70	8-70		
HANNAYVILLE	MICHIGAN POTAWATOMI 75 A	ST	15			15	10-68	3-69	7-70	9-70	1-71	1-71
ISABELLA RESERVATION	MICHIGAN CHIPPEW 83 AN	IC	20	0		20	11-67	1-68	10-68	7-69	5-67	5-67
LANSIE RESERVATION	MICHIGAN 85	IC	120	00			7-70					
	88 AN 1 1	ST	20			20	6-68	9-68	10-68	10-69	4-71	6-71
	88 AN 2	ST	12			13	6-68	9-68	10-68	10-69	4-71	6-71
WATERSHEET	MIC. SIEUR DESERY C 85 A	IC	15			15	10-67	1-68	2-70	2-70	4-71	10-70
STATE TOTAL	PROJECTS					4					1	
	UNITS		213	00		91	120				2	
	LOCALITIES					4					1	

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type (3)	Number of Units			Program Dates								
			Total (4)	Elderly (5)	Subsid. (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Sanctions (10)	Construction Started (11)	Initial Occupancy (12)	Date of Full Availability (13)		
MINNESOTA														
EAGLE CLUB	OLEEC LAKE		2 BR	2			12	2-65	3-65	9-65	8-66	2-67	8-67	
			2 BR	4			12	2-65	3-65	8-65	8-67	7-68	7-68	
CASS LAKE COMMUNITY	OLEEC LAKE		2 BR	1			16	2-65	3-65	8-65	6-66	2-67	3-69	
			2 BR	2			20	2-65	2-65	9-65	8-66	2-67	8-67	
POND DU LAC RESERVATION			16 BR	1			25	2-65	4-65	8-65	8-66	8-67	8-67	
			16 BR	1	2	1	14		2-65	8-65	8-65	8-65	4-70	12-68
			16 BR	1	2	2	15		2-65	4-65	7-71	8-71		
IMBER COMMUNITY	OLEEC LAKE		2 BR	2			18	2-65	2-65	9-65	8-66	2-67	8-67	
			2 BR	3	1		12	2-65	3-65	8-65	8-65	8-69	8-69	
LEECH LAKE RESERVATION	OLEEC LAKE		2 CR	1	4		18	2-65	3-65	8-65	7-66	11-67	12-67	
			2 CR	1	4		20		2-65	2-65				
			2 CR	3	0		5		2-65	2-65				
MAYNARD COMMUNITY	WHITE EARTH RESERVATION		2 BR	2			16	2-65	4-65	8-65	8-67	12-70	1-72	
METT LAKE	ODISH PORTY RESERVATION		21 A	3				7-69	1-76					
			21 A	1	1		20		7-69	1-78	8-71	8-71		
			21 A	2	2		16	16	7-69	1-78	8-71	8-71		
PONSARD	WHITE EARTH RESERVATION		2 BR	4			12	2-65	4-65	8-66	8-67	9-70	9-70	
SUD LAKE RESERVATION			16 BR	1	1		15	4-65	7-65	8-65	7-66	9-67	9-67	
			16 BR	1	2		15	4-65	7-65	8-65	8-67	8-68	7-68	
			16 BR	2	3		18	4-65	7-65	8-65	8-66	9-66	9-66	
			16 BR	4			18	4-65	7-65	8-65	7-68	1-69	3-69	
			16 BR	5			25	4-65	7-65	8-65	8-65	9-69	9-69	
			16 CR	5			50		2-68	1-69	9-68	2-69	7-71	7-71
			16 B	7			55		11-70	2-70	8-71	8-71		

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Program Dates					
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Provided (10)	Construction Started (11)	Initial Occupancy (12)	Date of Full Availability (13)
MINNESOTA (CONTINUED)												
WHITE EARTH RESERVATION												
	3 BR	1	30	12		58	2-65	4-65	4-65	5-67	6-68	6-68
	3 BR	3	28				2-65	4-65	4-65			
	3 CR	66	16			15	12-65	3-66	4-66	7-66	6-68	1-69
STATE TOTALS	PROJECTS					56		2	1	4		
	UNITS		582	24		585		42	20	137		
	LOCALITIES					9		2	1	2		

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Locality - Local Housing Authority	Reservation or Project Number	Type of Program	Number of Units				Progress Status						
			Total	Elderly	Rehab	Completed	Applications Received	Applications Approved	ACC Approved	Construction Started	Initial Occupancy	Date of Full Availability	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	
MONTANA													
ARLEE	OSALEH AND HOBTOMAI												
	2 AB 1 1	2	22	19			14	1-64	1-64	6-64	9-70	2-71	9-71
BADST HAYS	BLACKFEET INDIAN												
	0 BR 1 2	18	18				18	9-63	1-64	6-64	6-68	11-68	12-68
BLACKFEET RESERVATION	BLACKFEET INDIAN												
	0 C 1	17	102					10-71	9-72				
	0 E 2	22	97					10-71	9-72				
	0 GG 2 7	1	12				13	9-62	1-64	6-69	6-71	4-70	4-70
	0 HR 1 3	1	22				95	7-67	8-67	6-71	6-71	12-70	4-70
	0 BR 2 7	21	50					9-71	6-71	6-72	6-72		
BRICKLEY	FORT PECK												
	1 ER 2 4	2	17	10			10	12-64	2-68	6-68	8-68	6-70	6-70
BRIDGING	BLACKFEET INDIAN												
	0 AB 1	10	50				50	9-62	8-62	11-62	11-62	12-63	1-64
	0 AB 2 4	28	17				17	9-62	1-64	6-64	6-66	2-68	2-68
	0 CB 4	17	55				55	12-64	2-67	7-68	8-67	9-71	9-71
BUSBY KING AREA	NORTHERN CHEYENNE												
	22 AR 1 1	15	18				10	10-62	1-64	6-64	1-68	2-67	2-67
CASH RESERVATION	CRON TRIBAL												
	04	17	120	10				11-72					
	04 AB 1	22	40				40	6-67	6-67	6-67	9-67	9-70	9-70
	04 B 7	17	76				52	9-68	9-71	6-71	7-71	9-72	
	04 C 1 3	22	40					9-71	2-72	6-72	8-72		
	04 C 2 4	17	40					9-71	2-72	6-72	8-72		
	04 C 3 6	22	22					9-71	2-72	6-72	8-72		
	04 C 4 4	17	8					9-71	2-72	6-72	8-72		
FLATHEAD RESERVATION	OSALEH AND HOBTOMAI												
	22 AR 2 1	1	20	10			10	1-64	1-64	6-64	9-70	2-71	9-71
	22 B 1 3	17	42	20				5-68	9-71	6-71	5-72		
	22 G 2 4	17	27					8-68	9-71	6-71	5-72		
FORT BELLEAU RESERVATION	FORT BELLEAU												
	10 AB 1 1	13	20				20	9-62	1-64	6-64	9-71	9-72	12-70
	10 AR 2 7	10	10				10	9-62	1-64	6-64	6-68	2-67	2-67
	10 AB 2 4	13	22				22	9-62	1-64	6-64	1-68	1-71	1-71
	10 BR 4	17	50				50	7-67	7-68	6-69	1-69	8-71	8-71

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Locality - Local Housing Authority	Reservation or Project Number	Type of Program	Number of Units				Progress Dates					
			Total	Elderly	Rehab	Completed	Applications Received	Applications Approved	ACC Executed	Construction Started	Initial Occupancy	Date of full availability
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	
MONTANA (CONTINUED)												
FOOT PECK RESERVATION	OFBRT PECC											
	9 J		17	100	10			8-72	8-72			
	9 BR 1 A		15	17			17	12-63	1-64	8-67	7-69	7-69
	9 CR 1 A		17	20			20	12-64	1-66	8-68	8-70	8-70
	9 DR 1 A		17	30			11	2-67	1-70	6-71	7-71	11-72
W75	OFBRT SELCHAP											
	20 BR 9 A		15	16			10	9-63	3-64	6-64	8-67	9-68
WED	OFBRT WERN CHESTER											
	32 BR 2 A		15	15			15	10-63	1-64	6-64	8-66	1-68
	32 BR 3 A		15	16			10	10-62	1-64	6-64	10-67	3-68
NORTHERN CHESTER WPA	OFBRT WERN CHESTER											
	32 BR 1		14	30				10-71	6-72			
	32 BR 2		17	30				10-71	3-72			
	32 BR 4 A		15	13			13	10-63	1-64	6-64	8-68	3-70
	32 BR 7 A		17	40			23	9-67	3-70	6-71	6-71	3-72
	32 CR 2 A		16	43			20	9-67	3-70	6-71	6-71	9-72
POPULAR AREA	OFBRT PECC											
	9 BR 1 A	1	10	20			20	11-62	2-63	1-63	3-63	5-64
	9 BR 2 A	2	10	10			10	11-62	2-62	6-62	6-63	1-64
	9 BR 3 A		10	10			10	12-63	1-64	6-64	8-64	3-66
	9 BR 3 B		10	21			21	12-63	1-64	6-64	8-66	9-68
	9 BR 4 A	2	17	20			20	12-64	3-68	5-68	8-68	6-70
	9 BR 7	1	17	30			50	7-66	8-67	12-70	12-70	8-70
	9 BR 7	2	17	30			50	7-68	1-70	2-70	12-70	8-70
ROCKY MOUNT RESERVATION	OFBRT WERN CHESTER											
	31 A 4		17	15				9-71	8-71			
	31 BR 2 A		15	15			16	9-63	1-64	6-64	10-67	9-67
	31 BR 1 B		15	10			10	9-63	1-64	6-64	10-68	12-67
	31 BR 1 A		10	17				9-67	1-68	6-69	6-69	3-70
	31 BR 2 A		15	17			1	9-67	1-68	6-69	6-69	3-70
	31 BR 4 A		10	11			4	9-67	1-68	6-69	6-69	3-70
	31 BR 4 B		15	8			8	9-67	1-68	6-69	6-69	10-70
	31 CR 1 B		17	20			20	9-67	1-67	6-71	7-71	12-71
	31 O 1 B		16	10				9-71	1-71	6-72	3-72	

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Program (3)	Number of Units				Program Dates					
			Total (4)	Elderly (5)	Subsid. (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Secured (10)	Construction Started (11)	Initial Occupancy (12)	Date of full availability (13)
MONTANA (CONTINUED)												
ST IGNATIUS	*SALISH AND KOOTENAI											
	3 AR 4 1	23	6			6	1-69	1-69	9-69	9-70	3-71	9-71
	3 AR 3 2	23	10				1-69	1-69	1-69			
STAND SCHOOL AREA	*BLAINE PROJECT											
	6 BR 4 6	23	10			10	9-63	1-69	9-69	7-67	3-69	9-69
WOLF POINT AREA	*FOOT PECK											
	4 AR 3 2	1	20	0		20	11-63	2-63	1-63	9-63	9-66	9-66
	6 AR 4 2	2	6	1		6	11-63	2-62	1-63	6-63	9-66	9-66
STATE TOTALS	PROJECTS					26	1	9	1	15		
	UNITS		1,066	66		877	128	615	18	366		
	LOCALITIES					16	1	9	1	6		

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Locality - Local Housing Authority	Administration or Project Number	Type of Program	Number of Units					Progress Dates					
			Total	Elderly	Rehab	Com- pleted	Applica- tions Received	Applica- tions Approved	Acti- vated	Construc- tion Started	Initial Occu- pancy	Date of Full Availa- bility	
			(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
NEBRASKA													
MACY COMMUNITY	URBAN TRAIL												
	83 CR 1	10	30					1-71	3-71	4-68	6-68	8-68	6-68
	83 CR 1	10	20	4			30	9-63	8-63	4-68	6-68	8-68	6-68
	83 CR 2	11	35				35	6-68	3-69	5-70	6-70	5-71	5-71
	83 CR 4	10	10	20				1-71	3-71	1-72	1-72		
SANTEC SIMON INDIAN RES													
	85 A	11	30	4			30	10-68	3-69	10-70	10-70	10-71	10-71
	85 H	11	30	4				2-71	10-71	8-72	10-72		
WANEBAW VILLAGE													
	85 CR 1	10	30	14			30	12-63	2-64	6-68	2-68	3-68	2-68
	85 CR 1	10	77	18				6-68	2-69	11-71	1-71		12-72
	85 CR 1	11	12					12-66	6-67	5-72	5-72		
STATE TOTALS	PROJECTS						4						
	UNITS		374	69			125		36		189	4	
	LOCALITIES						3				3		

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Program Dates							
			Total	Elderly	Rehab	Completed	Application Received	Application Approved	ACC Inspected	Construction Started	Initial Occupancy	Date of full availability		
			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)		
NEVADA														
CARRON COLONY	BRESSLERVILLE													
	3 BR 2	2	10	20			20	9-67	3-68	9-69	3-70	9-72	9-72	
	3 CR 2	4	15	15				3-71	6-71	6-71	6-71			
BRESSLERVILLE COLONY	BRESSLERVILLE													
	3		15	15				9-71						
	3 BR 1		15	10			10	9-63	1-64	6-64	10-64	6-66	6-66	
	3 BR 4		19	20				9-71	3-72	9-72				
BUCK VALLEY RESERVATION	BUCK VALLEY													
	A		15	9				11-71						
	A CR 2		12	37				11-71	6-72					
	A BR 1 1 1		19	10			15	10-63	1-64	6-64	1-64	6-66	7-66	
	A BR 2 2 2		19	10			15	10-63	1-64	6-64	1-64	6-66	6-66	
	A BR 3		35	40				6-70	3-71	6-71	6-71			
	A CR 1 4		19	4				11-71	6-72					
BUCKWATER RESERVATION	WELT													
	15 BR 1 1		25	19				9-67	3-68	9-69	6-71			
	15 BR 2 2		15	9			9	9-67	3-68	9-69	3-71	11-71	11-72	
FALLEN RESERVATION	FALLEN PAUTE MUSHMERE													
	31		15	25				9-71						
	31 BR 1		15	24			24	6-67	9-67	11-67	6-69	9-70	9-70	
	31 BR 2		15	22				9-70	3-71	6-71	6-71			
FORT ROBERTS RESV	FORT ROBERTS													
	9 BR 2		25	15			15	2-66	9-66	1-66	9-66	6-70	6-70	
	9 BR 3		25	30				12-70	2-71	6-71	6-71			
ROSHUTE RESERVATION	FEL													
	25 CR 3		25	10				12-71	9-72					
COPELOCK INDIAN COLONY	PEWEECH INDIAN COLONY													
	17 A 1		15	14				2-70	4-71	6-71	6-71			
	17 CR 1 3		25	10				9-71	4-72	8-72				
HOAPA RESERVATION	HOAPA INDIAN													
	14 BR 1		19	10			15	9-66	10-68	3-69	9-70	6-71	6-71	
HOAPA RESPLUS PEAS COL	HOAPA INDIAN													
	14 BR 2		25	17			19	6-70	4-71	6-71	6-71	12-70	12-70	

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Program Dates					
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Executed (10)	Construction Started (11)	Initial Occupancy (12)	Date of Full Availability (13)
NEVADA (CONTINUED)												
RIZON AREA	PYRAMID LAKE											
	4 AD 1 1	18	18			18	9-62	1-66	6-66	12-69	11-66	10-66
	PYRAMID LAKE RESERVATION											
	4	15	66				10-71					
	4 CR 2	14	25			25	9-67	1-69	5-69	3-70	11-72	11-72
GENU-SPARUS COLONY	GENU-SPARUS INDIAN											
	2	11	6				10-71					
	22 AD 1	15	29			26	9-67	1-68	1-68	6-69	9-72	9-72
	22 CR 2	15	28				9-70	2-71	6-71	6-71		
	22 CR 1 3	14	38				10-71	6-72				
	22 CR 2 4	14	15				10-71	6-72	11-72			
TE HWA WESTERN SHOSHONE												
	10 AD 2	15	15				9-72	6-72	12-72			
	10 AD 1	18	30			18	5-67	12-68	9-69	4-70	9-72	9-72
BASSAINTH AREA	PYRAMID LAKE											
	4 AD 4 1	15	5			5	9-62	1-66	6-66	12-69	11-66	10-66
WALKER RIVER RESERVATION	WALKER RIVER											
	6	15	16				11-71	9-72				
	9 AD 1	15	28			26	6-65	9-65	6-66	7-67	6-68	6-69
	9 AD 2	15	20				6-65	9-65	6-71	9-71		
	9 CR 1 3	18	40				11-71	6-72	7-72			
WINDY CO INDIAN COLONY	WINDY CO INDIAN COLONY											
	17 AD 2	15	6				1-71	2-72	8-72			
WOODSPOON	WRETLERVILLE											
	3 CR 2 1	15	22				2-71	6-71	6-71	6-71		
YERINGTON	YERINGTON PRINCE											
	10	15	5				9-71					
	10 AD 1	15	24			24	5-67	6-67	6-67	9-68	6-69	6-69
	10 CR 2	15	10			10	6-68	2-71	6-71	7-71	9-72	9-72
	10 CR 3	15	18				6-71	5-72	9-72			
TE TOTALS	PROJECTS						17	6	5	7	9	
	UNITS		80				286	199	92	116	201	
	LOCALITIES						15	6	5	7	9	

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Program Dates					
			Total (4)	Elderly (5)	Rehab. (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Accounts (10)	Construction Started (11)	Final Occupancy (12)	Date of full availability (13)
NEW MEXICO												
ACOMA PUEBLO	ALL INDIAN PUEBLO											
	31 BR 1 7	1	24	26		25	9-62	1-69	12-69	1-70	6-71	4-71
	31 BR 2 7	7	24	26			9-62	1-69	12-69	1-70		
	31 BR 3 14	14	24	26			2-70	2-70	6-70			
ALAMO	SHAYAR											
	15 BR	14	15				6-71	6-71				
ALL INDIAN PUEBLO	ALL INDIAN PUEBLO											
	31	31	496				9-71					
ARMONCITO	SHAYAR											
	15 BR 2 14	14					2-69	6-71	12-71			
CHURCH ROCK	SHAYAR											
	15 BR 1 14	1	17	20		20	2-69	7-70	8-70	6-71	6-72	6-72
	15 BR 2 14	7	17	6			2-69	7-70	8-70			
	15 BR 6 14	14	20				6-71	6-71	6-71			
COCHITI PUEBLO	ALL INDIAN PUEBLO											
	31 BR 1	1	24	25		25	9-60	1-69	9-69	9-69	6-70	7-70
	31 BR 2 21	21	44				2-70	2-70	6-70	7-71		
COYOTE CANYON	SHAYAR											
	10 BR 2	2	20	20			6-71	6-71				
CROWFOOT	SHAYAR											
	15 BR 1 4	4	20				9-62	8-62	2-66	8-66	10-66	10-66
	15 BR 2 7	7	20			20	9-62	8-62	2-68	6-68	11-68	12-68
	15 BR 3 8	8	20			20	5-65	7-67	5-69	8-69	11-71	11-71
	15 BR 1 14	14	20				2-69	6-71	6-71			
CRYSTAL	SHAYAR											
	15 BR 1 14	14	20				2-69	2-71	6-71	6-71		
	15 BR 11 20	20	20				6-71	6-71	6-71			
DULCE	JICARILLA APACHE											
	14 BR	14	40				6-71	6-71				
	14 BR 1 1	1	25			25	7-62	8-62	2-69	8-69	9-66	8-66
	14 BR 2 7	7	14			14	7-62	8-62	5-69	5-70	10-71	8-71
	14 BR 3 3	3	19			19	7-62	8-62	5-69	9-67	12-68	12-68
	14 BR 4 4	4	20			20	7-62	8-62	5-69	2-68	8-69	8-69
	14 BR 5 4	4	24			24	7-62	8-62	5-69	8-70	2-72	2-72

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Locality - Local Housing Authority	Reservation or Project Number	Type of Project	Number of Units				Progress Dates						
			Total	Elderly	Rehab	Completed	Applications Received	Applications Approved	ACC executed	Construction started	Initial Occupancy	Date of full availability	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	
MEX MEXICO (CONTINUED)													
FALLENBY	APAYAGO		24	18				2-68	4-71	12-71			
MUEYANG	APAYAGO		10	20				2-68	4-71	8-71			
INLETA PUEBLO	CALL INDIAN PUEBLO		11	38		20	9-68	1-69	4-69	6-69	8-78	3-78	
			24	45		45	9-68	4-69	2-70	7-70	5-71	8-71	
			10	170			1-70	3-70	6-70				
JEMPE PUEBLO	CALL INDIAN PUEBLO		12	50		20	9-68	8-69	2-70	7-70	4-71	4-71	
MICROTELA APACHE	ALICANTILLA APACHE		12	88			4-71	6-71					
			13	48			6-71	6-71					
LAGUNA PUEBLO	APUEBLO P LAGUNA		17	178			1-70	5-70	10-70	1-78			
			23	285			1-70	6-71					
LAKE VALLEY	APAYAGO		12	18			8-71	6-71					
NAWANO LAKE	APAYAGO		12	18			8-71	6-71					
MEXCALTEC OBSERVATION	APAYAGO TO MEXCALTEC	4254											
			10	54	8		54	10-62	1-63	1-64	3-65	5-68	3-68
MESITA	APUEBLO AP LAGUNA		10	15			15	5-62	6-62	8-64	9-68	2-67	2-67
MEXICAL SPRINGS	APAYAGO		17	58				6-68	4-71				
			17	38				3-69					
			24	28		20	4-63	5-64	2-68	6-68	10-68	8-67	
			14	28			3-68	4-71	6-71				
MAGE	APAYAGO PUEBLO		23	5			4-63	1-64	2-68	9-72			
			24	12		23	4-63	1-64	6-64	4-67	9-68	9-68	
			24	12		12	4-63	1-64	8-64	7-68	7-71	7-71	

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Program (3)	Number of Units					Progress Dates					
			Total (4)	Elderly (5)	Subsid. (6)	Com- pleted (7)	Applica- tions Received (8)	Applica- tions Approved (9)	ACC Entered (10)	Construc- tion Started (11)	Initial Occu- pancy (12)	Date of full availa- bility (13)	
NEW MEXICO (CONTINUED)													
NASCHITTI	ANAYAO												
	15 BR 1 17	1A	25					3-69	3-71	4-71	4-71		
NATAJO	ANAYAO												
	15	1T	100					4-72					
	15 BR 4	1T	100				100	5-69	4-66	8-64	2-67	4-68	8-68
	15 JR 2 14	1T	50					3-69	7-70	4-71	4-71		
NEW LAGUNA	PUEBLO DE LAGUNA												
	12 A 1 1	1C	10	2				5-62	6-62	7-63	9-64	2-67	2-67
	12 A 2 2	1C	10	4				5-62	5-62	6-67	9-66	2-67	2-67
NORTHERN PUEBLO	NORTHERN PUEBLO												
	15 BR	1A	100					4-71	10-71				
OLD ENCLINO	ANAYAO												
	15 BR 5	1A	10					4-71	4-71				
PICURIS	NORTHERN PUEBLO												
	15 BR	1A	25					4-71	4-71				
PICURIS PUEBLO	ALL INDIAN PUEBLO												
	21 SR 5 24	1A	12					2-70	3-70	4-70			
PUJABO PUEBLO	ALL INDIAN PUEBLO												
	21 CR 2	1A	10				10	9-68	11-68	4-69	4-69	9-70	4-70
	15 BR	1A	15					4-71	4-71				
PUEBLO PINTADO	ANAYAO												
	15 BR 4	1A	15					4-71	4-71				
RAHAY	ANAYAO												
	15 BR 7	1A	20					4-71	4-71				
	15	1A	55					6-72					
	15	1A	15					3-69	4-71	12-71			
	15 BR 7 20	1A	15					3-69	4-71	12-71			
	15	1A	15					3-69	4-71	12-71			
SANRIA PUEBLO													
	21 BR 4	1A	20				20	9-68	1-69	3-69	9-69	12-69	3-69
	21 JR 10	1A	15				10	9-68	8-69	2-70	4-70	12-71	7-71
	21 SR 4 24	1A	20					3-70	3-70	4-70	7-72		
SAN ECLIPSE PUEBLO	ALL INDIAN PUEBLO												
	21 BR 13	1A	25				10	9-68	2-69	4-70	1-70	12-71	3-70
	21 BR 9 24	1A	24					3-70	3-70	4-70	9-72		

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Locality - Local Housing Authority	Reservation or Project Number	Type of Program	Number of Units				Program Dates				
			Total	Elderly	Rehab	Cap- planned	Applica- tions Received	Applica- tions Approved	ACC Executed	Construc- tion Started	Initial Clearance	Date of full avail- ability
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
NEW MEXICO (CONTINUED)											
SAN ILDEFONSO	NORTHERN PUEBLO										
	NO SR		14	30			9-71	4-71			
SAN JUAN PUEBLO	HALL INDIAN PUEBLO										
	31 SR 5		14	20		20	9-68	11-68	9-69	9-69	4-70 4-70
	31 SR 14		14	50		30	9-68	12-69	4-70	11-70	9-71 3-72
	31 SR 22		14	34			3-70	3-70	4-70		
	31 SR 11 23		14	96			3-70	3-70	8-70	9-72	
SANTA ANA PUEBLO	HALL INDIAN PUEBLO										
	31 SR 11		14	24		25	9-68	8-69	2-70	5-70	4-71 4-71
	31 SR 7 2a		14	20			3-70	3-70	4-70	7-72	
SANTA CLARA PUEBLO	HALL INDIAN PUEBLO										
	31 SR 4		14	25		25	9-68	11-68	9-69	9-69	9-70 7-70
	31 SR 15		14	75		70	9-68	12-69	4-70	11-70	2-72
	31 SR 8 2a		14	55			3-70	3-70	4-70	9-72	
	31 SR 2a		14	2			3-70	3-70	4-70	9-72	
SANJOSE PUEBLO	HALL INDIAN PUEBLO										
	31 SR 1		14	100			9-70	9-71			
	31 SR 2		14	200			4-72				
	31 SR 17		14	40		50	12-69	1-70	4-70	1-71	2-71 7-71
SHIPROCK	SHIPROCK										
	15 SR 1	IC	40	40		40	9-63	5-62	3-64	12-64	11-65 11-65
	15 SR 2 2	IC	40	40		40	9-63	5-63	3-64	9-65	10-66 10-66
	15 SR 3 10		18	50		50	9-63	5-63	2-68	10-68	5-69 5-69
	15 SR 4		14	90			5-65	7-67	5-69	8-70	
	15 SR 17		17	50		50	5-65	7-67	8-70	8-70	4-71 4-71
	15 SR 1 2a		14	45			3-69	4-71	12-71		
SMITH LAKE	SHIPROCK										
	15 SR 2 2a		18	10			3-69	4-71	12-71		
TABS	NORTHERN PUEBLO										
	NO SR		14	100			9-71	8-71			
	NO SR		14	25			4-71	8-71			
	NO		14	35			9-71				
TESUQUE	TESUQUE PUEBLO										
	17 SR 1 1		14	2		2	9-63	1-69	4-69	8-69	7-70 7-70
	17 SR 2 2		14	10		10	9-63	1-69	4-69	8-69	4-70 9-69
	17 SR 3 2		14	14			9-63	1-68	4-68		

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Program (3)	Number of Units				Program Detail				Initial Occupancy (12)	Date of full availability (13)
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applic. Home Received (8)	Applic. Home Approved (9)	ACC Executed (10)	Contract Home Started (11)		
NEW MEXICO (CONTINUED)												
TORREAN	NAVAB		20			20	0-00	0-00	3-00	0-00	1-07	1-07
TORREAN	NAVAB		20			0	0-71	0-71				
TORREAN	NAVAB		20			20	0-00	0-00	3-00	0-00	10-00	10-00
TORREAN	NAVAB		20				0-07	0-07	0-71	0-71		
TORREAN	NAVAB		20				0-71	0-71	0-71			
TORNIA LAKES	NAVAB		10				0-00	0-71	0-71			
TORNIA LAKES	NAVAB		20				0-70	0-71	0-71			
WHITE ROCK	NAVAB		10				0-71	0-71				
ZIA PUEBLO	INDIAN PUEBLO		20			20	0-00	0-00	2-70	0-70	0-71	0-71
ZUNI PUEBLO	INDIAN PUEBLO		15				3-70	3-70	0-70	0-70		
ZUNI PUEBLO	INDIAN PUEBLO		20				0-71	0-71				
ZUNI PUEBLO	INDIAN PUEBLO		120				0-71	0-71				
ZUNI PUEBLO	INDIAN PUEBLO		23			23	1-00	0-00	0-00	2-70	2-70	2-70
ZUNI PUEBLO	INDIAN PUEBLO		12			12	1-00	3-00	0-00	0-07	0-00	0-00
ZUNI PUEBLO	INDIAN PUEBLO		20			20	0-00	0-00	10-00	0-00	3-71	0-70
ZUNI PUEBLO	INDIAN PUEBLO		00			00	0-00	0-00	7-00	7-00	3-71	2-71
ZUNI PUEBLO	INDIAN PUEBLO		20			20	0-07	0-00	0-70	0-70		
ZUNI PUEBLO	INDIAN PUEBLO		20			20	0-00	0-00	0-70	0-70		
STATE TOTALS	PROJECTS		1000	10		1200	0-00	1000	000	0-00	0-00	
	UNITS						0	20	17	0		
	LOCALITIES						0	20	17	16		

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			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applica- tions Received (8)	Applica- tions Approved (9)	ACC Approved (10)	Construc- tion Started (11)	Initial Occupancy (12)		
NEA TOWN													
ALLEGANY RESERVATION	-SENeca NATION PB 02 7 2	1A	25	5		25	11-82	12-82	8-83	8-83	12-88	8-87	
BURNING SPRINGS	-SENeca NATION PB 8 1 1	1C	5			5	11-82	12-82	8-83	8-84	12-84	12-84	
COITAHAVUS	-SENeca NATION PB 00 3	1T	80				8-88	11-88					
INDIAN HILL	-SENeca NATION PB 8 4 1	1C	4			4	11-82	12-82	8-83	8-84	12-84	12-84	
IRVING	-SENeca NATION PB 8 5 1	1C	10			10	11-82	12-82	8-83	8-84	12-84	12-84	
NORTON	-SENeca NATION PB 8 6 1	1C	5			5	11-82	12-82	8-83	8-84	12-84	12-84	
PINE BUDS	-SENeca NATION PB 02 2 1	1C	4			4	11-82	12-82	8-83	8-84	12-84	12-84	
PLANE 486J	-SENeca NATION PB 02 3 1	1C	5			5	11-82	12-82	8-83	8-84	12-84	12-84	
STATE TOTALS	PROJECTS					7			1				
	UNITS		120	5		80			80				
	LOCALITIES					8			1				

STATISTICS BRANCH

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING PRODUCTION AND MORTGAGE CREDIT

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Locality - Local Housing Authority	Reservation or Project Number	Type of Program	Number of Units				Program Status					Date of full availability
			Total	Elderly	Subsid.	Completed	Applications Received	Applications Approved	ACC proceeds	Construction Started	Initial Occupancy	
			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	
NORTH CAROLINA												
CHEROKEE												
	0044	1	20	12			0-62	0-62	0-63	2-65	1-67	2-68
	0044	2	10				0-62	0-62	0-67	1-67	0-68	0-68
	010	7	0				0-67	0-67	0-67	1-67	0-68	0-68
	010	3	20				0-67	7-68	0-69	0-69	2-70	2-69
	010	0	20				0-67	7-68	1-70	2-70	10-70	10-70
	010	5	100				0-69	0-69	7-70	2-70	3-72	3-77
	010	6	100				0-71	0-71	0-71	0-72		
PENNSYLVANIA												
	004	1	70	20					7-71	0-72		
STATE TOTALS PROJECTS											2	
UNITS			300	32			210				170	
LOCALITIES											2	

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING PRODUCTION AND MORTGAGE CREDIT

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INDIAN PROGRAMS

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Locality - Local Housing Authority	Reservation or Project Number	Type of Project	Number of Units			Completed	Program Dates						
			Total	Elderly	Rehab		Applications Received	Applications Approved	ACC Incurred	Construction Started	Initial Occupancy	Date of full availability	
			(4)	(5)	(6)		(7)	(8)	(9)	(10)	(11)	(12)	
NORTH DAKOTA													
BELCOURT COMMUNITY	TURTLE MOUNTAIN	A A 1	1C	40	10		40	9-62	11-62	6-64	10-65	9-67	8-67
		A B 2	1C	40	5		40	1-64	10-64	6-66	10-66	10-67	10-67
		A B 4	1B	40			40	5-64	4-67	2-68	9-68	9-68	9-68
		A C 5	17	200			65	6-68	7-69	12-70	1-71	12-71	1-72
DEVILS LAKE IND RES	FORT TOTTEN	B A 1	1C	60	12		40	5-64	10-64	7-66	2-67	11-68	9-68
		B B 1 2	17	27			22	12-68	2-70	12-70	12-70	2-72	5-72
		B C 1 3	1B	40				4-71	1-72	6-72			
		B C 2 4	1C	60	21			4-71	1-72	6-72			
DUNSEITH	TURTLE MOUNTAIN	B B 2 5	17	27			27	12-68	2-70	12-70	12-70	5-72	5-72
		A C 3	1C	40			40	1-67	9-66	4-67	4-67	2-70	12-68
		B B 1 2	1B	20			20	2-62	4-62	4-67	4-67	7-68	8-68
		B B 2 3	17	20			20	2-64	12-64	5-68	11-66	8-67	9-67
FORT TATES	STANDING ROCK												
MANSAREE	FORT BERTHOLD	A A 1	1C	40	10		40	2-62	5-62	6-62	2-64	1-65	2-65
		A A 1	1C	10			10	4-63	8-62	6-64	11-66	10-67	11-67
NEW TOWN	FORT BERTHOLD	A A 2 1	1C	10			10	4-62	8-62	6-64	11-66	10-67	11-67
		B C 4	17	120			120	2-68	8-67	6-70	6-70	2-71	11-71
PANSWALL	FORT BERTHOLD	A A 2 1	1C	12			12	4-63	8-62	6-64	11-66	10-67	11-67
		B F 4	17	70	70				2-71	5-72			
TURTLE MOUNTAIN	TURTLE MOUNTAIN												
TRIN BUTTES	FORT BERTHOLD	A A 4 1	1C	0			5	4-62	8-62	6-64	11-66	10-67	11-67
		B A 5 1	1C	10			10	4-62	8-62	6-64	11-66	10-67	11-67
WHITE SHIELD	FORT BERTHOLD												
STATE TOTALS	PROJECTS						18	4-62	8-62	6-64	2	2	1
	UNITS						600		170	90	137		
	LOCALITIES						10		2	1	1		

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
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Locality - Lead Housing Authority (1)	Reservation or Project Number (2)	Type of Program (3)	Number of Units				Program Dates					Date of full availability (13)	
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Executed (10)	Construction Started (11)	Initial Occupancy (12)		
BEAUMONT													
ABSENTEE SHARNEY	ABSENTEE SHARNEY												
	91	1C	50					2-70					
	91 BR 1	1B	25			25	12-68	2-69	6-70	6-70	10-71	10-71	
	91 BR 1 P	1B	55				2-70	12-70	6-71	2-72			
	91 C 1 2	1B	55				2-70	6-71	6-72				
	91 C 2 4	1B	55				2-70	6-71	6-72				
BBIA COUNTY	HEMEROCK NATION												
	95 PR 2 10	1B	50			50	6-68	5-68	2-69	6-70	2-71	2-72	
	95 PR 2 11	1B	102			101	6-68	5-68	6-70	6-70	6-72	6-72	
	95 PR 2 12	1B	26			26	6-68	5-68	2-69	6-70			
BRADFORD	CHEROKEE TRIBE OF INDIANS												
	77 A 2 1	1B	25			25	6-67	6-68	6-69	11-69	6-70	6-70	
	77 C 2 2	1B	65			65	2-69	5-69	11-69	10-70	1-71	1-71	
	77 D 1 4	1C	125					6-71	6-71				
APACHE TRIBE OF INDIANS													
	98 A 1	1F	55					6-71	6-72	6-72			
BRADSHIRE	CHICKASAW NATION												
	97 H 1 6	1F	100					11-69	6-70	6-71	6-72		
	97 H 2 10	1F	51	41				11-69	6-70	6-71	12-71		
	97 LA 10 2	1F	59	59				6-70	1-71	6-71	12-71		
	97 B 14	1B	75					6-70	6-71				
BYOLA													
	24 A	1C	12					6-70	2-71				
	24 B 10	1B	65					6-70	2-71	6-71			
CHURCH OF G	HEMEROCK NATION												
	95 BR 4	1F	10			10	11-68	12-68	6-69	12-69	2-68	2-68	
COBBLE	CHEROKEE NATION												
	99 PR 10	1C	10	6		10	1-69	2-69	6-70	6-70	2-72	2-71	
CRASS TOWNSHIP	HEMEROCK NATION												
	95 BR 3	1B	15			10	6-68	7-68	6-69	12-67	2-68	2-68	
DRACHTVILLE	ABSENTEE SHARNEY												
	91 B 2 P	1B	10				2-70	11-71	2-72	2-72			
DRYAN-CHRYSTAL COUNTIES	CHEROKEE NATION												
	99 LA 10	1B	45			45	11-68	6-68	6-69	6-70	6-71	6-71	

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
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DECEMBER 31, 1972

Locality - Local Housing Authority (1)	Reservoir or Project Number (2)	Type of Project (3)	Number of Units				Program Dates					
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Accepted (10)	Construction Started (11)	Initial Occupancy (12)	Date of full availability (13)
OLAHOMA (CONTINUED)												
BOYAN COUNTY	CHOCOMA NATION											
	00 Y 17	14	180				60	6-70	6-71	2-72	2-72	
BURTONPHAMMA TRIBESHIP	CHOCOMA NATION											
	01 OR 2	14	18				16	6-68	6-68	6-67	6-68	12-70 12-70
CADDO TRIBE OF INDIANS	CHOCOMO TRIBE OF INDIANS											
	72 G 2 4	14	120					6-69	7-71	6-72	7-72	
CANEY	CHOCOMA NATION											
	00 CO 11	14	12				12	2-67	6-68	6-70	6-70	2-72 12-71
CHECOTAH	CHOCOMA NATION											
	01 OR 9	14	60					6-70	1-71	6-71	12-71	
	01 J 10	17	60					6-70	6-71	6-72	6-72	
	01 G 12	17	74	24				6-70	6-71	6-72		
CHESTER COUNTY	CHOCOMA NATION											
	00 CO 3 4	14	20				20	4-68	6-68	1-69	2-69	6-69 6-69
CHESTER HAVEN	CHOCOMA NATION											
	00 P	12	20	10				4-70	6-71			
	01 G	14	170						3-72			
	00 10 1 10	14	100				20	2-70	4-70	1-71	6-71	
	00 10 2 16	14	100				20	2-70	4-70	1-71	6-71	
	00 06 16	00	60				60	7-69	1-69	4-71	6-71	7-72 7-72
	00 10 3 17	00	100				100	2-70	4-70	1-71	6-71	10-72 10-72
	00 10 4 16	14	100				70	2-70	6-70	1-71	6-71	
	00 C 19	17	40	40				1-70	7-71	2-72	7-72	
	00 C 20	14	60	60				6-70	7-71	2-72	7-72	
	00 C 1 21	10	72					4-70	7-71	2-72	7-72	
	00 C 2 22	14	72					4-70	7-71	2-72	7-72	
	00 C 3 23	14	60					6-70	7-71	2-72	7-72	
	00 C 4 24	14	24					6-70	7-71	2-72		
	00 G 1 27	10	100					2-70	2-72			
	00 G 28	14	70					2-70	2-72			
CHERRY TREE	CHOCOMA NATION											
	00 00 4 12	14	17				17	4-68	6-68	1-69	1-69	6-70 6-70
CHUTEHNEPANGAH TRIBE												
	00	17	600					2-70				
	00 10 1	14	100				40	2-70	2-70	2-71	6-71	
	00 0 2 3	14	60					2-70	2-70			

STATISTICS BRANCH

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING PRODUCTION AND MORTGAGE CREDIT

INDIAN PROGRAMS

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DECEMBER 31, 1972

Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Project % by City	Number of Units				Program Dates					
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Executed (10)	Construction Started (11)	Initial Occupancy (12)	Date of Full Availability (13)
MICHIGAN (CONTINUED)												
CHICKASAW NATION	*CHICKASAW NATION											
	37 P 1	2	100					6-70	3-72			
	37	2	1000					2-72				
	37 2 1	21	67			47	7-68	8-68	8-68	8-72	8-68	1-70
	37 5 7	28	170		70	172	7-68	8-68	8-68	8-68	10-68	12-68
	37 5 7	28	43		23	43	7-68	8-68	8-68	8-68	8-68	8-68
	37 5 6	26	5			8	7-68	8-68	8-68	8-68	12-68	12-68
	37 5 6	26	7			7	7-68	8-68	8-68	8-68	8-68	10-68
	37 6 7	37	300			225	8-69	11-69	6-70	8-70	8-72	12-72
	37 8 1 10	37	75				6-70	2-71	6-72	8-72		
	37 8 10	31	25				6-70	3-71	6-72			
CHUCKTA COUNTY	*CHUCKTA NATION											
	39 RR 13	24	20			15	2-67	8-68	8-69	2-69	2-71	2-71
	39 2 10	24	75			11	5-70	8-71	7-72	2-72		
CHUCKTA NATION	*CHUCKTA NATION											
	39	25	50				2-70					
	39	24	145				2-72	2-72				
	39 RR 91 12	30	90			40	8-69	8-69	8-70	8-70	8-71	8-71
	39 RR 16	24	60			16	8-70	2-70	6-71	8-71		
CLINTON												
	100	27	300				10-72					
CORANICHE TRIBE OF INDIANS	*CORANICHE TRIBE OF INDIANS											
	100 C	21	50				1-71	8-72				
	100	21	50				10-70					
	100 RR 2 1	21	100			90	2-70	6-70	8-70	9-70	10-71	
	100 RR 1 2	21	100			10	2-70	6-70	8-70	9-70		
CREEK NATION	*CREEK NATION											
	31 L	21	100				6-72	6-72				
	31	21	1224				6-70	1-69	6-69	2-70	6-71	6-71
	31 RR 2 4	21	100			66	10-67	1-69	6-69	2-70	6-71	6-71
	31 RR 7 8	21	90			90	10-67	1-69	6-70	8-70	12-70	7-72
	31 J 11	21	60				6-70	8-71	6-72	8-72		

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INDIAN PROGRAMS

		DECEMBER 31, 1972											
Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Units (3)	Number of Units				Program Dates						Date of Full Availability (13)
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Executed (10)	Construction Started (11)	Initial Occupancy (12)		
DELAWARE (CONTINUED)													
CUSHING	*SAC AND FOR TRIBAL	1C	4				4	4-68	4-68	12-69	12-69	4-71	3-78
		2C	4				4	4-68	4-68	12-69	3-78	8-71	3-78
DAVIS	*CHICKASAW NATION	1T	98	14		48	8-69	8-69	12-70	12-70	2-72	2-72	
		2R	31			31	4-68	5-68	2-69	12-69	3-78	4-78	
DELAWARE COUNTY	*CHEROKEE NATION	1C	26			26	4-68	8-68	5-67	3-68	8-69	3-69	
		1T	38	14		38	4-69	7-69	4-71	8-71	9-71	9-71	
		1T	38	14		38	4-78	1-71	4-71	8-72	2-72	12-72	
BRACEGENT	*CARO TRIBAL OF INDIANS	1T	28				4-67	8-68	4-71	1-72			
		2R	48			48	2-67	8-68	8-69	2-71	3-72	3-92	
HERBELL COUNTY	*CHEROKEE NATION	2R	48				4-69	5-69	1-71	2-71			
		1T	38	18		38	12-69	4-78	4-71	12-71		18-72	
HEALTON	*CHICKASAW NATION	1C	48	24		48	1-67	8-68	11-69	9-78	3-71	3-71	
		1T	31			11	4-71	1-71	4-71	2-72	9-72		
KIONA TRIBE OF INDIANS		1R	438			184	10-69	2-69	4-78	9-78			
		2R	188				4-72	4-72	3-72				
LORTON	*CHEROKEE TRIBE OF INDIANS	2R	88				4-72						
		1T	78				1-78						
LOCUST BRSTP	*CHEROKEE NATION	1T	38				1-78	8-71	4-72				
		2R	4			4	4-68	8-68	1-69	3-69	4-78	4-78	
LYONS	*CHEROKEE NATION	2R	38			38	11-68	9-67	2-69	2-69	3-72	8-78	
		1T	48			48	11-68	9-67	2-69	2-69	4-71	4-71	
		1T	28			28	4-78	8-71	2-72	4-72			
NECCURTAIN COUNTY	*CHEROKEE NATION	2R	38			38	11-68	9-67	2-69	2-69	3-72	8-78	
		1T	48			48	11-68	9-67	2-69	2-69	4-71	4-71	
		1T	28			28	4-78	8-71	2-72	4-72			

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING PRODUCTION AND MORTGAGE CREDIT

REGULAR PROGRAMS

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	CIVIL RIGHTS ACT (3)	Number of Units				Program Dates					
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Encountered (10)	Construction Started (11)	Initial Occupancy (12)	Date of full availability (13)
OKLAHOMA (CONTINUED)												
MARIETTA	*CHICKASAW NATION 87 LR 2 11	17	48	26		48	6-78	1-71	6-71	8-72	8-72	8-72
MARLER	*CHICKASAW NATION 87 E 4	17	48	38		48	8-69	8-69	12-78	12-78	12-71	12-71
MATES COUNTY	*CHEROKEE NATION 88 GR 2 9	1	24	24		24	9-68	8-68	3-69	9-78	3-71	10-78
	88 GR 3 9	2	24	4		4	9-68	8-68	3-69	8-78	3-71	10-78
MORRISON	*OSAGE MISSOURI TRIBE 18	17	25				11-72					
MOUNTAIN TOWNSHIP	*CHICKASAW NATION 88 HR	14	15				2-67	8-68				
	88 AR	14	38			38	8-68	9-68	8-67	1-68	10-68	8-68
MUSICANTHONS AREA	*CHICKASAW NATION 87 AN	14	14			14	6-68	8-68	8-67	6-68	9-68	3-69
MURATA COUNTY	*CHEROKEE NATION 88	24	100	78			2-71					
NEENAH	*CHEROKEE NATION 81 GR	17	78	24			6-78	1-71	6-71	8-72		
NEULACE	81 GR	17	154				6-78	1-71				
OSAGE TRIBE OF INDIANS	*OSAGE TRIBE OF INDIANS 187 A	13	188			88	1-71	9-71	6-71	2-71		
OTTE-MISSOURI	*OSAGE MISSOURI TRIBE 184 B	18	82				3-78					
PAULS VALLEY	*CHICKASAW NATION 87 J	17	68	78			12-69	9-78	6-71			
PARTEE TRIBE OF OKLAHOMA	84 AR	1	28	14		4	8-68	8-68	6-71	6-71		
	84 B	7	84	88			8-71	8-72				
PEGAS AREA	*CHEROKEE NATION 88 GR 4 T	11	38			38	9-68	8-68	1-69	7-69	9-69	9-69
PITTSBURG COUNTY	*CHICKASAW NATION 89 GR 4	7	38	38		38	12-68	8-68	2-69	8-78	3-72	3-72
	89 GR 2 A	3	135			135	9-69	8-69	8-78	8-78	3-72	3-72

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING PRODUCTION AND MORTGAGE CREDIT

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Locality - Local Housing Authority (1)	Resort or Project Number (2)	Type of Program (3)	Number of Units				Program Dates						
			Total (4)	Elderly (5)	Rehabs (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Executed (10)	Construction Started (11)	Initial Occupancy (12)	Date of Full Availability (13)	
SELEWONA (CONTINUED)													
SEMINDLE NATION													
	03	1	1L	18			18	3-69	3-69	6-69	3/2	9-69	1-71
	03	1	1L	18			18	3-69	3-69	6-69	3/2	9-69	1-71
	03	1	1L	33			33	3-69	3-69	6-69	3/2	9-69	1-71
	03	1	1L	12			12	3-69	5-69	6-69	3/2	9-69	1-71
	03	1	2	18	13		13	3-69	5-69	6-69	7-69	9-69	1-78
	03	1	3	18	9		9	3-69	5-69	6-69	1-78	1-78	1-78
	03	1	4	18	9		9	3-69	5-69	6-69	2-78	2-78	2-78
	03	1	5	18	9		9	3-69	5-69	6-69	3-78	3-78	3-78
	03	1	6	18	9		9	3-69	5-69	6-69	4-78	4-78	4-78
	03	1	8	18	6		6	3-69	5-69	6-69	6-78	7-78	7-78
	03	1	9	18	2		2	3-69	5-69	6-69	8-78	10-78	10-78
	03	1	10	18	2		2	3-69	5-69	6-69	10-78	10-78	10-78
	03	1	11	18	2		2	3-69	5-69	6-69	11-78	1-71	1-71
	03	1	12	18	5		5	3-69	5-69	6-69	1-71		
	03	1	25	18	18		18	3-69	5-69	6-69	5-78	5-78	8-78
	03	A	20	18	14		18	3-69	5-69	6-69	3-78		
	03	1	30	18	33		33	3-69	5-69	6-69			
	03 AN	7	1L	180			180	8-68	3-69	7-69	10-69	2-72	2-72
	03 AN	2	1L	180			180	9-69	1-69	5-78	6-78	2-72	2-72
SHANEE													
			OSAC										
			PHD FOR TRIAL										
	70 B		1L	100				6-72	6-72				
	70		1L	98				9-68					
	70 A	2	1	4	2		7	4-68	1-68	12-69	12-69	12-78	12-78
	70 A	2	1	5	3		3	9-68	1-68	12-69	9-78	12-78	12-78
	70 A	2	1	12	9			9-68	1-68	12-69			
	70 A	3	1	12	7			9-68	1-68	12-69			
STRINGTOWN													
			GENERAL NATION										
	70 CH	1	2	11			11	10-66	2-67	7-68	7-69	11-78	11-69
TANLEMAN AREA													
			ACHEMEE NATION										
	75 L		1L	38	14			8-78	8-71				
	75 P		1L	176				8-78	2-72				
	75		1L	378				11-72					
	78 AN	2	1L	14			14	9-66	7-66	5-67	1-68	8-69	8-69

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Locality - Local Housing Authority	Reservation or Project Number	Type of Project	Number of Units					Progress Dates				
			Total	Elderly	Subsid.	Completed	Applications Received	Applications Approved	ACC Executed	Construction Started	Initial Occupancy	Date of Full Availability
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	
OKLAHOMA (CONTINUED)												
TALIHINA TOWNSHIP	*CHOCOP NATION											
	89 0	EC	30	30			10-70	2-72				
	89 00 2	IC	38	4			8-68	6-68	8-67	7-68	12-69 12-69	
TI	*CHOCOP NATION											
	89 CD 4 3	IX	2				10-68	2-67	6-69	7-69	11-69 11-69	
TISHOMINGO	*CHICKASAW NATION											
	87 00 2	IT	24	4			9-68	2-67	2-69	8-69	12-70 11-70	
TISHOMINGO TRSN												
	88 00 1	IC	36	32			12-68	6-67	6-71	6-71	6-72 6-72	
TUSKALOOSA	*CHOCOP NATION											
	89 CD 2 3	I	IX	4			10-68	2-67	7-68	7-69	11-69 11-69	
	89 CD 3 1	2	IX	7			10-68	2-67	6-69	6-69	11-69 11-69	
WESTVILLE	*CHICKSEE NATION											
	88 0	IT	28					3-72	6-72			
WENDEA												
	78 0	IX	60				10-70	2-72				
WHITE EAGLE	*PONCA TRIBE											
	84 E	IX	50	30				2-72	2-72			
	84 AD 1	IX	20				5-68	9-68	6-67	6-68	9-71 2-70	
	84 00 2	IC	10				5-68	9-68	1-71	1-71	9-71 9-71	
	84 CD 2 3	IX	70				6-68	2-69	12-69	5-70	9-71 8-70	
	84 0	IX	100				1-71	7-71	6-72	7-72		
WRIGHT CITY	*CHOCOP NATION											
	89 JD 10	BT	20				12-68	6-68	9-70	1-70	2-72 8-71	
YEEGER TOWNSHIP	*CHOCOP NATION											
	81 CD 5	IX	12				7-68	2-68	6-67	6-68	10-68 10-68	
STATE TOTALS	PROJECTS											
	UNITS		13193	689	349		3876	4261	1632	980	2000	
	LOCALITIES						27	14	20	22	31	

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Progress Dates					
			Total (4)	Elderly (5)	Subsid. (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Executed (10)	Construction Started (11)	Initial Occupancy (12)	Date of full availability (13)
OREGON												
WATILLA INDIAN RESV	408A7	LLA RESERVATION										
	2 F 2		27	28	6		7-71	1-72				
	2 AR 1		25	14		14	5-67	5-68	7-68	8-68	8-71	8-71
	2 B		21	58	14		7-71	1-72	9-72			
BARN SPRINGS RESERVATION												
	3 AR 1		27	58			8-69	9-69	11-71	2-71		
STATE TOTALS	PROJECTS						1		1	1	1	
	UNITS		124	20		14			28	58	58	
	LOCALITIES						1		1	1	1	

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Program Dates					
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applica- tions Received (8)	Applica- tions Approved (9)	ACC Execute (10)	Construc- tion Started (11)	Final OCCu- pancy (12)	Date of full avail- ability (13)
SOUTH WEBSA												
CHEYENNE RIVER	CHEYENNE RIVER											
	S BR 2	1C	20			20	4-66	5-66	4-67	9-67	8-68	8-68
SUPREE	CHEYENNE RIVER											
	S BR 2	1C	20			20	4-66	5-66	4-67	9-67	8-68	8-68
EAGLE BUTTE	CHEYENNE RIVER											
	S BR 1	1C	54	14		54	9-62	12-62	6-64	1-68	12-68	2-68
	S CR 2	1E	40			40	9-67	6-67	6-67	7-67	7-68	12-68
	S BR 1 4	1T	100	26		100	4-70	4-71	6-71	7-71		
	S E 1 6	1C	129	26			6-71	3-72	6-72			
	S E 2 4	1E	50				6-72	2-72	6-72			
	S BR 2 1	1T	54				4-70	4-71	6-71	7-71		
FORT THOMPSON	CROW CREEK											
	1 BR 1	1C	50	10		50	2-65	6-65	4-65	4-65	2-67	6-66
	1 BR 2	1C	20			20	2-67	6-67	6-67	6-67	7-68	1-70
	1 CR	1A	20		20	20	5-67	2-68	6-68	5-68	6-69	7-69
	1 BR 1	1T	21			21	5-68	8-69	6-71	6-71	6-72	7-72
	1 CR 2 6	1E	22			22	5-68	8-69	6-71	6-71	6-72	6-72
	1 BR 1	1C	40			40	2-71	1-71	6-72	9-72		
	1 E 2 7	1S	20			20	2-71	1-71	6-72	9-72		
ORTLE	OROLE SIGNA											
	1 A 5	1C	15	2		15	8-61	8-61	2-62	8-62	8-64	6-66
LOWER BRULE RESERVATION	LOWER BRULE											
	2 BR 1	1C	20	12		20	12-62	1-62	6-62	4-65	2-66	2-66
	2 BR 2	1A	20			20	4-67	7-67	6-67	6-67	10-68	11-68
	2 CR 3	1A	40			40	5-68	2-68	12-69	2-69	10-70	12-70
	2 BR 1 4	1A	50			50	2-71	1-71	6-72	7-72		
	2 BR 2 5	1T	10			10	2-71	1-71	6-72	7-72		
MCLAUGHLIN	NESTLING ROCK No											
	5 A 1	1C	60	16		60	2-62	5-62	8-62	2-64	1-65	1-65
HANCOCKSON	OROLE SIGNA											
	1 BR 2 3	1C	9	2		9	5-62	8-62	2-62	8-62	7-64	6-64
MISSION AREA	PROSERVE											
	2 A 1 3	1C	26	6		26	8-62	8-62	6-62	6-65	6-67	5-68

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Locality - Lead Housing Authority	Reservation or Project Number	Project Type	Number of Units				Progress Dates					Initial Occupancy	Date of Full Availability
			Total	Elderly	Subsid.	Completed	Applications Received	Applications Approved	ACC Executed	Construction Started			
			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)		
SOUTH DAKOTA (CONTINUED)													
PINE RIDGE	*BELLA SIOUX	IC	51			51	0-61	0-61	0-62	5-62	1-62	9-62	
			23	42		23	0-61	0-61	0-62	0-62	7-69	0-69	
			40			40	0-61	0-61	2-62	0-62	0-69	0-69	
PINE RIDGE RESERVATION	*BELLA SIOUX	IT	50			50	5-62	0-62	0-69	0-69	6-71	6-71	
			40			40	7-69	2-70	0-71	0-71	12-71	0-72	
			50			50	10-69	1-71					
ROSEMUD	*ROSEMUD	IC	20			20	0-62	0-62	0-62	0-65	0-66	0-66	
			50			50	2-65	7-65	1-66	1-66	2-68	10-69	
			400			400	12-67	2-68	2-68	0-68	0-68	2-69	
ST FRANCIS AR	*ROSEMUD	IC	14			14	0-62	0-62	0-62	0-65	2-66	2-68	
			15 AR			15	0-67	7-69	0-70	0-70	2-71	6-71	
			15 B	10		25	1-71	0-71	0-71	0-71	5-72	7-72	
BISSETT-PETON RESV	*PETCHON RESV	IT	60			60	7-71	2-72	0-72	0-72	11-72		
			15 C	10		25							
			15 D	10		25							
STANDING ROCK IND RESV	*STANDING ROCK IND	IT	70				12-71	2-72					
			30				12-71	2-72					
			120			120	0-67	0-68	0-70	5-70	2-71	12-71	
RABNER	*YANKTON SIOUX TRIBAL	IT	120			120	1-70	0-71	0-71	0-71	7-72		
			120			120	0-68	12-68	0-70	0-70	0-71	1-71	
			14	4		14	0-62	10-62	0-62	0-65	2-66	2-66	
ROUNDER KNEE	*BELLA SIOUX	IC	13	2		12	0-62	10-62	2-62	0-62	0-64	0-64	
			13			13							
YANKTON SIOUX TR	*YANKTON SIOUX TRIBAL	IT	50				11-72						

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Locality - Lead Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Progress Data					Date of full availability (12)	
			Total (4)	Elderly (5)	Subsidized (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Months (10)	Construction Started (11)	Initial Occupancy (12)		
SOUTH DAKOTA		CONTINUOUS											
STATE TOTALS		PROJECTS			20	27	1	3	2	10			
		UNITS	1070	277	20	1780	16	249	179	811			
		LOCALITIES				19	1	2	1	5			

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Program Dates					
			Total (4)	Elderly (5)	Subs. (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Accrued (10)	Construction Started (11)	Initial Occupancy (12)	Date of full availability (13)
TEXAS												
ARKANSAS												
	000 0		12	72			12-71	9-72				
	000 1 1 1 1		12	14		14	3-68	1-69	11-69	12-69	12-70	12-70
	000 2 2 1 2		12	24			3-68	1-69	4-70	1-71		
MISSISSIPPI	000 1 000 77		12	10			2-71	3-72	4-72			
STATE TOTALS	PROJECTS							1	1	1		
	UNITS		122			14		72	10	20		
	LOCALITIES							1	1	1		

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Program (3)	Numbers of Units				Program Dates						
			Total (4)	Elderly (5)	Subsidy (6)	Completed (7)	Application Received (8)	Application Approved (9)	ACC received (10)	Construction Started (11)	Initial Occupancy (12)	Date of 1st availability (13)	
UTAH													
ARLTH	0												
	5 A		12	20				6-71	6-71				
PORT GUESHE	ANTE INDIAN TRIBAL												
	1 AR 1		15	10			10	10-65	1-66	6-66	9-66	5-67	5-67
HAYABE MOUNTAINS	ARAYAB												
	5 A		12	10				6-71	6-71				
BLUJATO	ARAYAB												
	5 B		17	20				6-71	6-71				
HANBLET	ANTE INDIAN TRIBAL												
	1 AR 2		15	10			10	10-65	1-66	6-66	9-66	5-67	5-67
MINTAN AND GREAT MESSY	ANTE INDIAN TRIBAL												
	1 P		17	40	10			6-72	6-72				
	1 BR		15	23			23	6-66	2-68	6-68	9-68	11-69	11-69
	1 CR		15	23			23	6-67	5-69	10-69	10-69	9-70	9-70
	1 CR		15	71			7	3-70	6-71	6-71	6-71		
PHETERUCKS	ANTE INDIAN TRIBAL												
	1 AR 3		15	10			10	10-65	1-66	6-66	9-66	5-67	5-67
STATE TOTALS	PROJECTS						6						
	UNITS						92		90		84		
	LOCALITIES						6				1		

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Locality - Local Housing Authority	Reservation or Project Number	Program Type	Number of Units				Program Dates					Date of full availability		
			Total	Elderly	Subs.	Completed	Applications Received	Applications Approved	ACC Executed	Construction Started	Initial Occupancy			
			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)			
WACHINUTON														
LUMBI RESERVATION	*LUMBI													
	20 00		17	00	10			7-69	8-71					
	20 10		15	20				6-67	8-69	7-69	9-66		9-72	
	20 00 1 7		17	00				7-70	8-71	6-72	12-72			
MUCKLESBROT	*MUCKLESBROT													
	00		15	12				6-72						
MUD MOUNTAIN	*MUCKLESBROT													
	00 6		14	12				6-72	6-72					
NEAR DAY	*NEAR													
	00		10	00				10-69						
	00 00 1 1		17	35				10-69	2-69	12-70	7-71			
NEPELLA	*COLVILLE INDIAN RES													
	02 6 1		15	00				9-71	1-71					
	02 6 2		17	20	20			9-71	1-71					
	02 6 2		17	30				9-71	1-71					
	02		17	300	70			9-71						
	02		17	30	60			9-71						
PORT GABLE INDIAN RES	*PORT GABLE CLALAN													
	00		17	10				9-71						
	00 00 1		17	5				9-71	2-72					
	00 00 2		17	10				9-71	2-72					
QUINCY INDIAN RES	*QUINCY													
	07 00 2 1		10	0				11-69	2-70	10-70	1-71			
	07 00 1 2 2		17	12				11-69	2-70	10-70				
	07 00 5		17	00	6			10-66	6-71	6-72				
SPokane INDIAN	*SPokane INDIAN													
	07 6		07	25				6-71	8-71	12-72				
SPRINGHILL RESERVATION	*SPRINGHILL													
	02 00 1 1		07	0				5-63	1-64	6-64	8-72	12-70	12-72	
	02 00 2 2		05	10				10-63	1-64	6-64	8-66	9-68	9-68	
	02 00 5		07	10	4			16-71	9-71	6-72	8-72	12-72	2-72	
TANOLAN RESERVATION	*TANOLAN													
	07 00		15	20				20	10-66	2-67	6-67	3-67	1-71	1-71
WAPATO AREA	*WAPATO NATION													
	02 00 2		10	20				30	9-63	8-63	6-64	6-66	7-67	7-67
	02 00 6		06	00				2-70	9-71	7-72				

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Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Program (3)	Number of Units				Progress Dates						
			Total (4)	Elderly (5)	Handi- capped (6)	Com- pleted (7)	Applica- tions Received (8)	Applica- tions Approved (9)	ACC Excludes (10)	Construc- tion Started (11)	Initial Occu- pancy (12)	Date of full availa- bility (13)	
WASHINGTON (CONTINUED)													
WHITE OAK AREA	*TAXIATION												
	72 AR 1 5	15	18				18	9-62	2-64	6-64	10-65	6-68	6-68
TAKOMA RESERVATION	*TAXIATION												
	72 AR 2 1	17	90					10-71	6-72				
	72	11	140	50				10-71					
	72 AR 2 1	15	7					9-62	2-64	6-64	2-65		
	72 AR 4 6	15	15				15	9-62	2-64	6-64	7-71	7-72	7-72
	72 AR 6 5	1A	20				38	9-62	2-64	6-64	12-71	11-72	11-72
STATE TOTALS	PROJECTS						8	6	6	6	6		
	UNITS		1267	170			140	610	252	150	185		
	LOCALITIES						5	6	5	5	5		

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Locality	Local Housing Authority	Reservation or Project Number	Type of Units	Number of Units				Program Date				
				Total	Elderly	Behav	Completed	Applications Received	Applications Approved	ACC Incurred	Construction Started	Initial Occupancy	Date of full availability
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
WISCONSIN												
BLACK RIVER AREA	WISCONSIN BISHOPAGO											
		02	17	03	20		5-72					
		02 BR 3	17	21		21	2-67	1-69	10-70	10-70	6-71	6-71
BOPLER	WISCONSIN											
		14 C 1 A	17	24		14	5-71	6-71	6-72	7-72	12-72	
		14 C 2 A	17	6	6	6	5-71	6-71	6-72	7-72	12-72	12-72
CRANDON	WISCONSIN PIRATAROMI											
		05	17	35	10		9-72					
		05 BR 1 1	17	11		11	9-66	9-68	7-70	9-70	6-71	6-71
KESHENAWBOPIT AREA	WISCONSIN WISCONSIN COUNTY											
		07	17	08	0	08	7-66	8-66	6-67	5-68	11-68	4-69
		07 BR 1 1	17	08	10	4	2-70	2-70	6-71	6-71	6-72	
LAC COURTE OUELLES	ALAC COURTE OUELLES											
		08 A 1	17	29	4	29	6-67	10-68	2-70	3-70	10-70	10-70
LAC DU FLAMBEAU RES	ALAC DU FLAMBEAU CHIPPEWA											
		9	17	05	36		11-72					
		9 BR 1	17	20	8	20	6-62	8-62	6-64	7-65	7-66	7-66
		9 BR 2	17	20		20	3-63	1-64	9-64	6-67	12-68	3-69
		9 CR 3	17	08		4	10-68	1-69	11-70	11-70	4-71	4-71
MOLE LAKE	WISCONSIN CHIPPEWA											
		08 A 0	17	15			1-66	1-69	1-71	6-72		
OSHAWA	OSHAWA											
		12	17	00	10		12-71					
		12 BR 1	17	14	8	14	1-64	1-66	6-66	5-66	2-67	2-67
		12 BR 2	17	12		12	10-60	1-69	1-71	2-71	2-72	2-72
OSHAWA INDIAN COMMUNITY	OSHAWA											
		10 0	17	25			5-71	6-71				
		10 BR 1	17	24	10	24	7-65	8-62	7-64	4-66	5-67	9-68
		10 BR 2	17	08		08	7-63	1-68	12-68	8-67	12-68	6-68
		10 CR 3	17	08	5	5	10-68	1-69	7-70	10-70		8-71
RED CLIFF RESERVATION	RED CLIFF CHIPPEWA											
		13	17	20	8		7-72					
		13 BR 1	17	10	10	10	2-64	1-65	6-66	11-66	6-68	2-67
		13 BR 2	17	10		10	2-64	3-65	6-66	11-66	12-67	6-68
		13 CR 4	17	0		2	10-68	1-69	12-70	2-71		11-71

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Locality - Local Housing Authority	Reservation or Project Number	Type of Program	Number of Units					Progress Dates					Date of Full Availability
			Total	Elderly	Rehab	Completed	Applications Received	Applications Approved	ACC Executed	Construction Started	Initial Occupancy		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	
WISCONSIN (CONTINUED)													
SANDWICH TOWNSHIP	4880	1150											
	12 CR	2	1	11	11		11	0-07	0-07	7-00	0-07	0-07	12-70
	12 BR	9	2	35	9		8	0-03	1-00	7-07	0-07	11-70	0-70
STOCKBROOK-HUNDEE RES.	4881	1150											
	14 BR	1	1	20	0		20	12-02	12-00	0-00	0-00	11-07	0-07
	14 BR	7	1	20	20		20	0-07	0-07	7-07	0-07	0-00	0-00
TOPAWATACRESSE		1150											
	12 BR	1	1	20			16	0-70	02-70	0-71	0-71		
ROOSTER	4882	1150											
	12 BR	1	1	25			10	10-00	1-00	11-70	1-70	7-71	7-71
	12 BR	2	1	05				12-71	12-71	0-72	0-72		
WISCONSIN BELLS AREA	4883	1150											
	10	1	1	40	16			0-72					
	10 BR	1	1	10			6	1-07	1-00	7-70	0-70		
WISCONSIN MAPLES	4884	1150											
	10 BR	2	1	10				1-07	10-00	0-72	0-72		
WITTENBERG	4885	1150											
	10 BR	1	1	10				0-72	11-72				
STATE TOTALS	PROJECTS			10			15	6	2		10		
	UNITS			402	100		390	207	35		251		
	LOCALITIES						15	6	2		0		

STATISTICS BRANCH

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING PRODUCTION AND MORTGAGE CREDIT

INDIAN PROGRAMS

PAGE 55

DECEMBER 31, 1972

Locality - Local Housing Authority (1)	Reservation or Project Number (2)	Type of Project (3)	Number of Units				Program Dates					Date of full availability (13)	
			Total (4)	Elderly (5)	Rehab (6)	Completed (7)	Applications Received (8)	Applications Approved (9)	ACC Executed (10)	Construction Started (11)	Initial Occupancy (12)		
STANTON													
ETHETE	1 00 1 3	HAIR	15	10			10	12-63	3-64	6-64	3-67	12-68	12-68
PINE BLUFF INDIAN RES	1 00 4	HAIR	10	20			20	12-63	3-64	6-64	3-67	11-68	11-68
	1 00 2 3		10	10			10	12-63	3-64	6-64	3-67	11-68	11-68
	1 00 4 4		17	63			40	8-64	2-70	8-71	6-71	11-71	
	1 00 6		10	60			2-70	11-71	6-72				
STATE TOTALS	PROJECTS						5			1	1		
	UNITS			163			80			60	16		
	LOCALITIES						2			1	1		

STATISTICS BRANCH

* 913. Number 13 - Mortgages on Restricted Indian Lands.

* Announcement of Program. The Government National Mortgage
* Association (GNMA) will purchase mortgages that are insured by
* the Federal Housing Administration, or guaranteed by the Ad-
* ministrator of Veterans Affairs, covering housing for owners of
* fee simple estates or leasehold estates in Indian lands, with re-
* spect to any of which the fee is either subject to a restriction
* against alienation imposed by the United States or is held by the
* United States in trust for Indians.

- * 1. Eligible Mortgages. Purchases will be limited to mort-
* gages insured by the FHA under Sections 203(b), 203(i),
* 203(k), 213 (Individual home mortgages, covering the in-
* dividual properties to be released from a project mort-
* gage, Sales Project), 221(d)(2), 222 and 235(i) of the
* National Housing Act, and mortgages guaranteed by the
* Administrator of Veterans Affairs under Chapter 37 of
* Title 38 of the United States Code.
- * 2. Method of Purchase. Seller may offer VA mortgages
* guaranteed under Chapter 37 and FHA mortgages in-
* sured under Sections 203(b), 203(i), 221(d)(2), 222 and 235(i)
* to GNMA for purchase either under an Immediate Pur-
* chase Contract, GNMA Form 303, or under a Commit-
* ment Contract, GNMA Form 307. Section 213 Indi-
* vidual Home mortgages may be offered for purchase only
* under a Commitment Contract, GNMA Form 307. Home
* improvement loans (Section 203(k)) may be offered for
* purchase either under an Immediate Purchase Contract,
* GNMA Form 360, or under a Commitment Contract,
* GNMA Form 361.
- * 3. Reserved.
- * 4. Special Requirements. The dwelling located on the mort-
* gaged property must be designed principally for resi-
* dential use for not more than one family.

- a. With each application, the Seller shall submit an original statement by the mortgagor addressed to GNMA containing substantially the following language:
- "For the purpose of inducing Government National Mortgage Association to issue its contract to _____

 Name of Mortgagee
 for the purchase of the mortgage covering the property situated at _____, the undersigned states that the housing covered or to be covered by the mortgage is or will be owned and occupied by the undersigned."
- b. With each application, the Seller shall furnish a certification from the Bureau of Indian Affairs, Department of the Interior, stating whether, with respect to control of his own funds, the mortgagor is, or is not, subject to the guardianship of the United States and,
- (1) as to mortgagors who are subject to the guardianship of the United States or do not have exclusive control of their own funds, the Seller shall furnish current credit information issued by the Bureau of Indian Affairs.
 - (2) as to mortgagors who are not subject to the guardianship of the United States and have exclusive control of their own funds, the Seller shall furnish the credit information specified in Section 403.
- c. In the case of Commitment Contracts covering Section 213 Individual home mortgages:
- (1) The Seller shall submit with each application an original, photostat, or copy of the FHA insurance commitment of the related project mortgage (Sales Project) from which the security under the individual mortgages will be released; and the Seller will in such case be deemed to have agreed to deliver the original, photostat, or copy of the FHA individual insurance commitments to GNMA at the time such mortgages are submitted for purchase.
 - (2) Individual home mortgages to be released from a project mortgage (Sales Project) shall be listed in the Schedule A of the Commitment Contract, GNMA Form 307. The second and third columns of Schedule A

should not be completed but the Seller must type the following above its signature on such form:
 "The mortgages covered by this Commitment are individual mortgages to be insured by FHA under Section 213 of the National Housing Act and are to be submitted to the Association after release of the encumbered property from Sales Project Mortgage, FHA No. _____, and after their insurance by FHA."

- d. The approval of the mortgage by the Secretary of the Interior or on his behalf by the Bureau of Indian Affairs must be endorsed on the security instrument delivered with the submission.
- e. The security instrument (mortgage) must contain a covenant that the mortgagor will comply with all the terms and conditions of the lease or other instrument or instruments which created or affect the mortgagor's estate, so that any default thereunder will constitute an event of default under the mortgage. The following or substantially similar language will be acceptable:

"The mortgagor covenants to perform all of the covenants and fulfill all the conditions of the aforesaid lease, and agrees that any default thereunder shall constitute an event of default under the mortgage."

- f. The final title evidence to be delivered with the mortgage shall consist of a mortgagee's title policy on the standard form of the American Land Title Association, or such other form of title insurance as may be specifically approved by GNMA in any individual case prior to execution of a Commitment Contract or Immediate Purchase Contract. In addition to the normal title requirements, when a title policy notes an exception based on the terms or conditions of a lease or other instrument which created or affect the mortgagor's estate, a copy of such instrument shall be furnished, and the exception in the title policy shall be modified by language essentially not less favorable to the insured than the following:

"This policy insures that the terms and conditions of the foregoing instrument or instruments have not been violated as of the date hereof, and that any future violation thereof will not result in a forfeiture, reversion, or other termination of the estate or interest passing to the mortgagee as purchaser at a foreclosure sale under

said mortgage or as grantee under a conveyance given in lieu of foreclosure thereof." (As to an instrument providing for future payment of rent, the following may be added): "except that such estate or interest may be terminated for default in payment of the rental set forth in such instrument or instruments, but only after four months notice of such default has been given in writing to the holder of such mortgage or to the owner of such estate or interest after foreclosure or conveyance in lieu of foreclosure, and only if such defaults shall not have been cured or corrected within such four months notice period."

- g. The requirements of Section 622 of the GNMA Sellers Guide concerning leasehold estates shall not be applicable to this Program.
- h. The other terms and conditions applicable to the purchase of FHA Section 203(k) improvement loans under this Program are contained in Chapter 7 of the Sellers Guide.



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE
HEALTH SERVICES ADMINISTRATION
ROCKVILLE, MARYLAND 20862

INDIAN HEALTH SERVICE

U
Mr. Richard S. Jones
Government Division
Congressional Research Service
Library of Congress
Washington, D.C.

Dear Mr. Jones:

This is in response to your letter request of October 2, 1974, and subsequent discussions with staff of our Sanitation Facilities Construction Branch. Attached is a copy of statistical summary reports showing the level of IHS construction effort in support of Federal and Tribal housing projects.

Also attached is a list of Area and Program Offices showing the States or Reservations served by each, as requested.

Note that the Fiscal Year 1974 data is incomplete. It includes only those projects initiated prior to December 1973.

If you have any questions concerning the attached, please contact our Sanitation Facilities Construction Branch, telephone 443-1048.

Sincerely,

H. Johnson

Emery A. Johnson, M.D.
Assistant Surgeon General
Director, Indian Health Service

Attachment

States Served by IHS Area or Program Offices

Aberdeen Area Office - Nebraska, North Dakota and South Dakota.

Albuquerque Area Office - Colorado and New Mexico (except Navajo Reservation)

Anchorage Area Office - Alaska

Bemidji Program Office - Iowa, Michigan, Minnesota and Wisconsin

Billings Area Office - Montana and Wyoming

Navajo Area Office - the Navajo Reservation, including Canonicito and Alamo, located in Arizona, New Mexico and Utah

Oklahoma City Area Office - Oklahoma and Kansas

Phoenix Area Office - Arizona (except Navajo and Papago Reservations), California, Utah and Nevada

Portland Area Office - Idaho, Oregon and Washington

Tucson Program Office - Papago Indian Reservation in Arizona

United Southeast Tribes Program Office - Florida, Louisiana, Mississippi and North Carolina

12225776

INDIAN HEALTH SERVICE
 DIVISION OF PROGRAM OPERATIONS - OFFICE OF ENVIRONMENTAL HEALTH
 REPORT TO THE LIBRARY OF CONGRESS
 ON THE
 SANITATION FACILITIES CONSTRUCTION (PL 86-121) EFFORT RELATIVE TO FEDERAL HOUSING PROJECTS
 ALL INDIAN HEALTH SERVICE AREAS

PROJECT YEAR	INC. FUNDING (DOLLARS)	NUMBER OF HOUSING UNITS SERVED UNDER PL 86-121 AUTHORITY			TOTAL NEW EXISTING UNITS
		SPONSORED	SPONSORED VIA OTHER SPONSORS	AND IMPROVED	
1966	222,155	121	6	121	0
1967	652,544	376	10	386	97
1968	652,500	1,007	89	1,096	151
1969	1,153,175	546	135	681	156
1970	610,000	891	25	916	111
1971	746,220	1,207	42	1,249	364
1972	1,250,159	1,547	809	2,356	1,772
1973	1,627,822	1,057	761	1,818	2,450
1974	2,224,476	713	1,057	1,770	2,451
1975	2,950,705	4,156	1,456	5,612	3,434
1976	1,000,000	4,265	759	5,024	1,366
TOTAL	9,928,290	23,188	3,441	26,629	12,677

* THIS TABLE WAS GENERATED FROM A NIMBY OPERATE DATA FILE WHICH IS CURRENTLY BEING REVIEWED FOR DATA EXCEPTIONS, DISCREPANCIES, AND ERRORS. ACCORDINGLY, THE DATA SHOULD BE USED WITH DISCRETION. ANY PROJECT YEAR 1976 DATA IS PRELIMINARY.

12/2/59

INDIAN HEALTH SERVICE
DIVISION OF PROGRAM OPERATIONS - OFFICE OF ENVIRONMENTAL HEALTH
REPORT TO THE LIBRARY OF CONGRESS

SOME INDIAN FACILITIES - CONSTRUCTION (ALSO 88-121) EFFORT RELATED TO FEDERAL HOUSING PROJECTS

ARIZONA AREA INDIAN HEALTH SERVICE

PROJECT YEAR	IND. FAMILIES (LOCALS)	NUMBER OF HOUSING UNITS	SPONSOR	OTHER SPONSOR	TOTAL NEW UNITS	EXISTING UNITS
1949	407-50	0	C	0	0	52
1951	29,124	0	C	0	0	40
1952	29,487	0	C	377	377	42
1953	25,024	50	C	0	50	152
1954	25,027	28	C	0	28	319
1955	10,500	105	C	311	416	467
1956	25,027	18	C	0	18	617
1957	25,027	136	C	63	199	1,121
1958	25,027	134	C	66	200	853
1959	25,027	13	C	0	13	636
1960	25,027	0	C	11	11	473
TOTAL	1,045,000	751	751	445	1,196	4,674

THIS TABLE WAS DERIVED FROM A BUREAU GENERATED DATA BASE WHICH IS CURRENTLY BEING REVISED FOR DATA ACCURACY, DISCREPANCIES, AND AMBIGUITY. ACCORDINGLY, THE DATA SHOULD BE USED WITH CAUTION AND THE PROJECT YEAR DATA IS PREFERRED.

12/23/74

INDIAN HEALTH SERVICE
 DIVISION OF ANIMAL INDUSTRIES, OFFICE OF ENVIRONMENTAL HEALTH
 REPORT TO THE SENATE OF CONGRESS

SPENDING FACILITIES CONSTRUCTION THE BE-1221 TRUST RELATE TO FEDERAL HOUSING PROJECTS *

ALBUQUERQUE AREA INDIAN HEALTH SERVICE

PROJECT YEAR	FEDERAL FUNDING (DOLLARS)	NUMBER OF HOUSING UNITS	SPONSORED	SPONSOR	SPONSOR	FEDERAL GRANT	TOTAL NEW UNITS	EXISTING UNITS
1970	6,511	22	0	0	0	22	0	0
1971	2,974	40	0	0	0	40	0	0
1972	6,422	13	0	0	0	13	0	0
1973	2,970	12	0	47	0	59	0	0
1974	6,541	59	0	0	0	59	0	0
1975	1,818	46	0	11	0	57	0	0
1976	1,112	42	0	0	0	42	0	0
1977	4,200	171	0	0	0	171	0	0
1978	11,020	47	0	0	0	47	0	0
1979	2,960	146	0	0	0	146	0	0
TOTAL	48,681	499	0	0	0	499	0	0

* THIS TABLE WAS GENERATED FROM A REPLY CHECKED DATA FILE WHICH IS CURRENTLY BEING REVIEWED FOR DATA DEFICIENCIES, DISCREPANCIES, AND ERRORS. ACCORDINGLY, THE DATA SHOULD BE USED WITH DISCRETION. ANY PROJECT YEAR 1974 DATA IS PRELIMINARY.

IMPROVING PUBLIC HEALTH
 DIVISION OF PUBLIC OPERATIONS, OFFICE OF ENVIRONMENTAL HEALTH
 REPORT TO THE SENATE AND HOUSE OF REPRESENTATIVES
 1/27/57

CONSTRUCTION FACILITIES RELATIVE TO FEDERAL HOUSING PROJECTS
 ANCHORAGE AREA NATIVE HEALTH SERVICE

PROJECT YEAR	FEDERAL FUNDS (DOLLARS)	NUMBER OF HOUSING UNITS STARTED UNDER NATIONAL AUTHORITY	NUMBER OF HOUSING UNITS COMPLETED UNDER NATIONAL AUTHORITY	TOTAL NUMBER OF UNITS STARTED	TOTAL NUMBER OF UNITS COMPLETED
		SPONSORS	SPONSORS	AND IN-KIND	UNITS
1946	20,229	15	0	0	15
1947	3,200,000	15	0	0	15
1948	4,400,000	15	0	0	15
1949	5,300,000	210	0	0	210
1950	2,420,000	70	72	52	194
1951	2,620,000	61	45	14	124
1952	5,270,000	304	61	71	442
1953	4,400,000	61	64	21	145
1954	2,000,000	25	6	34	59
TOTAL	20,229,000	785	278	196	1,261

NOTE: THE DATA WAS DERIVED FROM A SURVEY CONDUCTED IN THE FALL OF 1954. IT IS CURRENTLY BEING REVIEWED FOR DATA ACCURACY, DISCREPANCIES AND ERRORS. ACCORDINGLY, THIS DATA SHOULD BE USED WITH CAUTION. FOR PROJECT YEAR 1954 DATA IS PRELIMINARY.

10/23/74

INDIAN HEALTH SERVICE
DIVISION OF PROGRAM OPERATIONS, OFFICE OF ENVIRONMENTAL HEALTH
REPORT TO THE LIBRARY OF CONGRESS
ON THE
SOCIATION FACILITIES CONSTRUCTION (PLC) GRANT TRUST RECEIVED BY FEDERAL RESERVE INSTITUTIONS

DOMESTIC INDIAN HEALTH SERVICE PROGRAM

FISCAL YEAR	THE FUND'S CURREN- CY	TOTAL SPENDING	NUMBER OF SPOUSALS	C	S	TOTAL NUMBER OF SERVED UNITS	PERCENTAGE OF TOTAL AUTHORITY	
							FOR THE SPOUSALS	FOR THE SERVED UNITS
1970	7,920	20	0	0	0	0	0	0
1971	31,995	27	50	10	105	13	13	13
1972	74,938	127	20	24	267	26	26	26
1973	59,458	106	65	0	169	16	16	16
1974	10,459	47	0	0	53	5	5	5
1975	1,000,111	477	71	10	301	30	30	30
1976	1,991,965	325	129	18	276	27	27	27
1977	694,476	262	70	25	365	36	36	36
1978	5,873,000	216	97	34	287	28	28	28
1979	1,000,4500	18	95	57	166	16	16	16
TOTAL	7,000,000	1,201	626	218	1,105	34	34	34

NOTE: THIS TABLE COMPRISES DATA FROM A VERY GREATLY LIMITED SOURCE WHICH IS CURRENTLY BEING REVIEWED FOR
DATA COMPLETION, DISCREPANCIES, AND ERRORS. ACCORDINGLY, THE DATA SHOULD BE USED WITH CAUTION.
ANY UNUSUAL YTD 1974 DATA IS PRELIMINARY.

INDIAN HEALTH SERVICE
 DIVISION OF PROGRAM OPERATIONS OFFICE OF ENVIRONMENTAL HEALTH
 REPORT TO THE LIBRARY OF CONGRESS

ILLINOIS AREA INDIAN HEALTH SERVICE
 CONSTRUCTION-EPL (6-111) FUND RELATED TO FEDERAL HOUSING PROJECTS

PROJECT NUMBER	FISCAL YEAR	FUND NUMBER	NUMBER OF HOUSING UNITS SERVED UNDER PROJECT AUTHORITY	TOTAL NUMBER OF UNITS
			GRANTS	GRANTS
			SPONSORS	AND IMPROVEMENT UNITS
1969	1969	26	0	26
1970	1967	6	0	6
1970	1968	103	64	176
1970	1969	37	68	110
1970	1970	52	0	52
1970	1971	40	72	112
1971	1972	30	96	126
1971	1973	143	0	143
1972	1974	131	51	182
1972	1975	50	60	110
1974	1976	149	69	218
TOTAL		1,245	500	1,745

NOTE: 1-10 REPORT WAS GENERATED FROM A NEWLY CREATED DATA BASE WHICH IS CURRENTLY BEING REVISED FOR DATA INCOMPLETION, DUPLICATIONS AND ERRORS. ACCORDINGLY, THE DATA SHOULD BE USED WITH CAUTION. ANY PROJECT YEAR 1974 DATA IS PRELIMINARY.

12/23/76

CONGRESS - SPECIAL REPORT

INDIAN HEALTH SERVICE
 DIVISION OF PROGRAM OPERATIONS - EFFECT OF INDIAN COMMERCIAL HEALTH
 REPORT TO THE LIBRARY OF CONGRESS

ON THE
 CONSTRUCTION OF FEDERAL HEALTH PROJECTS

NAVJAG AFPC INDIAN HEALTH SERVICE

PROJECT YEAR	FEDERAL FUNDS (DOLLARS)	NUMBER OF HOUSES UNITS	STATE UNITS	FEDERAL AGENCY	INDIAN HEALTH SERVICE	INDIAN COMMERCIAL HEALTH SERVICE	INDIAN HEALTH SERVICE UNITS
1960	27,222	449	0	0	0	0	449
1961	27,922	50	0	0	0	0	79
1962	26,409	0	0	0	0	0	0
1963	22,457	210	0	0	0	0	227
1970	26,462	0	0	0	0	0	0
1971	25,425	225	0	0	0	0	200
TOTAL	162,035	1,264	0	0	0	0	1,173
1970	2,016,675	227	0	0	0	0	274
1971	1,266,000	110	0	0	0	0	208
TOTAL	3,282,675	337	0	0	0	0	482

* NOTE: THIS REPORT WAS OPERATED FROM A MERELY CREATAL DATA BASE WHICH IS CURRENTLY BEING REFINED FOR DATA COLLECTIONS, DISCREPANCIES, AND ERRORS. ACCORDINGLY, THE DATA SHOULD BE USED WITH DISCRETION. ANY PROJECT YEAR 1972 DATA IS PRELIMINARY.



CONTRACT PLEDGE REPORT
 INDIAN HEALTH SERVICE
 DIVISION OF PROGRAM OPERATIONS - OFFICE OF ENVIRONMENTAL HEALTH
 REPORT TO THE SENATE AND HOUSE OF REPRESENTATIVES
 (M 174)

CONSTRUCTION OF FACILITIES - CONSTRUCTION (FC 80-121) (REPORT RELATED TO FEDERAL HOUSING PROJECTS)

OKLAHOMA CITY AREA INDIAN HEALTH SERVICE

FC - FUNDS (DOLLARS)
 SOURCE OF HOUSING UNITS SERVED UNDER PL 86-121 AUTHORITY
 HUD 11A OTHER TOTAL NEW EXISTING
 SPONSORED SPONSORS AND IMPROVEMENTS UNITS

PROJECT YEAR	FC - FUNDS (DOLLARS)	SPONSORED	SPONSORS	AND IMPROVEMENTS	TOTAL NEW UNITS	EXISTING UNITS
1960	48709	0	0	0	0	0
1961	486952	181	0	0	181	0
1962	503493	160	0	0	160	27
1963	4078490	1773	0	0	1773	55
1964	10750081	499	152	2	653	17
1965	7086000	4501	110	100	4711	77
1966	2081374	1200	101	101	1400	0
1967	4005000	1850	110	0	1960	0
TOTAL	14086497	9620	664	463	11157	176

* THIS TABLE WAS DERIVED FROM A MORE DETAILED TABLE WHICH IS CURRENTLY BEING REVISED FOR THE CONSTRUCTION PROGRAMS FOR ALL ENERGY. ACCORDINGLY, THE DATA SHOULD BE USED WITH CAUTION. ANY PROJECT YEAR 1978 DATA IS PRELIMINARY.

12/23/78

UNITED STATES DEPARTMENT OF HEALTH, EDUCATION AND WELFARE
 FEDERAL BUREAU OF INVESTIGATION
 OFFICE OF ENVIRONMENTAL HEALTH
 REPORT TO THE CHIEF OF BUREAU

ANALYSIS OF FUNDING CONTRIBUTION FOR FEDERAL HEALTH PROJECTS ON THE
 PROGRAM AREA: FEDERAL HEALTH SERVICE

FISCAL YEAR	TOTAL NEW EXERCISE UNITS	TOTAL NEW EXERCISE UNITS	NUMBER OF PROJECT UNITS		TOTAL NEW EXERCISE UNITS
			SPONSORED	SPONSORED	
1970	52,000	112	0	112	52
1971	11,000	21	0	21	11
1972	27,000	12	0	12	27
1973	28,000	18	1	19	28
1974	38,000	114	40	154	38
1975	40,000	191	74	265	40
1976	40,000	117	65	182	40
1977	40,000	277	121	398	40
1978	40,000	387	46	433	40
1979	40,000	61	46	107	40
TOTAL	300,000	1,000	461	1,461	300

NOTE: THIS REPORT WAS PREPARED FROM A REVIEW OF THE DATA FILE WHICH IS CURRENTLY BEING REVIEWED FOR DATA CORRECTIONS, DISCREPANCIES AND ERRORS. ACCORDINGLY, THE DATA SHOULD BE USED WITH DISCRETION. ANY PROJECT YEAR 1979 DATA IS PRELIMINARY.

1772374

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE
 DIVISION OF PROGRAM OPERATIONS OFFICE OF ENVIRONMENTAL HEALTH
 REPORT TO THE SENATE AND HOUSE OF REPRESENTATIVES

CONSTRUCTION OF AIR CONDITIONING SYSTEMS IN THE
 PORTLAND AREA INTERHEALTH SERVICE

PROJECT YEAR	FUNDING SOURCE	NUMBER OF HOUSING UNITS SERVED	NUMBER OF HOUSING UNITS SERVED THROUGH OTHER SOURCES	TOTAL UNITS SERVED	PERCENTAGE OF UNITS SERVED THROUGH OTHER SOURCES
1965	20	0	0	20	0
1966	467	15	0	482	0
1967	1411	14	0	1425	0
1968	1276	6	5	1281	0
1969	16574	36	35	16610	0
1970	6005	0	33	6038	0
1971	2600	13	3	2613	0
1972	1411199	118	14	14230	0
1973	4414062	57	140	4414632	0
1974	14300000	331	100	14300331	0
TOTAL	14094	575	300	14394	0

* THESE FIGURES REPRESENT THE NUMBER OF UNITS SERVED THROUGH OTHER SOURCES AS CURRENTLY BEING REVIEWED FOR DATA CAPTURED IN THE AIR CONDITIONING SYSTEMS AND ENERGY EFFICIENCY PROGRAM. ACCORDINGLY, THE DATA SHOULD BE USED WITH DISCRETION. ALL FIGURES YEAR 1974 DATA IS PRELIMINARY.

12/23/76

INDIAN HEALTH SERVICE
 DIVISION OF INDIAN AFFAIRS - BUREAU OF ENVIRONMENTAL HEALTH
 REPORT TO THE CHIEF OF BUREAU
 ON THE
 SACRIFICIAL FACILITY CONSTRUCTION (PL 90-127) PROJECT RELATED TO TUBERCULOSIS PROGRAM

TOBACCO INDIAN FACILITY SERVICE PROGRAM

FISCAL YEAR	TOTAL FUNDING AVAILABLE	TOTAL FUNDING UNITS RECEIVED UNDER PL 90-127 AUTHORITY	TOTAL NEW EXISTING	
			SPENDERS	UNITS
1977	0	24	0	24
1978	12	15	0	15
1979	50	57	0	57
1980	100	100	0	100
1981	0	0	0	0
1982	50	74	0	74
TOTAL	212	330	0	330

* ALL DATA REPORTED HEREIN WAS GENERATED FROM A SOURCE WHICH IS CONSIDERED TO BE RELIABLE. HOWEVER, THE DATA MAY BE SUBJECT TO CHANGE AS MORE DATA IS RECEIVED. ANY REPORT MADE FROM THIS DATA IS PRELIMINARY.



12/23/74

UNITED STATES ARMY SERVICE
 DIVISION OF PROGRAM OPERATIONS - OFFICE OF ENVIRONMENTAL HEALTH
 REPORT TO THE LIBRARY OF CONGRESS
 IN THE
 SANITATION FACILITY CONSTRUCTION (SF 66-121) EFFORT RELATE TO FEDERAL HOUSING PROJECTS*

UNITED STATES ARMY SERVICE PROGRAM

PROJECT YEAR	FISCAL YEAR	NO. OF HOUSING UNITS SERVED UNDER PL 78-101 AUTHORITY	TOTAL NEW EXISTING UNITS
		FEDERAL	AND IMPROVE
		SPONSORED	SPONSORS
		OTHER	
		LIA	
		SECURE	
1967	1967	20	20
1968	1968	15	15
1969	1969	24	24
1970	1970	102	177
1971	1971	15	75
1972	1972	65	95
1973	1973	5	140
1974	1974	100	260
1975	1975	0	50
1976	1976	227	863
1977	1977	227	863

* THIS REPORT WAS GENERATED FROM A SIMPLY CREATED DATA BASE WHICH IS CURRENTLY BEING REVISITED FOR DATA EXCEPTED DISCREPANCIES AND ERRORS. ACCORDINGLY, THE DATA SHOULD BE USED WITH DISCRETION. ANY PROJECT YEAR 1978 DATA IS PRELIMINARY.

10570

UNITED STATES DEPARTMENT OF AGRICULTURE
 FARMERS HOME ADMINISTRATION
 WASHINGTON, D. C. 20250

OFFICE OF THE ADMINISTRATOR

Mr. Richard Jones
 Room 5009 A
 Government Division
 Congressional Research Service
 Library of Congress
 Washington, D. C. 20540

SEP 13 1974

Dear Mr. Jones:

In response to your telephone call, we are enclosing the best copies we could find for the reports on loans made by the Farmers Home Administration (FmHA) to American Indians during fiscal years 1970 through May 1974. Although we could not find the originals of the reports, we are sure that duplicates made from these copies will be legible.

The reports on loans to American Indians on reservations have been prepared only for fiscal year 1973 and the first 5 months of fiscal year 1974.

Please call if you need additional information on this subject.

Sincerely,



L. Q. KIMMEL
 Assistant Administrator
 Rural Housing

Enclosures

Farmers Home Administration is an Equal Opportunity Lender.
 Complaints of racial or ethnic discrimination should be sent to:
 Secretary of Agriculture, Washington, D. C. 20250

U. S. Department of Agriculture
Farmers Home Administration

FHA Instruction 444.16

Section 502 and 504 Rural Housing Loans
on Leasehold Interests in Nonfarm Tracts

- I **GENERAL:** This Instruction authorizes Section 502 and 504 Rural Housing (RH) loans to applicants who hold or will hold leases on nonfarm tracts under conditions specified in this Instruction. Section 502 loans will be made on nonfarm tracts in accordance with FHA Instruction 444.1, as modified by this Instruction. Section 504 loans may be made to the holder of a lease on a nonfarm tract in accordance with FHA Instruction 444.3, as modified by this Instruction.
- II **DEFINITIONS:** As used in this Instruction the following definitions will apply:
- A **Applicant.** A person who applies for a Section 502 or Section 504 RH loan on a nonfarm tract on which he holds or will hold a lease.
 - B **Leasehold.** The rights and interests a person has in the nonfarm building site on which he has a lease.
 - C **Lessor.** The owner of the building site.
 - D **Acquisition Cost.** The cost of acquiring the leasehold interest exclusive of any monthly or annual rental charges.
 - E **OCC.** The Regional Attorney or Attorney in Charge whose service area includes the particular State.
- III **POLICY:** The following policies will apply to loans under this Instruction:
- A Loans may be made on leaseholds on land owned by a State, political subdivision, public body, or public agency, on Indian Tribal lands which are not available for purchase, or on land where the State Director determines that long-term leasing of homesites by nonpublic bodies is a well-established practice and such leaseholds are freely marketable in the area.
 - B A loan may be made on a leasehold only when the applicant is unable to obtain fee title to the property.

DISTRIBUTION: W, S, C

(1-24-73) FH 345

Program Operations
Loan and Grant Making
Housing ?

FHA Instruction 444.16
III (cont.)

- C The applicant should have the right to any extent feasible to acquire the fee title to the property sometime during the life of the loan.
- D The lease must have an unexpired term, from the date of loan approval, of at least 50 years for Section 502 loans and at least 15 years for Section 504 loans except in cases where a lease is granted for the purpose of permitting a family to obtain an RH loan and the time required to process and approve the loan results in the unexpired term of the lease being a few months less than the period of time indicated above.
- E The lease must meet the requirements of paragraph VII J 1 of FHA Instruction 444.1.
- F A recorded mortgage constituting a valid and enforceable lien on the applicant's leasehold will be required unless the loan is secured by other than real estate in accordance with FHA Instruction 444.1 and 444.3.

IV USE OF LOAN FUNDS:

- A Section 502 RH loans may include funds for:
 - 1 Reasonable acquisition cost of the leasehold interest at the time of making the initial RH loan in areas where acquisition charges are customary
 - 2 The purchase of the fee title on which a leasehold exists by means of a subsequent loan provided that all other requirements are met.
 - 3 Purposes authorized in paragraph VI of FHA Instruction 444.1 for nonfarm tracts except for the payment of real estate taxes.
- B Section 504 RH loan funds will not be used to pay the lease acquisition cost of the leasehold interest in the property or for purposes other than those authorized in paragraph V of FHA Instruction 444.3. The limitations described in paragraph VII of FHA Instruction 444.3 are applicable.

FHA Instruction 444.16

V

V LEASE FORM: The lease forms used by the Federal Housing Administration and the Veterans Administration in the area, the Bureau of Indian Affairs lease form, No. 5-184, "Lease," and the lease forms used in cases of RH loans on farm leaseholds, should be used by the State Director as guides in developing a lease form or forms for his State. The services of OGC are available for this purpose. In any case in which the lessor wants the option of paying the RH debt in case the borrower defaults, the lease may include such a provision.

VI MAXIMUM RH LOAN AND RENTAL CHARGES:

A When it appears that an RH loan can be made on a leasehold interest, an appraisal of the leasehold will be made in accordance with the procedure applicable to the type of loan being made. The amount of the RH loan plus any prior liens against the property will not exceed the maximum security value.

B The rental must not exceed the rate being paid for similar sites in the area under similar leases.

VII TITLE CLEARANCE AND LOAN CLOSING: Title clearance and loan closings will be handled in accordance with applicable instructions in the 427 series.

VIII INTEREST CREDITS: Interest credits to Section 502 RH borrowers who hold leaseholds may be granted in accordance with applicable FHA Instructions. If interest credits are granted, the amount will be determined on the same basis as though the borrower owned the property except that the annual rental charges will be included in the interest credit determination block which contains loan payment, taxes, and insurance costs on Form FHA 444-6, "Interest Credit Agreement (Section 502 RH loans)." Insert the following in the blank space below the entry indicating Annual Real Estate Taxes:
 "Annual rental charges \$ _____."

o o o

(1-24-73) FN 345

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
WASHINGTON DC 20250

February 8, 1974

SUBJECT: Highlights of the Week

TO: State Directors and Finance Director

PRESIDENT SENDS UP NEW BUDGET RECOMMENDATIONS . . .

President Nixon sent the 1975 budget to Congress this week, with Farmers Home Administration program levels estimated as follows:

	(Fiscal years)		
	(Thousands of Dollars)		
	1973	1974	1975
	Actual	Estimate	Estimate
<u>Farm Programs:</u>			
Farm ownership loans	\$ 408,089	\$ 350,000	\$ 350,000
Operating loans	454,620	350,000*	350,000
Soil & water loans	4,534	4,000	4,000
Recreation loans	1,677	2,000	2,000
Emergency loans	557,766	300,000	100,000
Grasing loans	2,450	4,000	4,000
Subtotal, Farmer Programs	1,429,135	1,010,000	810,000
<u>Rural Housing Programs:</u>			
Low income housing loans	1,036,487	1,287,000	1,229,000
Moderate income housing loans	699,202	707,000	744,000
Very low income repair loans	4,568	10,000	20,000
Rural rental housing loans	105,063	144,000	146,000
Farm labor housing loans	10,214	10,000	--
Farm labor housing grants	1,746	1,000	--
Rural housing site loans	2,293	5,000	3,000
Self-help housing land development loans	9	900	900
Mutual & self-help housing grants	3,728	3,832	--
Subtotal, Housing Programs	1,863,309	2,159,732	2,142,900
<u>Community Programs:</u>			
Water & sewer grants	29,970	30,000	20,000
Water & sewer loans	399,995	470,000	400,000
Indian land acquisition loans	3,250	10,000	10,000
Loans for SCS programs	23,248	24,000	24,000
Community facility loans	--	50,000	200,000
Business & industrial development loans	--	200,000	400,000
Business & industrial development grants	--	10,000	10,000
Subtotal, Community Programs	466,462	794,000	1,064,000
TOTAL, Farmers Home Administration	\$ 3,748,907	\$ 3,963,732	\$ 4,016,900

* The \$350 million for operating loans was increased by \$175 million subsequent to printing of the budget.

EXPIRATION DATE: March 29, 1974

0575

LOANS MADE BY SIX TYPES OF LOANS
TO AMERICAN INDIANS - (BY STATES REPORTING INDIANS) FY 1970

STATE	OL		EO	EM	FO	Soil and Water Ind	RH	Total Six Types	
ALA	1	7,000						1	7,000
ARIZ	6	27,600	1				3	34,950	63,550
KANSAS	1	2,650			1	15,000	2	15,500	33,150
MICH							4	41,250	41,250
MINN							10	29,850	29,850
MISS				1	2,600		4	10,200	12,800
MONTANA	64	410,600			5	97,000	6	57,300	564,900
NEB				1			1	1,500	1,500
NEV	40	137,560	1		2	35,090	3	43,190	46,219,920
N. C.	50	135,110	1	34	111,150		67	767,260	1,016,050
N. D.	14	102,830	4	2,300		62,000	20	155,980	330,110
OKLA	8	37,850		1	3,200	10,640	62	401,750	74,486,710
ORE							1	15,510	15,510
S.D.	35	269,270	1	10,000	2	49,210	22	124,770	61,456,750
UTAH	3	22,100					5	47,000	69,100
WASH	4	59,510			1	22,500	10	124,870	206,830
WIS							21	210,860	210,860
ARIZ	21	121,750	34		1	38,550	25	219,700	82,459,160
CAL	3	8,020		1	1,900		5	55,190	65,110
COLO	1	9,500							9,500
N.M.	25	100,100	9		2	42,000	3	20,000	169,300
TEXAS	1	1,500							1,500
TOTALS	277	1,452,980	51	128,850	18	401,650	274	2,406,640	4,499,920

Table 1

INTERNAL SECURITY INVESTMENT OF AMERICANS - DOMESTIC AND FOREIGN INVESTMENTS

Shown Made by Person Residing in the United States, in the United States and in Foreign Countries, for All Stocks Reported in the Semi-Annual Report, Fiscal Year 1971

Area and name of ethnic group	Operating Income		Dividends from Publicly Traded		Emergency Income		Other Income		Debt Income		Real Estate Income		Total Investing Income		Total, except Loan Types	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
United States:	15,000	\$19,546,330	700	\$1,528,500	17,001	\$120,000,000	10,517	\$602,351,700	30,128	\$1,003,310	1,218	\$7,095,600	89,350	\$8,091,540,310	109,606	\$1,794,279,000
As % of total:	95.5	11,561,350	46.0	703,750	1,000	4,508,100	3,000	\$159,100	10,000	31,000	1,000	59,500	26,177	\$29,783,950	29,000	\$81,995,100
Foreign:	1,177	\$1,660,100	35	319,000	1,000	1,350,000	1,000	1,000,000	2,000	80,000	0	0	0	0	0	13,700,000
As % of total:	7.8	\$79,383,778	1,500	\$739,000	19,000	\$10,000,000	17,000	\$67,000,000	10,000	\$3,000,000	0	0	0	0	0	\$2,000,000,000
Total:	16,177	\$21,206,430	735	\$1,847,500	18,001	\$130,000,000	11,517	\$669,351,700	40,128	\$1,033,310	1,218	\$7,095,600	89,350	\$8,091,540,310	109,606	\$1,807,279,000
22 States reporting White, Negro, and other:	13,000	\$18,000,000	600	\$1,000,000	15,000	\$100,000,000	9,000	\$500,000,000	25,000	\$800,000	1,000	\$6,000,000	75,000	\$7,500,000,000	95,000	\$1,500,000,000
As % of total:	80.3	\$18,000,000	82.0	\$1,000,000	83.3	\$100,000,000	77.8	\$500,000,000	62.0	\$800,000	83.3	\$6,000,000	84.0	\$7,500,000,000	86.5	\$1,500,000,000
22 States reporting White and other:	12,000	\$16,000,000	500	\$900,000	14,000	\$90,000,000	8,000	\$400,000,000	20,000	\$600,000	1,000	\$5,000,000	70,000	\$7,000,000,000	85,000	\$1,400,000,000
As % of total:	74.2	\$16,000,000	76.2	\$900,000	77.8	\$90,000,000	72.9	\$400,000,000	50.0	\$600,000	83.3	\$5,000,000	78.0	\$7,000,000,000	81.5	\$1,400,000,000
22 States reporting White, Negro, American Indian and other:	10,000	\$10,000,000	400	\$800,000	12,000	\$80,000,000	7,000	\$350,000,000	18,000	\$500,000	1,000	\$4,000,000	60,000	\$6,000,000,000	75,000	\$1,000,000,000
As % of total:	61.9	\$10,000,000	66.7	\$800,000	66.7	\$80,000,000	62.9	\$350,000,000	45.0	\$500,000	83.3	\$4,000,000	67.0	\$6,000,000,000	71.5	\$1,000,000,000
22 States reporting White, Negro, American Indian, and other:	8,000	\$8,000,000	300	\$600,000	10,000	\$60,000,000	6,000	\$300,000,000	15,000	\$400,000	1,000	\$3,000,000	50,000	\$5,000,000,000	65,000	\$700,000,000
As % of total:	49.5	\$8,000,000	53.3	\$600,000	55.6	\$60,000,000	52.2	\$300,000,000	37.5	\$400,000	83.3	\$3,000,000	61.0	\$5,000,000,000	65.5	\$700,000,000
22 States reporting White, Negro, American Indian, and other:	6,000	\$6,000,000	200	\$400,000	8,000	\$40,000,000	5,000	\$250,000,000	12,000	\$300,000	1,000	\$2,000,000	40,000	\$4,000,000,000	50,000	\$500,000,000
As % of total:	37.2	\$6,000,000	41.7	\$400,000	44.4	\$40,000,000	37.8	\$250,000,000	27.5	\$300,000	83.3	\$2,000,000	45.0	\$4,000,000,000	48.5	\$500,000,000
22 States reporting White, Negro, American Indian, and other:	4,000	\$4,000,000	100	\$200,000	6,000	\$30,000,000	4,000	\$200,000,000	8,000	\$200,000	1,000	\$1,000,000	30,000	\$3,000,000,000	37,000	\$370,000,000
As % of total:	24.8	\$4,000,000	22.2	\$200,000	22.2	\$30,000,000	19.1	\$200,000,000	15.0	\$200,000	83.3	\$1,000,000	33.0	\$3,000,000,000	34.5	\$370,000,000
22 States reporting White, Negro, American Indian, and other:	2,000	\$2,000,000	50	\$100,000	3,000	\$15,000,000	2,000	\$100,000,000	4,000	\$100,000	1,000	\$500,000	15,000	\$1,500,000,000	18,000	\$180,000,000
As % of total:	12.4	\$2,000,000	13.7	\$100,000	16.7	\$15,000,000	17.3	\$100,000,000	10.0	\$100,000	83.3	\$500,000	16.5	\$1,500,000,000	16.5	\$180,000,000
Total:	16,177	\$21,206,430	735	\$1,847,500	18,001	\$130,000,000	11,517	\$669,351,700	40,128	\$1,033,310	1,218	\$7,095,600	89,350	\$8,091,540,310	109,606	\$1,807,279,000

5/ Multiple entries, Puerto Rico and Virgin Islands.

• Less than 0.05 percent.



Table 2 (1)

Loans Made by Seven Specified Types by Race of the Borrower, Reporting to White, Negro and All Other, Fiscal Year 1937

State and race or ethnic group	Operating loans		Economic Opportunity loans		Mortgage loans		Farm Owner-ship loans		Recreation loans		Savings and Water loans		Rural Housing loans		Total, seven loan types																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Alabama:																	White	1,117	\$5,600,570	24	\$6,550	406	\$2,733,360	318	\$5,611,910	1	\$34,000	42	\$119,500	3,586	\$1,436,670	5,408	\$25,624,520	Negro	574	867,980	68	87,000	182	349,690	20	243,450	0	0	6	5,440	2,124	20,657,860	3,022	22,212,710	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	1,400,000	Total	2,691	7,868,550	92	1,400,000	588	3,083,050	338	5,855,360	1	34,000	48	124,940	5,710	15,104,530	8,430	39,237,230	Arkansas:																	White	1,461	7,470,190	65	132,390	584	4,603,220	511	8,565,000	0	0	140	514,450	4,668	50,459,970	6,201	71,053,160	Negro	360	1,050,350	21	26,980	371	816,370	24	321,090	0	0	3	4,790	1,193	10,045,180	1,972	12,254,740	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	1,400,000	Total	2,821	9,920,540	86	1,659,370	955	5,419,690	535	9,186,090	0	0	143	519,240	5,861	60,505,150	8,173	84,702,600	California:																	White	52	1,400,720	0	0	3	67,620	11	268,970	0	0	0	0	0	0	312	4,785,390	Negro	2	4,500	0	0	0	0	0	0	0	0	0	0	0	2	35,200	Other	54	406,220	0	0	3	67,620	11	268,970	0	0	0	0	0	0	314	5,087,590	Total	108	1,811,440	0	0	6	135,240	22	537,940	0	0	0	0	0	0	326	5,168,180	Delaware:																	White	41	249,000	0	0	0	0	0	347,750	1	72,000	1	15,000	236	3,696,460	292	4,380,210	Negro	1	7,400	0	0	0	0	40,000	0	0	0	0	87	1,371,840	89	1,413,640	Other	1	7,400	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	43	263,800	0	0	0	0	387,750	1	72,000	1	15,000	223	5,068,300	281	5,793,850	Georgia:																	White	1,123	9,236,190	31	71,320	312	3,002,570	220	4,764,760	1	13,250	3	42,200	3,144	41,254,690	4,631	58,395,160	Negro	304	1,679,100	19	42,560	132	621,660	17	356,570	0	0	0	2,098	25,224,980	2,610	27,923,070	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	2,427	12,315,290	50	113,880	444	3,624,230	237	5,121,330	1	13,250	3	42,200	5,242	66,480,170	7,241	86,318,230	Idaho:																	White	58	5,339,100	2	5,500	194	1,450,600	206	6,626,620	3	105,000	24	74,800	4,078	50,445,390	5,068	64,416,010	Negro	1	7,000	0	0	3	18,400	0	35,000	0	0	0	0	0	3	161,100	Other	1	7,000	0	0	0	0	0	0	0	0	0	0	0	0	Total	60	5,353,100	2	5,500	197	1,469,000	206	6,661,620	3	105,000	24	74,800	4,081	50,606,490	5,071	64,577,110	Iowa:																	White	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Kentucky:																	White	1,274	4,550,340	166	341,840	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Negro	136	39,920	9	21,200	0	0	0	0	0	0	0	0	0	0	0	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	2,410	4,980,260	175	363,040	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Maine:																	White	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Massachusetts:																	White	181	946,610	6	10,900	0	0	0	941,000	0	0	0	0	0	11,524,210	970	13,461,260	Negro	34	66,570	0	0	0	0	0	0	0	0	0	0	0	21	34,610	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	215	1,013,180	6	10,900	0	0	0	941,000	0	0	0	0	0	11,558,820	991	13,506,070	Michigan:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Minnesota:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960
White	1,117	\$5,600,570	24	\$6,550	406	\$2,733,360	318	\$5,611,910	1	\$34,000	42	\$119,500	3,586	\$1,436,670	5,408	\$25,624,520																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Negro	574	867,980	68	87,000	182	349,690	20	243,450	0	0	6	5,440	2,124	20,657,860	3,022	22,212,710																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	1,400,000																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Total	2,691	7,868,550	92	1,400,000	588	3,083,050	338	5,855,360	1	34,000	48	124,940	5,710	15,104,530	8,430	39,237,230																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Arkansas:																	White	1,461	7,470,190	65	132,390	584	4,603,220	511	8,565,000	0	0	140	514,450	4,668	50,459,970	6,201	71,053,160	Negro	360	1,050,350	21	26,980	371	816,370	24	321,090	0	0	3	4,790	1,193	10,045,180	1,972	12,254,740	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	1,400,000	Total	2,821	9,920,540	86	1,659,370	955	5,419,690	535	9,186,090	0	0	143	519,240	5,861	60,505,150	8,173	84,702,600	California:																	White	52	1,400,720	0	0	3	67,620	11	268,970	0	0	0	0	0	0	312	4,785,390	Negro	2	4,500	0	0	0	0	0	0	0	0	0	0	0	2	35,200	Other	54	406,220	0	0	3	67,620	11	268,970	0	0	0	0	0	0	314	5,087,590	Total	108	1,811,440	0	0	6	135,240	22	537,940	0	0	0	0	0	0	326	5,168,180	Delaware:																	White	41	249,000	0	0	0	0	0	347,750	1	72,000	1	15,000	236	3,696,460	292	4,380,210	Negro	1	7,400	0	0	0	0	40,000	0	0	0	0	87	1,371,840	89	1,413,640	Other	1	7,400	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	43	263,800	0	0	0	0	387,750	1	72,000	1	15,000	223	5,068,300	281	5,793,850	Georgia:																	White	1,123	9,236,190	31	71,320	312	3,002,570	220	4,764,760	1	13,250	3	42,200	3,144	41,254,690	4,631	58,395,160	Negro	304	1,679,100	19	42,560	132	621,660	17	356,570	0	0	0	2,098	25,224,980	2,610	27,923,070	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	2,427	12,315,290	50	113,880	444	3,624,230	237	5,121,330	1	13,250	3	42,200	5,242	66,480,170	7,241	86,318,230	Idaho:																	White	58	5,339,100	2	5,500	194	1,450,600	206	6,626,620	3	105,000	24	74,800	4,078	50,445,390	5,068	64,416,010	Negro	1	7,000	0	0	3	18,400	0	35,000	0	0	0	0	0	3	161,100	Other	1	7,000	0	0	0	0	0	0	0	0	0	0	0	0	Total	60	5,353,100	2	5,500	197	1,469,000	206	6,661,620	3	105,000	24	74,800	4,081	50,606,490	5,071	64,577,110	Iowa:																	White	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Kentucky:																	White	1,274	4,550,340	166	341,840	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Negro	136	39,920	9	21,200	0	0	0	0	0	0	0	0	0	0	0	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	2,410	4,980,260	175	363,040	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Maine:																	White	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Massachusetts:																	White	181	946,610	6	10,900	0	0	0	941,000	0	0	0	0	0	11,524,210	970	13,461,260	Negro	34	66,570	0	0	0	0	0	0	0	0	0	0	0	21	34,610	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	215	1,013,180	6	10,900	0	0	0	941,000	0	0	0	0	0	11,558,820	991	13,506,070	Michigan:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Minnesota:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960																																																																																					
White	1,461	7,470,190	65	132,390	584	4,603,220	511	8,565,000	0	0	140	514,450	4,668	50,459,970	6,201	71,053,160																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Negro	360	1,050,350	21	26,980	371	816,370	24	321,090	0	0	3	4,790	1,193	10,045,180	1,972	12,254,740																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	1,400,000																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Total	2,821	9,920,540	86	1,659,370	955	5,419,690	535	9,186,090	0	0	143	519,240	5,861	60,505,150	8,173	84,702,600																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
California:																	White	52	1,400,720	0	0	3	67,620	11	268,970	0	0	0	0	0	0	312	4,785,390	Negro	2	4,500	0	0	0	0	0	0	0	0	0	0	0	2	35,200	Other	54	406,220	0	0	3	67,620	11	268,970	0	0	0	0	0	0	314	5,087,590	Total	108	1,811,440	0	0	6	135,240	22	537,940	0	0	0	0	0	0	326	5,168,180	Delaware:																	White	41	249,000	0	0	0	0	0	347,750	1	72,000	1	15,000	236	3,696,460	292	4,380,210	Negro	1	7,400	0	0	0	0	40,000	0	0	0	0	87	1,371,840	89	1,413,640	Other	1	7,400	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	43	263,800	0	0	0	0	387,750	1	72,000	1	15,000	223	5,068,300	281	5,793,850	Georgia:																	White	1,123	9,236,190	31	71,320	312	3,002,570	220	4,764,760	1	13,250	3	42,200	3,144	41,254,690	4,631	58,395,160	Negro	304	1,679,100	19	42,560	132	621,660	17	356,570	0	0	0	2,098	25,224,980	2,610	27,923,070	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	2,427	12,315,290	50	113,880	444	3,624,230	237	5,121,330	1	13,250	3	42,200	5,242	66,480,170	7,241	86,318,230	Idaho:																	White	58	5,339,100	2	5,500	194	1,450,600	206	6,626,620	3	105,000	24	74,800	4,078	50,445,390	5,068	64,416,010	Negro	1	7,000	0	0	3	18,400	0	35,000	0	0	0	0	0	3	161,100	Other	1	7,000	0	0	0	0	0	0	0	0	0	0	0	0	Total	60	5,353,100	2	5,500	197	1,469,000	206	6,661,620	3	105,000	24	74,800	4,081	50,606,490	5,071	64,577,110	Iowa:																	White	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Kentucky:																	White	1,274	4,550,340	166	341,840	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Negro	136	39,920	9	21,200	0	0	0	0	0	0	0	0	0	0	0	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	2,410	4,980,260	175	363,040	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Maine:																	White	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Massachusetts:																	White	181	946,610	6	10,900	0	0	0	941,000	0	0	0	0	0	11,524,210	970	13,461,260	Negro	34	66,570	0	0	0	0	0	0	0	0	0	0	0	21	34,610	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	215	1,013,180	6	10,900	0	0	0	941,000	0	0	0	0	0	11,558,820	991	13,506,070	Michigan:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Minnesota:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960																																																																																																																																																																										
White	52	1,400,720	0	0	3	67,620	11	268,970	0	0	0	0	0	0	312	4,785,390																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Negro	2	4,500	0	0	0	0	0	0	0	0	0	0	0	2	35,200																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
Other	54	406,220	0	0	3	67,620	11	268,970	0	0	0	0	0	0	314	5,087,590																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Total	108	1,811,440	0	0	6	135,240	22	537,940	0	0	0	0	0	0	326	5,168,180																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Delaware:																	White	41	249,000	0	0	0	0	0	347,750	1	72,000	1	15,000	236	3,696,460	292	4,380,210	Negro	1	7,400	0	0	0	0	40,000	0	0	0	0	87	1,371,840	89	1,413,640	Other	1	7,400	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	43	263,800	0	0	0	0	387,750	1	72,000	1	15,000	223	5,068,300	281	5,793,850	Georgia:																	White	1,123	9,236,190	31	71,320	312	3,002,570	220	4,764,760	1	13,250	3	42,200	3,144	41,254,690	4,631	58,395,160	Negro	304	1,679,100	19	42,560	132	621,660	17	356,570	0	0	0	2,098	25,224,980	2,610	27,923,070	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	2,427	12,315,290	50	113,880	444	3,624,230	237	5,121,330	1	13,250	3	42,200	5,242	66,480,170	7,241	86,318,230	Idaho:																	White	58	5,339,100	2	5,500	194	1,450,600	206	6,626,620	3	105,000	24	74,800	4,078	50,445,390	5,068	64,416,010	Negro	1	7,000	0	0	3	18,400	0	35,000	0	0	0	0	0	3	161,100	Other	1	7,000	0	0	0	0	0	0	0	0	0	0	0	0	Total	60	5,353,100	2	5,500	197	1,469,000	206	6,661,620	3	105,000	24	74,800	4,081	50,606,490	5,071	64,577,110	Iowa:																	White	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Kentucky:																	White	1,274	4,550,340	166	341,840	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Negro	136	39,920	9	21,200	0	0	0	0	0	0	0	0	0	0	0	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	2,410	4,980,260	175	363,040	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Maine:																	White	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Massachusetts:																	White	181	946,610	6	10,900	0	0	0	941,000	0	0	0	0	0	11,524,210	970	13,461,260	Negro	34	66,570	0	0	0	0	0	0	0	0	0	0	0	21	34,610	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	215	1,013,180	6	10,900	0	0	0	941,000	0	0	0	0	0	11,558,820	991	13,506,070	Michigan:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Minnesota:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960																																																																																																																																																																																																																																																														
White	41	249,000	0	0	0	0	0	347,750	1	72,000	1	15,000	236	3,696,460	292	4,380,210																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Negro	1	7,400	0	0	0	0	40,000	0	0	0	0	87	1,371,840	89	1,413,640																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
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Total	43	263,800	0	0	0	0	387,750	1	72,000	1	15,000	223	5,068,300	281	5,793,850																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
Georgia:																	White	1,123	9,236,190	31	71,320	312	3,002,570	220	4,764,760	1	13,250	3	42,200	3,144	41,254,690	4,631	58,395,160	Negro	304	1,679,100	19	42,560	132	621,660	17	356,570	0	0	0	2,098	25,224,980	2,610	27,923,070	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	2,427	12,315,290	50	113,880	444	3,624,230	237	5,121,330	1	13,250	3	42,200	5,242	66,480,170	7,241	86,318,230	Idaho:																	White	58	5,339,100	2	5,500	194	1,450,600	206	6,626,620	3	105,000	24	74,800	4,078	50,445,390	5,068	64,416,010	Negro	1	7,000	0	0	3	18,400	0	35,000	0	0	0	0	0	3	161,100	Other	1	7,000	0	0	0	0	0	0	0	0	0	0	0	0	Total	60	5,353,100	2	5,500	197	1,469,000	206	6,661,620	3	105,000	24	74,800	4,081	50,606,490	5,071	64,577,110	Iowa:																	White	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Kentucky:																	White	1,274	4,550,340	166	341,840	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Negro	136	39,920	9	21,200	0	0	0	0	0	0	0	0	0	0	0	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	2,410	4,980,260	175	363,040	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Maine:																	White	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Massachusetts:																	White	181	946,610	6	10,900	0	0	0	941,000	0	0	0	0	0	11,524,210	970	13,461,260	Negro	34	66,570	0	0	0	0	0	0	0	0	0	0	0	21	34,610	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	215	1,013,180	6	10,900	0	0	0	941,000	0	0	0	0	0	11,558,820	991	13,506,070	Michigan:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Minnesota:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960																																																																																																																																																																																																																																																																																																																																																
White	1,123	9,236,190	31	71,320	312	3,002,570	220	4,764,760	1	13,250	3	42,200	3,144	41,254,690	4,631	58,395,160																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Negro	304	1,679,100	19	42,560	132	621,660	17	356,570	0	0	0	2,098	25,224,980	2,610	27,923,070																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
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Total	2,427	12,315,290	50	113,880	444	3,624,230	237	5,121,330	1	13,250	3	42,200	5,242	66,480,170	7,241	86,318,230																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Idaho:																	White	58	5,339,100	2	5,500	194	1,450,600	206	6,626,620	3	105,000	24	74,800	4,078	50,445,390	5,068	64,416,010	Negro	1	7,000	0	0	3	18,400	0	35,000	0	0	0	0	0	3	161,100	Other	1	7,000	0	0	0	0	0	0	0	0	0	0	0	0	Total	60	5,353,100	2	5,500	197	1,469,000	206	6,661,620	3	105,000	24	74,800	4,081	50,606,490	5,071	64,577,110	Iowa:																	White	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Kentucky:																	White	1,274	4,550,340	166	341,840	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Negro	136	39,920	9	21,200	0	0	0	0	0	0	0	0	0	0	0	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	2,410	4,980,260	175	363,040	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Maine:																	White	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Massachusetts:																	White	181	946,610	6	10,900	0	0	0	941,000	0	0	0	0	0	11,524,210	970	13,461,260	Negro	34	66,570	0	0	0	0	0	0	0	0	0	0	0	21	34,610	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	215	1,013,180	6	10,900	0	0	0	941,000	0	0	0	0	0	11,558,820	991	13,506,070	Michigan:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Minnesota:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960																																																																																																																																																																																																																																																																																																																																																																																																																																			
White	58	5,339,100	2	5,500	194	1,450,600	206	6,626,620	3	105,000	24	74,800	4,078	50,445,390	5,068	64,416,010																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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Total	60	5,353,100	2	5,500	197	1,469,000	206	6,661,620	3	105,000	24	74,800	4,081	50,606,490	5,071	64,577,110																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Iowa:																	White	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,414	11,686,200	0	0	0	0	0	762,270	304	4,076,840	0	0	0	19,374,720	3,806	41,992,110	Kentucky:																	White	1,274	4,550,340	166	341,840	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Negro	136	39,920	9	21,200	0	0	0	0	0	0	0	0	0	0	0	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	2,410	4,980,260	175	363,040	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Maine:																	White	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Massachusetts:																	White	181	946,610	6	10,900	0	0	0	941,000	0	0	0	0	0	11,524,210	970	13,461,260	Negro	34	66,570	0	0	0	0	0	0	0	0	0	0	0	21	34,610	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	215	1,013,180	6	10,900	0	0	0	941,000	0	0	0	0	0	11,558,820	991	13,506,070	Michigan:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Minnesota:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
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Kentucky:																	White	1,274	4,550,340	166	341,840	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Negro	136	39,920	9	21,200	0	0	0	0	0	0	0	0	0	0	0	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	2,410	4,980,260	175	363,040	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530	Maine:																	White	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Massachusetts:																	White	181	946,610	6	10,900	0	0	0	941,000	0	0	0	0	0	11,524,210	970	13,461,260	Negro	34	66,570	0	0	0	0	0	0	0	0	0	0	0	21	34,610	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	215	1,013,180	6	10,900	0	0	0	941,000	0	0	0	0	0	11,558,820	991	13,506,070	Michigan:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Minnesota:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								
White	1,274	4,550,340	166	341,840	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Negro	136	39,920	9	21,200	0	0	0	0	0	0	0	0	0	0	0																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
Total	2,410	4,980,260	175	363,040	46	401,310	378	8,404,560	0	0	70	151,090	3,361	31,030,660	5,244	48,877,530																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
Maine:																	White	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290	Massachusetts:																	White	181	946,610	6	10,900	0	0	0	941,000	0	0	0	0	0	11,524,210	970	13,461,260	Negro	34	66,570	0	0	0	0	0	0	0	0	0	0	0	21	34,610	Other	1,000	1,400,000	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	215	1,013,180	6	10,900	0	0	0	941,000	0	0	0	0	0	11,558,820	991	13,506,070	Michigan:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Minnesota:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
White	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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Total	1,180	7,596,500	2	4,800	305	2,147,710	146	3,218,380	1	12,000	15	34,550	2,171	25,061,270	3,493	36,078,290																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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Total	215	1,013,180	6	10,900	0	0	0	941,000	0	0	0	0	0	11,558,820	991	13,506,070																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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Minnesota:																	White	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960	Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
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Total	76	478,330	0	0	0	0	0	479,160	0	0	1	3,850	297	4,504,420	395	5,446,960																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						

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Table 2 (2)

State and race of ethnic group	Operating loans		Economic support loans		Mortgage loans		Business loans		Consumer loans		Motor loans		Real estate loans		Total loans	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Missouri																
White	1,169	\$8,299,140	21	\$20,310	1,058	\$7,087,770	944	\$13,771,370	2	\$62,550	199	\$768,840	4,529	\$1,584,970	7,541	\$91,586,370
Negro	13	4,370	0	0	51	79,120	0	0	0	0	0	0	0	0	24	1,981,010
Other	1,182	8,377,350	21	20,310	1,109	7,166,890	944	13,771,370	2	72,550	202	777,950	4,778	1,663,960	7,586	83,419,380
Total																
New Hampshire	79	355,520	0	0	0	0	16	436,000	0	0	0	0	528	6,536,940	620	7,331,140
White	79	355,520	0	0	0	0	16	436,000	0	0	0	0	528	6,536,940	620	7,331,140
Total																
New Jersey																
White	19	1,293,260	0	0	26	395,200	26	666,900	4	122,770	0	0	927	13,282,680	1,141	15,750,900
Negro	0	0	0	0	0	0	0	0	0	0	0	0	11	1,781,800	13	1,963,680
Other	170	1,932,250	0	0	26	395,200	26	666,900	4	122,770	0	0	927	13,282,680	1,154	17,714,580
Total																
Ohio																
White	341	2,779,600	1	102	0	365,160	111	3,479,450	0	0	0	0	3,071	32,262,180	3,103	39,995,900
Negro	0	0	0	500	0	187,500	0	0	0	0	0	0	26	205,100	26	253,520
Other	333	2,766,400	0	800	0	552,660	111	3,479,450	0	0	0	0	3,071	32,262,180	3,129	37,782,410
Total																
Pennsylvania																
White	397	3,307,550	0	0	8	400,400	135	3,056,170	2	19,000	2	6,700	1,611	21,999,950	2,115	29,772,410
Negro	0	0	0	0	0	0	0	0	0	0	0	0	28	212,900	28	277,990
Other	397	3,307,550	0	0	8	400,400	135	3,056,170	2	19,000	2	6,700	1,639	22,212,850	2,143	30,050,400
Total																
Rhode Island																
White	14	76,990	0	0	0	0	2	32,400	0	0	0	0	64	867,450	84	976,500
Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	14	76,990	0	0	0	0	2	32,400	0	0	0	0	64	867,450	84	976,500
Total																
South Carolina																
White	565	2,054,450	18	41,680	237	2,164,510	163	3,103,720	1	8,000	20	55,000	3,003	41,732,980	3,073	50,166,490
Negro	59	1,208,470	0	0	234	199,900	33	399,240	0	0	7	7,970	1,197	27,732,530	1,231	27,740,500
Other	1,182	2,262,920	0	0	471	2,364,410	197	3,503,340	1	8,000	27	62,970	3,200	49,465,410	3,261	77,907,990
Total																
Tennessee																
White	921	11,000,900	8	84,000	179	1,482,000	296	5,236,770	0	0	2	79,000	3,234	39,200,000	4,005	50,718,670
Negro	230	4,741,110	0	0	80	1,827,270	14	267,570	0	0	0	0	633	6,698,190	677	7,777,410
Other	1,171	7,653,550	8	107,710	259	3,314,270	110	5,506,280	0	0	2	82,000	3,867	45,900,190	4,684	58,496,070
Total																
Virginia																
White	381	2,679,460	0	0	37	111,000	102	2,643,230	0	0	2	5,000	827	9,070,750	1,252	14,514,740
Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	381	2,679,460	0	0	37	111,000	102	2,643,230	0	0	2	5,000	827	9,070,750	1,252	14,514,740
Total																
West Virginia																
White	531	2,179,950	0	0	37	111,000	102	2,643,230	0	0	2	5,000	827	9,070,750	1,252	14,514,740
Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	531	2,179,950	0	0	37	111,000	102	2,643,230	0	0	2	5,000	827	9,070,750	1,252	14,514,740
Total																
Wisconsin																
White	614	2,225,010	0	0	1	5,000	106	1,392,410	0	0	2	6,000	2,037	24,009,950	2,072	27,831,460
Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	614	2,225,010	0	0	1	5,000	106	1,392,410	0	0	2	6,000	2,037	24,009,950	2,072	27,831,460
Total																
Wyoming																
White	249	2,297,700	0	0	1	5,000	106	1,392,410	0	0	2	6,000	2,037	24,009,950	2,065	27,673,060
Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	249	2,297,700	0	0	1	5,000	106	1,392,410	0	0	2	6,000	2,037	24,009,950	2,065	27,673,060
Total																

Loans Made by Seven Specified Types by Sex of the 27 States Reporting by White, Negro, American Indian and All Other, Fiscal Year 1971

State and race or ethnic group	Operating loans		Francis Cooper-tully loans		Emergency loans		Farm Owner-ship loans		Recreation loans		Sail and Yacht loans		Rural Housing loans		Total, seven loan types	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Alaska:																
White	3	\$16,300	1	\$2,000	3	\$20,500	1	\$28,000	0	0	0	0	92	\$1,752,340	108	\$1,821,160
Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
American Indian	0	0	1	3,500	0	0	0	0	0	0	0	0	0	0	1	15,000
Other	0	0	2	2,700	0	0	0	0	0	0	0	0	0	0	7	\$41,000
Total	3	16,300	4	6,200	3	20,500	1	28,000	0	0	0	0	92	1,752,340	116	1,877,160
Arizona:																
White	132	2,045,270	3	6,750	76	607,600	17	2,292,350	6	0	0	0	8	835,550	1,244	16,172,350
Negro	13	22,100	0	0	0	0	18	176,550	0	0	0	2	4,350	598	6,828,340	
American Indian	3	12,000	0	0	0	0	0	0	0	0	0	0	0	1	15,000	
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total	152	2,079,370	3	6,750	76	607,600	17	2,292,350	6	0	0	2	835,550	1,244	16,172,350	
Idaho:																
White	1,008	6,440,780	2	2,500	56	1,794,428	314	6,509,230	2	\$47,000	36	915,000	1,365	19,997,600	2,787	34,386,340
Negro	11	66,500	0	0	0	0	0	0	0	0	0	0	0	0	0	
American Indian	10	108,500	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other	1,059	7,769,780	3	3,550	26	1,788,576	313	6,479,230	2	47,000	36	915,000	1,365	19,997,600	2,787	34,386,340
Total	1,216	9,957,460	5	6,050	82	4,211,078	268	6,449,660	4	94,000	72	915,000	1,401	20,000,000	3,064	26,715,280
Illinois:																
White	1,216	9,957,460	5	6,050	82	4,211,078	268	6,449,660	4	94,000	72	915,000	1,401	20,000,000	3,064	26,715,280
Negro	1	1,500	0	0	0	0	0	0	0	0	0	0	0	0	0	
American Indian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total	1,217	9,958,960	5	6,050	82	4,211,078	268	6,449,660	4	94,000	72	915,000	1,401	20,000,000	3,064	26,715,280
Indiana:																
White	598	4,937,378	2	2,430	521	3,428,070	342	11,115,070	0	0	13	66,090	1,341	14,123,960	2,088	33,148,150
Negro	3	1,010	0	0	0	0	0	0	0	0	0	0	0	0	0	
American Indian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other	602	4,937,378	2	2,430	521	3,428,070	342	11,115,070	0	0	13	66,090	1,341	14,123,960	2,088	33,148,150
Total	1,203	9,995,826	4	4,860	1,042	6,856,140	684	22,230,140	0	0	13	66,090	1,341	14,123,960	2,088	33,148,150
Iowa:																
White	913	7,221,810	14	72,160	811	7,002,260	187	5,453,360	0	0	10	43,500	1,468	10,210,210	2,766	20,728,780
Negro	34	1,067,510	0	0	0	0	0	0	0	0	0	0	0	0	0	
American Indian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total	1,156	8,289,320	14	72,160	811	7,002,260	187	5,453,360	0	0	10	43,500	1,468	10,210,210	2,766	20,728,780
Kansas:																
White	587	4,789,390	69	97,288	1,299	7,693,908	198	3,712,908	0	0	16	47,500	1,287	15,242,508	5,105	35,734,796
Negro	6	5,050	0	0	0	0	0	0	0	0	0	0	0	0	0	
American Indian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other	509	4,789,390	69	97,288	1,299	7,693,908	198	3,712,908	0	0	16	47,500	1,287	15,242,508	5,105	35,734,796
Total	1,106	9,583,820	138	194,576	2,598	15,387,816	396	7,425,816	0	0	16	47,500	1,287	15,242,508	5,105	35,734,796
Michigan:																
White	1,533	6,464,010	1	1,300	5,735	26,011,310	368	6,484,310	1	19,000	16	139,160	1,277	16,464,310	8,733	45,778,000
Negro	1	3,000	0	0	0	0	0	0	0	0	0	0	0	0	0	
American Indian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total	1,534	6,467,010	1	1,300	5,735	26,011,310	368	6,484,310	1	19,000	16	139,160	1,277	16,464,310	8,733	45,778,000
Minnesota:																
White	1,336	5,086,450	1	1,300	5,735	26,011,310	368	6,484,310	1	19,000	16	139,160	1,277	16,464,310	8,733	45,778,000
Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
American Indian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total	1,336	5,086,450	1	1,300	5,735	26,011,310	368	6,484,310	1	19,000	16	139,160	1,277	16,464,310	8,733	45,778,000



Table 3 (2)

Least Made by 5 Year Specified Types by Race of the 27 States Reporting to the Reg. American Indian and All Others, Fiscal Year 1971

State and race of ethnic group	Operate on loans		Economic Opportunity loans		Mortgage loans		Farm Owner-ship loans		Recreation Agency		Seal and motor loans		Rural Housing loans		Total, seven loan types	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Mississippi:																
White	1,162	\$6,582,330	26	\$98,400	800	\$7,292,880	429	\$6,934,720	0	0	0	0	0	0	0	0
Negro	179	1,517,830	88	161,330	400	747,170	0	0	0	0	0	0	0	0	0	0
American Indian	1	2,460	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	1,948	7,931,518	113	218,938	1,201	8,040,050	501	7,697,938	0	0	0	0	0	0	0	0
Montana:																
White	603	5,468,890	2	2,790	3	71,160	114	3,600,198	0	0	0	0	0	0	0	0
Negro	1	9,050	0	0	0	0	0	0	0	0	0	0	0	0	0	0
American Indian	65	509,810	0	0	0	0	12	223,200	0	0	0	0	0	0	0	0
Other	1,273	6,013,358	2	2,790	3	71,160	126	3,823,398	0	0	0	0	0	0	0	0
Nebraska:																
White	1,116	8,011,938	4	6,700	439	2,358,320	318	10,249,080	0	0	0	0	0	0	0	0
Negro	0	0	0	0	1	2,000	0	0	0	0	0	0	0	0	0	0
American Indian	1,140	8,011,938	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nebraska:																
White	57	546,480	0	0	0	0	3	89,100	0	0	0	0	0	0	0	0
Negro	61	330,030	0	0	0	0	2	13,720	0	0	0	0	0	0	0	0
American Indian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	34	911,480	0	0	0	0	5	107,420	0	0	0	0	0	0	0	0
New York:																
White	965	7,501,450	3	2,400	26	182,330	251	5,069,920	3	23,250	0	0	0	0	0	0
Negro	2	5,800	0	0	0	0	0	0	0	0	0	0	0	0	0	0
American Indian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	977	7,507,250	3	2,400	26	182,330	251	5,069,920	3	23,250	0	0	0	0	0	0
North Carolina:																
White	1,863	8,837,870	119	186,820	156	1,064,850	760	5,097,420	3	23,250	0	0	0	0	0	0
Negro	917	2,557,130	124	157,600	155	997,920	84	48,420	19	85,600	0	0	0	0	0	0
American Indian	37	132,330	1	2,000	25	74,040	8	48,420	0	0	0	0	0	0	0	0
Other	2,837	11,600,130	240	466,580	317	2,142,830	297	5,612,330	3	87,600	0	0	0	0	0	0
North Dakota:																
White	1,091	4,979,820	12	29,200	1,822	10,295,150	449	13,872,700	1	55,000	0	0	0	0	0	0
Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
American Indian	38	347,240	6	11,400	4	2,550	4	92,100	0	0	0	0	0	0	0	0
Other	1,129	5,327,060	21	41,000	1,826	10,300,700	453	13,964,800	1	55,000	0	0	0	0	0	0
Ohio:																
White	993	4,400,000	7	16,050	704	4,019,380	725	2,851,440	0	0	0	0	0	0	0	0
Negro	66	161,050	6	4,020	28	409,770	15	219,060	0	0	0	0	0	0	0	0
American Indian	11	61,880	1	3,500	5	151,300	0	0	0	0	0	0	0	0	0	0
Other	1,071	4,623,810	13	27,570	734	4,281,450	740	3,070,500	0	0	0	0	0	0	0	0
Total:	1,076	7,571,230	13	27,570	734	4,281,450	740	3,070,500	0	0	0	0	0	0	0	0



Table 3 (1)

Loans Made by Seven Specified Types of Bank of the United States Reporting by State, Negro, American Indian and All Other, Fiscal Year 1971

State and race of ethnic group	Operating loans		Economic Oper- ativity loans		Emergency loans		Farm Owners ship loans		Recreation loans		Sell and Lease loans		Mural Housing loans		Total, seven loan types	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Oregon:																
White.....	271	32,620,170	13	42,098	14	8199,700	96	47,616,770	1	812,600	5	804,600	869	812,524,030	1,309	818,059,920
Negro.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
American Indian.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other.....	377	7,845,830	5	2,956	15	219,560	98	2,818,770	1	17,200	5	48,700	874	17,538,930	1,391	18,170,360
Total.....	648	40,466,000	18	45,054	29	8,338,820	194	50,435,540	2	829,800	10	853,300	873	830,562,960	1,690	836,230,280
South Dakota:																
White.....	1,388	10,060,140	2	2,758	123	3,074,100	485	13,950,410	0	0	76	94,160	653	6,511,158	2,647	31,695,878
Negro.....	1	14,500	0	0	0	0	0	0	0	0	0	0	0	0	0	0
American Indian.....	2	218,500	0	0	0	0	50,100	0	0	0	0	0	0	0	0	0
Other.....	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total.....	1,393	10,293,140	2	2,758	123	3,074,100	485	13,950,510	0	0	76	94,160	653	6,511,158	2,647	31,695,878
Utah:																
White.....	475	3,001,760	17	39,280	17	25,750	117	2,449,340	0	0	16	116,770	770	9,676,100	4,152	15,305,860
Negro.....	7	12,500	0	0	0	0	0	0	0	0	0	0	0	0	0	0
American Indian.....	4	6,500	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other.....	425	3,025,260	17	39,280	17	25,750	117	2,449,340	0	0	16	116,770	770	9,676,100	4,172	15,305,860
Total.....	911	6,045,020	34	78,060	34	51,500	234	4,898,680	0	0	32	233,540	770	9,676,100	4,172	15,305,860
Washington:																
White.....	578	6,565,400	1	1,500	104	1,157,850	439	5,615,190	0	0	15	130,440	2,043	30,384,808	2,594	43,823,238
Negro.....	3	21,500	0	0	0	0	0	0	0	0	0	0	0	0	0	0
American Indian.....	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other.....	508	6,617,900	1	1,500	106	1,157,850	439	5,615,190	0	0	15	130,440	2,043	30,384,808	2,602	43,823,238
Total.....	1,092	13,204,800	2	3,000	210	2,315,700	878	11,230,380	0	0	30	260,880	2,043	30,384,808	2,602	43,823,238
Missouri:																
White.....	1,106	8,774,860	6	6,400	1	24,000	450	9,949,270	4	137,500	66	184,510	2,658	33,838,970	4,281	54,937,270
Negro.....	1	2,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0
American Indian.....	1	16,250	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other.....	1,108	8,817,110	6	6,400	1	24,000	450	9,949,270	4	137,500	66	184,510	2,658	33,838,970	4,281	54,937,270
Total.....	2,216	17,616,220	12	12,800	1	24,000	900	9,949,270	8	275,000	132	368,520	2,658	33,838,970	4,281	54,937,270
Wyoming:																
White.....	443	3,649,840	1	1,000	8	64,870	100	3,146,620	0	0	16	203,100	455	5,759,350	1,024	12,818,220
Negro.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
American Indian.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other.....	443	3,649,840	1	1,000	8	64,870	100	3,146,620	0	0	16	203,100	455	5,759,350	1,024	12,818,220
Total.....	886	3,649,840	2	2,000	16	129,740	200	3,146,620	0	0	32	406,200	455	5,759,350	1,024	12,818,220
Total.....	450	3,731,280	1	1,000	8	64,870	100	3,146,620	0	0	16	203,100	441	5,759,350	1,024	12,818,220

Table 4
 Loans Made by Seven Specified Types by Month of the 5 States Reporting by White, Negro,
 American Indian, Spanish, and All Other, Fiscal Year 1971

State and race of ethnic group	Operating lease		Economic Opere- tunity loans		Emergency loans		Farm Oper- ating loans		Recreation loans		Skill and Labor loans		Rural Housing loans		Total State Loan Agency Loan Amount	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
All States	92	\$1,322,720	0	0	33	\$464,070	51	\$3,562,710	0	0	7	\$130,840	1,110	\$15,578,710	1,332	\$20,084,280
White	82	1,188,240	0	0	27	379,200	46	3,242,600	0	0	6	124,800	1,030	13,944,000	1,122	18,390,600
Negro	5	162,480	2	\$900	0	0	0	0	0	0	0	0	0	0	0	0
American Indian	3	42,700	0	0	4	19,530	1	55,000	1	\$9,000	0	0	0	0	0	0
Spanish	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
California	104	1,933,140	2	3,480	47	531,710	52	4,053,140	1	3,100	10	194,310	1,083	25,322,820	1,257	31,827,190
White	273	2,010,450	3	3,400	63	953,900	51	1,979,530	0	0	1	3,320	387	13,908,740	1,278	19,271,960
Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
American Indian	2	21,700	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Spanish	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	378	3,767,060	4	3,480	70	1,105,140	103	7,032,670	1	3,100	11	197,630	1,084	25,322,820	1,338	32,523,130
Colorado	143	4,915,080	1	1,400	74	2,104,050	152	12,445,510	2	16,700	6	72,090	1,017	4,293,070	1,140	17,548,920
White	133	4,580,000	0	0	64	2,040,000	132	12,345,510	0	0	0	0	1,000	4,200,000	1,100	17,045,510
Negro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
American Indian	5	137,700	0	0	1	70,000	1	137,000	0	0	0	0	0	0	0	0
Spanish	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	158	5,052,780	1	1,400	75	2,174,050	135	12,582,510	2	16,700	6	72,090	1,007	4,293,070	1,140	17,548,920
New Mexico	253	2,507,240	2	15,750	27	265,280	75	2,355,070	0	0	14	164,950	243	2,462,740	297	7,592,030
White	240	2,340,000	0	0	26	265,280	75	2,355,070	0	0	14	164,950	243	2,462,740	297	7,592,030
Negro	4	169,240	19	13,800	0	0	0	0	0	0	0	0	0	0	0	0
American Indian	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Spanish	136	64,220	21	17,340	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	433	2,860,700	21	33,890	27	265,280	75	2,355,070	0	0	14	164,950	243	2,462,740	297	7,592,030
Texas	294	2,507,170	13	21,070	1,573	15,000,690	312	40,299,730	1	40,300	122	62,270	3,077	47,904,840	3,298	108,010,130
White	284	2,391,960	10	14,870	1,573	15,000,690	312	40,299,730	0	0	122	62,270	3,077	47,904,840	3,298	108,010,130
Negro	126	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
American Indian	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Spanish	216	1,213,010	7	15,900	159	956,750	12	192,500	0	0	10	46,210	2,378	11,668,610	1,962	17,091,980
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	3,300	27,247,000	50	50,960	1,732	16,116,100	337	40,355,090	1	40,300	132	510,240	7,120	70,708,160	12,368	126,323,790

UNITED STATES DEPARTMENT OF AGRICULTURE
 FARMERS HOME ADMINISTRATION
 FINANCE OFFICE
 REPORT CODE 891

DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
 FISCAL YEAR 1975
 (AMOUNTS IN THOUSANDS OF DOLLARS)
 (INCLUDES INITIAL AND SUBSEQUENT LOANS)

TOTAL SIX TYPE NEW	OPERATING LOANS		EMERGENCY LOANS		FARM OWN- ERSHIP LOANS		RECREATION LOANS		SOIL AND WATER LOANS		RURAL HOUSING LOANS	
	NEW	AGENCY	NEW	AGENCY	NEW	AGENCY	NEW	AGENCY	NEW	AGENCY	NEW	AGENCY
182,733	2,332,489	31,216	31,041	12,228	3,047	11,697	30,333	11,188	371	2,532	44,921	12,912
29,424	372,419	4,516	13,214	2,239	7,790	310	4,084	45	28	29,237	11,921	
829	9,498	350	2,021	21	27	33	10	2	18	417	3,195	
4,927	59,433	421	3,071	283	1,736	47	1,024	6	32	4,136	3,161	
249	3,893	65	714	28	484	11	338	1	4	141	2,058	

AREA, STATE
 RACE OR
 ETHNIC GROUP

U. S. TOTALS
 WHITE
 NEGRO
 AMERICAN INDIAN
 SPANISH
 OTHER

DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1972
AMOUNTS IN THOUSANDS OF DOLLARS
(INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIZE LOAN		OPERATING		EMERGENCY		FARM POWER-		RECREATION		FURN. AND		RURAL HOUSING	
	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT
EAST														
WHITE	867	9,156	3	137	8	48	1	5	183	72	111	4	0.071	44
NEGRO	23	340	1	10	1	5					29	2	260	260
AMERICAN INDIAN														
SPANISH														
OTHER	11	275	1	10	1	5								
MAINE														
WHITE	2	50												29
NEGRO	2	51												31
AMERICAN INDIAN														
SPANISH														
OTHER														
DELAWARE														
WHITE	112	1,028	1	2	1	5								1,094
NEGRO														
AMERICAN INDIAN														
SPANISH														
OTHER	3	66	1	10	1	5								34
MARYLAND														
WHITE	273	3,007	1	13	4	25								3,091
NEGRO														
AMERICAN INDIAN														
SPANISH														
OTHER	1	1												2,075
NEW JERSEY														
WHITE	136	1,536	6	25	30	30								1,601
NEGRO	1	12												12
AMERICAN INDIAN														
SPANISH	1	126												126
OTHER	10	110												105

DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1977
(AMOUNTS IN THOUSANDS OF DOLLARS)
(INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIZE LOAN		OPERATING		EMERGENCY		FARM OWNER- SAMP. LOANS		RECREATION		SOIL AND WATER		RURAL HOUSING	
	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT
NEW YORK	3,401	24,579	821	8,172	33	338	338	7,597	1	35	0	0	2,587	10,544
WHITE	125	1,232	4	44	1	1	1	14	1	14	1	1	126	1,083
NEGRO	2	104	1	36				22					13	106
AMERICAN INDIAN	13	104											5	82
SPANISH	5	82												
OTHER														
PENNSYLVANIA	3,425	37,208	388	4,389	0	0	0	4,773	1	7	1	1	14,000	37,274
WHITE	295	36,877	312	4,389	1	1	1	4,674	1	1	1	1	14,000	37,274
NEGRO	25	312						24					23	267
AMERICAN INDIAN	1	20												
SPANISH														
OTHER														
CONNECTICUT	331	2,885	34	338	1	1	1	338	1	1	1	1	338	3,385
WHITE	1	5						5					5	19
NEGRO	1	19												19
AMERICAN INDIAN	1	19												
SPANISH														
OTHER														
MASSACHUSETTS	331	3,385	34	338	1	1	1	338	1	1	1	1	338	4,385
WHITE	2	35											2	35
NEGRO	1	19											1	19
AMERICAN INDIAN														
SPANISH														
OTHER														
NEW HAMPSHIRE	331	3,385	34	338	1	1	1	338	1	1	1	1	338	4,385
WHITE	1	19											1	19
NEGRO														
AMERICAN INDIAN														
SPANISH														
OTHER														

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
FINANCE OFFICE

DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1979
(AMOUNTS IN THOUSANDS OF DOLLARS)
(INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE FACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- SHIP LOANS		RECREATION LOANS		SOIL AND WATER CONSERVATION		RURAL HOUSING LOANS	
	WBR	ANRWY	WBR	ANRWY	WBR	ANRWY	WBR	ANRWY	WBR	ANRWY	WBR	ANRWY	WBR	ANRWY
RHODE ISLAND														
WHITE	88	11388	88	11388									79	11388
NEGRO	1	9												3
AMERICAN INDIAN														
SPANISH														
OTHER														
VERMONT														
WHITE	11387	11387	423	11387									11387	11387
NEGRO	1	7												7
AMERICAN INDIAN														
SPANISH														
OTHER														
MICHIGAN														
WHITE	47248	47248	27248	47248	113179	113179	52320	135708	18	308	337	113179	27248	47248
NEGRO	430	430	407	407	34	34	11	205				313	430	430
AMERICAN INDIAN	175	175	150	150	3	3	10	435				67	175	175
SPANISH	165	165	6	6								150	165	165
OTHER	26	26	3	3	6	6	1	18				24	26	26
ILLINOIS														
WHITE	47208	47208	11306	47208									11306	47208
NEGRO	89	89	6	6									89	89
AMERICAN INDIAN														
SPANISH														
OTHER	10	10	87	87									10	10
INDIANA														
WHITE	47188	47188	377	47188									377	47188
NEGRO	21	21	321	321									21	21
AMERICAN INDIAN														
SPANISH														
OTHER	12	12	134	134									12	12



DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
 (AMOUNTS IN THOUSANDS OF DOLLARS)
 (INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIX LBN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- SHIP		RECREATION		SOIL AND WATER CONSRV.		RURAL HOUSING LOANS	
	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT
IOWA	WHITE	117	118	118	11	11	11	11	11	11	11	11	11	11
	NEGRO	2	3	1	28									23
	AMERICAN INDIAN	5	36											9
	SPANISH	5	57											57
	OTHER	1	16											10
KANSAS	WHITE	14	14	14	14	17	16	2	16	2	2	2	2	11
	NEGRO	14	216	2	27	1	1	2	32	2	2	2	2	134
	AMERICAN INDIAN	19	26	2	7									19
	SPANISH	19	184	2	6									184
	OTHER	8	229	1	6	5	100							32
MICHIGAN	WHITE	72	72	72	72	3	3	2	34	2	2	2	2	11
	NEGRO	15	14	7	41									781
	AMERICAN INDIAN	61	262	2	70									282
	SPANISH	5	1,025	2	70									953
	OTHER	5	73											73
MINNESOTA	WHITE	11	11	11	11	3	3	1	17	1	1	1	1	1
	NEGRO	11	118	1	1			1	21	1	1	1	1	92
	AMERICAN INDIAN	6	71	1	13									71
	SPANISH	3	34	1	13			1	18	1	1	1	1	3
	OTHER	3	34	1	13									3
MISSOURI	WHITE	181	181	181	181	332	317	2	15	1	1	1	1	117
	NEGRO	181	1,194	22	134	33	317	2	15	1	1	1	1	126
	AMERICAN INDIAN	1	1	1	1	1	1	1	1	1	1	1	1	1
	SPANISH	1	1	1	1	1	1	1	1	1	1	1	1	1
	OTHER	1	1	1	1	1	1	1	1	1	1	1	1	1



DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
 FISCAL YEAR 1975
 (AMOUNTS IN THOUSANDS OF DOLLARS)
 (INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- SHIP LOANS		RECREATION LOANS		SOIL AND WATER LOANS		RURAL HOUSING LOANS	
	NR	AR	NR	AR	NR	AR	NR	AR	NR	AR	NR	AR	NR	AR
NEBRASKA	2229	322395	12128	67281	11	373	223	13798	1	11	13	223	223	223
WHITE	1	18						1A						28
NEGRO	2	28												77
AMERICAN INDIAN														6
SPANISH		187		30										1
OTHER	1	18												18
NORTH DAKOTA	15122	495928	12434	122749	122	1588	338	12139	1	28	1	24	1	272
WHITE	72	993	41	589				313						17
NEGRO	1	17												2
AMERICAN INDIAN														
SPANISH														
OTHER	1	2												
OHIO	22272	322872	335	27272	3	229	171	11472	1	1	2	2	2	222
WHITE	48	653	3	28										82
NEGRO	1	19												19
AMERICAN INDIAN	30	425												30
SPANISH														
OTHER	1	173			1	173								30
SOUTH DAKOTA	22272	322872	12434	122749	122	1588	338	12139	1	28	1	24	1	272
WHITE	47	653	1	24			18	283						18
NEGRO														18
AMERICAN INDIAN														18
SPANISH														
OTHER														
WISCONSIN	15122	495928	12434	122749	122	1588	338	12139	1	28	1	24	1	272
WHITE	1	15												15
NEGRO	19	234												216
AMERICAN INDIAN	19	234												216
SPANISH														
OTHER														



DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1977
(AMOUNTS IN THOUSANDS OF DOLLARS)
(INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- SHIP LOANS		RECREATION LOANS		WATER LOANS		RURAL HOUSING LOANS	
	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT
SOUTH														
WHITE	194,227	4,143,473	214,841	1,342,583	192,318	842,029	24,009	129,492	18	773	254	2,237	83,311	519,522
NEGRO	28,703	295,967	6,404	12,889	2,196	6,864	323	4,191	45	78	78	21,235	271,816	477,746
AMERICAN INDIAN	327	3,480	96	534	14	90	42	330	1	1	1	212	2,703	2,703
SPANISH	2,007	19,884	249	1,844	271	1,252	16	330	5	5	5	45	1,465	18,411
OTHER	44	528	9	67	4	70	2	29				45	1,465	18,411
ALABAMA														
WHITE	7,287	80,282	14,408	7,283	287	1,639	511	19,094			79	172	5,402	60,845
NEGRO	4,084	55,243	1,150	2,726	185	1,361	27	6,942			9	14	2,101	19,274
AMERICAN INDIAN	2,697	25,000	458	852	102	248	37	250						23,614
SPANISH	1	12												12
OTHER	1	15												15
ARKANSAS														
WHITE	8,578	292,079	14,199	85,933	518	3,211	276	12,948			82	343	2,157	535,374
NEGRO	1,731	12,981	338	1,165	327	787	27	281			1	1	1,038	10,746
AMERICAN INDIAN	2	30												30
SPANISH	2	94												94
OTHER	2	23												23
FLORIDA														
WHITE	2,297	26,985	348	2,249	22	487	133	3,278			3	43	1,298	27,272
NEGRO	751	9,039	132	324	1	7	14	156					604	8,445
AMERICAN INDIAN	111	119	11	119										
SPANISH	52	660												
OTHER	2	33												33
GEORGIA														
WHITE	6,749	88,471	14,359	12,082	131	1,471	311	7,492			3	1	1,971	66,945
NEGRO	4,021	58,881	1,083	10,783	181	1,268	287	7,506			3	1	2,257	35,149
AMERICAN INDIAN	2,747	33,748	287	1,619	38	204	23	420					2,339	31,523
SPANISH														
OTHER	1	22												22



FORM FHA 309-008-0

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
FINANCE OFFICE

REPORT CONCERNING

DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1979
(AMOUNTS IN THOUSANDS OF DOLLARS)
(INCLUDES ORIGINAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTALS-SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- SHIP LOANS		RECREATION LOANS		SOIL AND WATER LOANS		RURAL HOUSING LOANS	
	NR	ANNUITY	NR	ANNUITY	NR	ANNUITY	NR	ANNUITY	NR	ANNUITY	NR	ANNUITY	NR	ANNUITY
KENTUCKY	32,827	15,445	32,324	74	33	16,364	3	33	3	33	33	189	3,174	1,805
WHITE	205	1,994	26	183								2	173	
NEGRO														
AMERICAN INDIAN														
SPANISH														
OTHER														
LOUISIANA	5,735	3,320	1,108	19,189	2,749	19,708	196	3,748				34	1,331	11,845
WHITE	3,756	2,715	737	12,333	2,303	114						4	614	6,929
NEGRO	1,702	10,149	243		1		12					7		
AMERICAN INDIAN														
SPANISH														
OTHER														
MISSISSIPPI	9,491	19,702	2,274	12,914	433	4,349	389	11,748				44	4,451	16,463
WHITE	8,055	40,280	648	1,850	295	777	73	643				19	3,026	37,874
NEGRO												38		
AMERICAN INDIAN														
SPANISH														
OTHER														
NORTH CAROLINA	11,338	17,049	2,216	19,245	1,131	2,333	306	19,138				48	4,395	19,437
WHITE	8,224	44,049	1,041	3,091	303	1,761	80	780				4	2,774	36,812
NEGRO	103	1,924	64	246	6	25							112	1,453
AMERICAN INDIAN														
SPANISH														
OTHER														
OKLAHOMA	6,748	9,427	1,591	19,049	1,038	6,289	422	13,137				37	3,498	11,448
WHITE	243	1,778	86	274	21	61	9	193				1	126	1,271
NEGRO	121	1,204	26	185	7	58	4	62				1	86	944
AMERICAN INDIAN														
SPANISH														
OTHER														



DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
(AMOUNTS IN THOUSANDS OF DOLLARS)
(INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- SHIP LOANS		RECREATION LOANS		SOI AND WATER LOANS		RURAL HOUSING LOANS	
	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT
SOUTH CAROLINA	WHITE	2,112	149,492	1,222	4,222	1222	1,222	215	2,222	3	3	18	2,222	22,222
	NEGRO	4,534	55,488	288	4,534	1,073	1,073	32	387	1	1	1	3,739	53,791
	AMERICAN INDIAN	1	17	1	17	1	17	1	17	1	1	1	17	17
	SPANISH	5	13	5	13	5	13	5	13	5	5	5	13	13
	OTHER	5	60	5	60	5	60	5	60	5	5	5	60	60
TENNESSEE	WHITE	4,228	78,725	1,028	2,127	10	221	10	221	10	10	2	2,222	22,222
	NEGRO	1,859	11,568	175	2,127	9	221	14	167	1	1	37	2,222	22,222
	AMERICAN INDIAN	1	1	1	1	1	1	1	1	1	1	1	1	1
	SPANISH	1	1	1	1	1	1	1	1	1	1	1	1	1
	OTHER	1	1	1	1	1	1	1	1	1	1	1	1	1
TEXAS	WHITE	12,554	138,483	2,112	27,026	1,021	20,554	587	19,271	2	2	92	2,222	22,222
	NEGRO	1,310	10,127	179	2,222	35	2,222	6	74	1	1	78	2,222	22,222
	AMERICAN INDIAN	1	1	1	1	1	1	1	1	1	1	1	1	1
	SPANISH	1,927	18,823	248	1,046	271	1,259	14	384	5	5	45	1,259	15,245
	OTHER	7	111	3	48	1	11	1	11	1	1	1	11	11
VIRGINIA	WHITE	4,228	27,222	422	2,222	148	1,222	148	1,222	2	2	2	2,222	22,222
	NEGRO	2,852	39,222	103	390	110	500	53	441	1	1	1	2,222	22,222
	AMERICAN INDIAN	1	1	1	1	1	1	1	1	1	1	1	1	1
	SPANISH	1	1	1	1	1	1	1	1	1	1	1	1	1
	OTHER	5	64	5	64	5	64	5	64	5	5	5	64	64
WEST VIRGINIA	WHITE	2,222	22,222	208	2,222	1	1	1	1	1	1	1	2,222	22,222
	NEGRO	1,021	37,222	78	2,222	1	1	1	1	1	1	1	2,222	22,222
	AMERICAN INDIAN	1	1	1	1	1	1	1	1	1	1	1	1	1
	SPANISH	1	1	1	1	1	1	1	1	1	1	1	1	1
	OTHER	1	1	1	1	1	1	1	1	1	1	1	1	1

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
FINANCE OFFICE

REPORT CODE 691

DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1957
(AMOUNTS IN THOUSANDS OF DOLLARS)
(INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- HELP LOANS		RECREATION LOANS		SBI AND METER LOANS		RURAL HOUSING LOANS	
	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT
NEVADA	WHITE	34,436	34,436	34,436	34,436	34,436	34,436	34,436	34,436	34,436	34,436	34,436	34,436	34,436
	NEGRO	1	28	1	28	1	28	1	28	1	28	1	28	
	AMERICAN INDIAN	40	405	35	331	3	331	1	5	1	5	1	20	
	SPANISH	3	28	3	28	3	28	3	28	3	28	3	28	
	OTHER	1	20	1	20	1	20	1	20	1	20	1	20	
CALIFORNIA	WHITE	48,800	48,800	48,800	48,800	48,800	48,800	48,800	48,800	48,800	48,800	48,800	48,800	48,800
	NEGRO	75	1,068	6	55	1	55	2	39	2	39	2	39	
	AMERICAN INDIAN	12	169	2	74	2	74	2	73	2	73	2	164	
	SPANISH	889	12,989	7	74	7	74	2	73	2	73	2	164	
	OTHER	65	927	23	261	7	68	1	28	1	28	1	28	
ARIZONA	WHITE	37,895	37,895	37,895	37,895	37,895	37,895	37,895	37,895	37,895	37,895	37,895	37,895	37,895
	NEGRO	81	1,094	3	20	3	20	1	77	1	77	1	77	
	AMERICAN INDIAN	58	427	25	187	2	15	2	27	2	27	2	27	
	SPANISH	763	11,495	7	47	2	15	2	27	2	27	2	27	
	OTHER	7	164	7	164	7	164	7	164	7	164	7	164	
COLORADO	WHITE	12,881	12,881	12,881	12,881	12,881	12,881	12,881	12,881	12,881	12,881	12,881	12,881	12,881
	NEGRO	1	4	1	4	1	4	1	4	1	4	1	4	
	AMERICAN INDIAN	253	2,828	39	254	3	21	11	218	3	218	11	218	
	SPANISH	15	331	9	111	1	137	2	68	1	68	2	68	
	OTHER	1	20	1	20	1	20	1	20	1	20	1	20	

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
FINANCE OFFICE

REPORT CODE A61

DISTRIBUTION OF LOANS, MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1972
(AMOUNTS IN THOUSANDS OF DOLLARS)
(EXCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- SHIP LOANS		RECREATION LOANS		SOIL AND WATER CONSERVATION LOANS		RURAL HOUSING LOANS	
	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
IDAHO	3133	3133	1007	1128	1	1	34	34	1531	3	28	18	215	2278
WHITE	21	21	18	44									11	19
AMERICAN INDIAN	59	59	5	73	1	1	31	3	186				54	188
SPANISH	21	21	7	93			37	1	36				11	197
OTHER														
MONTANA	1537	1537	88	549	7	7	388	14	1507			3	38	1537
WHITE	4	4	2	435				2	113					96
NEGRO	92	92	72	435				13	279					28
AMERICAN INDIAN	2	2	1	5										18
SPANISH														
OTHER														
NEW MEXICO	5438	5438	385	3433	34	34	387	143	2481			4	38	5438
WHITE	6	6	124	167										206
NEGRO	38	38	29	43	6	6							4	28
AMERICAN INDIAN	437	437	189	416			24	31	1087				3	39
SPANISH	2	2	26	16										16
OTHER														
ALASKA	38	38	3	18	2	2	13	1	48				3	103
WHITE														
NEGRO	26	26											24	62
AMERICAN INDIAN	9	9											1	115
SPANISH														
OTHER														
OREGON	1286	1286	38	328	31	31	38	113	208	1	7	4	48	1286
WHITE	1	1											1	26
NEGRO	1	1											1	18
AMERICAN INDIAN	45	45											44	78
SPANISH	12	12											4	58
OTHER														



DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
 FISCAL YEAR 1979
 (AMOUNTS IN THOUSANDS OF DOLLARS)
 (INCLUDES INITIAL AND SUBSEQUENT YEARS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- HELP LOANS		RECREATION (LOAN TYPE)		SOFTI AND MAYE LOANS (MORTGAGE)		RURAL HOUSING LOANS	
	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT
UTAH	14,111	118,998	111	1,111	1	1	197	1,111	1	1	1	1	111	11,111
WHITE	11	11	1	1	1	1	1	1	1	1	1	1	1	1
NEGRO	11	11	1	1	1	1	1	1	1	1	1	1	1	1
AMERICAN INDIAN	11	11	1	1	1	1	1	1	1	1	1	1	1	1
SPANISH	11	11	1	1	1	1	1	1	1	1	1	1	1	1
OTHER	7	127	3	1	1	1	2	1	1	1	1	1	1	1
WASHINGTON	2,212	19,212	11	1,111	1	1	111	1,111	1	1	1	1	111	11,111
WHITE	11	11	1	1	1	1	1	1	1	1	1	1	1	1
NEGRO	11	11	1	1	1	1	1	1	1	1	1	1	1	1
AMERICAN INDIAN	11	11	1	1	1	1	1	1	1	1	1	1	1	1
SPANISH	11	11	1	1	1	1	1	1	1	1	1	1	1	1
OTHER	11	220	1	1	1	1	1	1	1	1	1	1	1	1
WYOMING	11	11	1	1	1	1	1	1	1	1	1	1	1	1
WHITE	1	1	1	1	1	1	1	1	1	1	1	1	1	1
NEGRO	1	1	1	1	1	1	1	1	1	1	1	1	1	1
AMERICAN INDIAN	1	1	1	1	1	1	1	1	1	1	1	1	1	1
SPANISH	1	1	1	1	1	1	1	1	1	1	1	1	1	1
OTHER	4	16	3	1	1	1	1	1	1	1	1	1	1	1

UNITED STATES DEPARTMENT OF AGRICULTURE
 FARMERS HOME ADMINISTRATION
 FINANCE OFFICE

DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP

FISCAL YEAR 1973
 (AMOUNTS IN THOUSANDS OF DOLLARS)
 (INCLUDES INITIAL AND SUBSEQUENT LOANS)*

AREA-STATE RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- SHIP LOANS		RECREATION LOANS		SOIL AND WATER LOANS		RURAL HOUSING LOANS	
	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT
U.S. TOTALS	308432	25184085	206612	453627	124829	340228	132358	4802813	35	14192	751	30558	118294	16489275
WHITE	278121	24698051	184269	424514	121043	310492	10479	308292	34	1464	70	3023	81348	1228450
BLACK	20385	323250	9558	19251	1042	3993	1029	4435	1	27	41	93	2698	29514
AMERICAN INDIAN	97	12508	32	3281	79	363	59	1254			2	36	36	433
SPANISH	5784	45324	378	2808	1331	4058	47	1332			1	2	377	3823
OTHER	385	60759	75	910	154	1077	14	390				2	142	2282

Percentage of Total
 Loans Made

White	90.2%	87.4%	92.2%	97.2%	97.1%	94.1%	94.1%	78.2%
Black	6.7%	11.1%	1.2%	1.2%	1.4%	2.9%	5.2%	17.9%
American Indian	1.9%	4.7%	1.1%	.4%	.2%	.02%	.1%	3.4%
Spanish	1.8%	1.8%	0.1%	.1%	.1%	.02%	.02%	0.4%
Other	.1%	.1%	.1%	.1%	.1%	.06%	.06%	.1%

UNITED STATES DEPARTMENT OF AGRICULTURE
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DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1973
(AMOUNTS IN THOUSANDS OF DOLLARS)
(INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNERS' SHIP LOANS		CREATION LOANS		SOIL AND WATER LOANS		RURAL HOUSING LOANS	
	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT
ALABAMA	4	26,288	1,238	2,415	81	838	377	6,280		42	158	8,212	38,127	
WHITE	4,327	48,913	1,311	8,486	56	553	365	8,303		55	148	2,510	1,247	
NEGRO	2,339	23,666	425	1,081	25	82	12	108		7	10	1,070	6,186	
SPANISH	1	14										1	14	
OTHER	1	12										1	12	
ARIZONA	2,151	24,181	151	2,118	119	2,271	58	2,835		3	183	1,837	18,833	
WHITE	2,074	1,988	1	4								73	1,004	
NEGRO	68	258	27	99	2	7	4	182				59	853	
SPANISH	814	12,849	16	118	17	133						783	12,217	
OTHER	1	18										1	18	
ARIZONA	2,032	2,032	2,032	1,918	117	346	889	11,211		118	212	3,477	21,825	
WHITE	1,965	11,223	381	1,926	28	33	25	208		10	28	760	4,718	
NEGRO	1	12					1	14				1	14	
SPANISH	1	42	2	6								3	24	
OTHER	1	1										1	1	
CALIFORNIA OFFICES	3,052	21,123	374	2,232	1,109	2,043	48	2,274		2	131	1,423	25,113	
WHITE	3,052	21,123	374	2,232	1,109	2,043	48	2,274		2	131	1,423	25,113	
NEGRO	78	882	4	78	4	26	1	1				64	866	
SPANISH	1,007	10,000	16	76	30	235	9	103				1,053	10,229	
OTHER	1,967	1,000	16	220	119	824						49	847	
CALIFORNIA	4,510	42,574	244	2,326	1,108	2,081	73	2,822		2	151	1,423	52,182	
WHITE	3,135	27,028	233	2,119	807	2,071	48	2,912		2	151	1,423	32,109	
NEGRO	77	962	8	79	4	28	1	1				63	866	
SPANISH	1,004	10,017	1	2	30	235						11	194	
OTHER	1,904	1,000	16	220	119	824						1,052	10,162	

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DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1973
(AMOUNTS IN THOUSANDS OF DOLLARS)
(INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE OR RACE OR ETHNIC GROUP	TOTAL SIX-LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNERS' SHIP LOANS		RECREATION LOANS		SOIL AND WATER CONSERVATION LOANS		RURAL HOUSING LOANS	
	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT
NEVADA	122	2,644	48	812			7	232					182	2,871
WHITE	104	2,794	40	545			6	254					98	1,978
NEURO	1	28											1	28
AMERICAN INDIAN	8	288	26	124			1	3					5	81
SPANISH	1	23											1	23
OTHER														
COLORADO	1,685	25,254	412	2,757	207	2,143	181	5,248					272	11,872
WHITE	1,402	21,622	312	2,314	205	2,132	161	5,208					252	10,872
NEURO	2	28	1	23									1	28
AMERICAN INDIAN	23	3,301	26	233	1	7	5	35					24	3,107
SPANISH	21	312	15	202									1	312
OTHER														
DELAWARE OFFICE	8,227	19,411	432	3,494	3,148	28,333	91	2,883	7	33			2,588	30,232
WHITE	8,02	18,548	424	3,476	3,148	28,333	91	2,883	7	33			2,588	30,232
NEURO	11	372			67	207	2	90					518	6,122
AMERICAN INDIAN	11	372											11	372
SPANISH	14	156	2	22	3	14							2	128
OTHER														
DELAWARE	250	9,127	38	295	202	2,236	15	247					288	6,217
WHITE	412	6,701	38	295	202	2,236	15	247					250	3,850
NEURO	11	2,456			2	6							142	2,448
AMERICAN INDIAN														
SPANISH														
OTHER														
MARYLAND	2,615	20,118	246	1,483	1,213	6,373	22	2,185	2	33			1,288	12,874
WHITE	2,381	17,236	211	1,211	1,083	6,228	22	2,185	2	33			1,288	12,874
NEURO	31	2,680	35	55	55	155	2	98					202	3,741
AMERICAN INDIAN														
SPANISH														
OTHER														

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DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1973
(AMOUNTS IN THOUSANDS OF DOLLARS)
(INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE OR RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING		EMERGENCY		FARM OWNER- REPLACEMENT		RECREATION		SOIL AND WATER CONSERVATION		RURAL HOUSING	
	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT
NEW JERSEY	2,032	30,000	169	1,709	1,719	11,728	11	189	123	1,030	1	1	212	12,156
WHITE	2,028	29,225	157	1,676	1,719	11,626	11	189	123	1,030	1	1	212	12,075
AMERICAN INDIAN	1	2											1	1
SPANISH	2	154											1	152
OTHER	9	92			3	14							6	79
FLORIDA	2,422	47,281	204	2,218	7	189	1	189	123	1,030	1	1	212	49,100
WHITE	2,418	46,581	204	2,218	7	189	1	189	123	1,030	1	1	212	48,479
AMERICAN INDIAN	1,181	10,544	131	576	1	11			4	55			1,005	13,001
SPANISH	73	1,803	12	150									73	1,033
OTHER	4	84	1	15									1	59
GEORGIA	2,464	40,273	1,007	14,000	2,231	19,538	194	1,938	194	2,204	1	1	2,274	27,230
WHITE	2,354	38,427	981	13,631	2,231	19,538	237	703	194	2,204	1	1	1,826	25,050
AMERICAN INDIAN	1	14											1	14
SPANISH	1	15											1	15
OTHER														
IDAHO	2,004	72,003	1,230	16,374	1	211	402	4,027	402	4,027	13	100	2,559	49,423
WHITE	1	2											1	2
AMERICAN INDIAN	27	310	4	43			3	111					49	748
SPANISH	54	962	4	90			3	79					67	1,000
OTHER	17	277	7	90									7	100
ILLINOIS	2,010	72,038	1,409	13,287	10	161	300	3,000	1	20	1	1	2,074	49,010
WHITE	2,006	71,838	1,403	13,287	10	161	300	3,000	1	20	1	1	2,070	48,423
AMERICAN INDIAN	13	210	3	20									13	210
SPANISH	11	122											11	122
OTHER	2	41											2	41

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DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
 FISCAL YEAR 1973
 (AMOUNTS IN THOUSANDS OF DOLLARS)
 (INCLUDES INITIAL AND SUPPLEMENT LOANS)

ARL. STATE RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- SHIP LOANS		RECREATION LOANS		SOIL AND WATER LOANS		RURAL HOUSING LOANS	
	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT
INDIANA	2,892	42,119	871	7,297	1	2	194	11,248	2	159	0	38	2,612	42,692
WHITE	6,008	61,723	646	7,737	1	1	396	11,248	2	159	0	38	2,691	42,548
NEGRO	1	207	3	41									11	167
AMERICAN INDIAN	11	134											11	134
SPANISH	2												2	32
OTHER	1												2	
KANSAS	2,097	47,791	898	17,798	2	48	787	18,893	2	28	3	88	1,297	48,893
WHITE	1,919	47,791	898	17,798	2	48	787	18,893	2	28	3	88	1,297	48,893
NEGRO	10	166	6	52									11	166
AMERICAN INDIAN	6	74											6	74
SPANISH	11	111											10	101
OTHER	6	174	3	76	3	104							10	101
KENTUCKY	2,422	37,744	1,085	17,894	1	3	330	11,248	1	13	1	2	192	40,396
WHITE	2,265	37,744	1,085	17,894	1	3	330	11,248	1	13	1	2	192	40,396
NEGRO	2	279	2	99									2	279
AMERICAN INDIAN	1												1	
SPANISH	1												1	
OTHER	1												1	
LOUISIANA	4,975	92,789	2,118	19,579	193	1,992	397	7,113			9	36	1,071	107,356
WHITE	1,319	10,050	540	2,008	75	467	15	271			9	36	676	107,356
NEGRO	3	41											2	32
AMERICAN INDIAN	3	34	1	2									2	32
SPANISH														
OTHER														



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DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1973
(AMOUNTS IN THOUSANDS OF DOLLARS)
(INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- SHIP LOANS		RECREATION LOANS		SOIL AND WATER LOANS		RURAL HOUSING LOANS	
	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT	NR	AMOUNT
MAINE	2,531	68,592	1,202	18,012	12	142	104	2,174	2	312	4	4	2,532	69,534
WHITE	4,485	68,016	1,202	18,012	12	142	104	2,174	2	312	4	4	2,532	69,534
NEGRO	3	46											3	46
AMERICAN INDIAN	3	46											3	46
SPANISH														
OTHER														
MICHIGAN	4,245	105,292	444	10,374	3,418	10,911	385	2,157	1	22			4,244	107,111
WHITE	74	966	2	21	17	72	1	1					77	907
NEGRO	19	283											19	283
AMERICAN INDIAN	73	1,283	1	7	2	15	1	22					75	1,282
SPANISH														
OTHER														
MINNESOTA	17,581	102,789	1,524	15,821	10,057	10,057	188	1,221	1	22			17,580	104,031
WHITE	32	44											32	44
NEGRO	32	184	1	4	20	50							33	181
AMERICAN INDIAN														
SPANISH														
OTHER														
MISSISSIPPI	3,941	120,272	2,403	21,482	100	1,000	374	11,406	30	30			3,940	121,712
WHITE	3,009	42,741	1,772	21,403	46	46	51	330	9	9			3,008	42,712
NEGRO	3	41											3	41
AMERICAN INDIAN														
SPANISH														
OTHER														
MISSOURI	6,549	112,378	4,017	17,232	38	412	481	20,124	1	14			6,548	113,485
WHITE	184	1,554	46	228	3	3	5	174					189	1,712
NEGRO														
AMERICAN INDIAN														
SPANISH														
OTHER														



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DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1973
(AMOUNTS IN THOUSANDS OF DOLLARS)
(INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIX LEAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- SHIP LOANS		RECREATION LOANS		SOIL AND WATER LOANS		RURAL HOUSING LOANS	
	NEW	AMOUNT	NEW	AMOUNT	NEW	AMOUNT	NEW	AMOUNT	NEW	AMOUNT	NEW	AMOUNT	NEW	AMOUNT
MINNESOTA	1,233	28,728	663	7,623	1	40	262	9,813	7	53	332	9,813	3	49
WHITE	1,193	19,031	601	7,026			105	7,404	7	53	332	9,813	3	49
NEGRO		44	3	46										
AMERICAN INDIAN	93	1,753	59	564		740	17	408						212
SPANISH	2	45												40
OTHER														
NEBRASKA	1,233	10,433	777	10,111	1	15	813	10,741	18	111	718	10,741	1	37
WHITE	1	13												31
NEGRO	3	42												3
AMERICAN INDIAN	2	16	1	11										44
SPANISH														6
OTHER														
NEW MEXICO	1,233	10,531	713	7,113	211	3,113	77	2,113	11	43	518	10,713	7	96
WHITE	12	113	4	13										96
NEGRO	48	250	27	135	27	55	21	474						56
AMERICAN INDIAN	987	7,745	122	661	226	459	21	474	1	1	2	613	5	5,994
SPANISH		30			2	13								15
OTHER														
NEW YORK	12,846	130,736	835	8,233	11,074	74,118	323	6,374	1	13	3	2,113	2	49
WHITE	12,788	128,265	823	8,082	11,074	74,118	323	6,374	1	13	3	2,113	2	49
NEGRO	142	1,757	3	2	16	73	2	31						2,727
AMERICAN INDIAN	17	79			3	24								1,646
SPANISH	24	564												4
OTHER	5	180												20
NORTH CAROLINA	10,511	137,578	5,082	7,113	1,213	1,213	331	1,013	11	373	3	1,113	4	100
WHITE	9,937	127,578	4,882	6,813	1,213	1,213	331	1,013	11	373	3	1,113	4	100
NEGRO	4,747	33,082	1,355	6,047	208	900	63	1,014	1	27	27	2,113	2	36
AMERICAN INDIAN	2,046	2,716	62	264	4	139	4	139						2,211
SPANISH														
OTHER	24	364	14	71	1	56	1	56						31



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FARMERS HOME ADMINISTRATION
FINANCE OFFICE

DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1973
(AMOUNTS IN THOUSANDS OF DOLLARS)
(INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER- SHIP LOANS		RECREATION LOANS		SOIL AND WATER CONSERVATION LOANS		RURAL HOUSING LOANS	
	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT
NORTH CAROLINA	4,235	81,035	1,284	12,263	648	3,039	454	23,287		11	84	1,012	15,036	
WHITE	4,235	81,035	1,284	12,263	648	3,039	454	23,287		11	84	1,012	15,036	
NEGRO	2	30												
AMERICAN INDIAN	2	30												
SPANISH	2	30												
OTHER	2	30												
OHIO	3,693	74,244	488	3,884	318	1,518	193	4,484	1	3	23	3,627	58,258	
WHITE	3,693	74,244	488	3,884	318	1,518	193	4,484	1	3	23	3,627	58,258	
NEGRO	57	791	6	35	1	5	1	35				49	717	
AMERICAN INDIAN	1	9										1	9	
SPANISH	34	457										34	457	
OTHER	2	20										2	20	
OKLAHOMA	13,221	112,867	1,453	10,416	2,542	10,771	1,499	23,248	1	3	33	2,888	30,298	
WHITE	13,221	112,867	1,453	10,416	2,542	10,771	1,499	23,248	1	3	33	2,888	30,298	
NEGRO	244	1,007	40	190	36	180	16	248				123	1,323	
AMERICAN INDIAN	111	1,151	19	145	25	74	10	219				57	711	
SPANISH	14	143	1	12	1	1	1	30				11	11	
OTHER	6	53	2	16								4	57	
OREGON OFFICE:	14,006	28,806	351	4,247	88	1,271	123	4,434		3	18	855	14,539	
WHITE	14,006	28,806	351	4,247	88	1,271	123	4,434		3	18	855	14,539	
NEGRO	17	322		16								15	304	
AMERICAN INDIAN	2	14		14								63	1,038	
SPANISH	14	201	2	47			2	65				10	149	
OTHER	1	1												
OREGON	6	1,227	332	4,435	88	1,271	123	4,434		3	18	745	12,022	
WHITE	6	1,227	332	4,435	88	1,271	123	4,434		3	18	745	12,022	
NEGRO	1	207	337	4,239	84	1,271	121	4,239				1	1	
AMERICAN INDIAN	3	34	2	16								3	16	
SPANISH	65	1,052	2	14								63	1,038	
OTHER	11	235	2	47			2	65				43	1,038	

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DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
 FISCAL YEAR 1973
 (AMOUNTS IN THOUSANDS OF DOLLARS)
 (INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE, RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OTHER- SHIP LOANS		RECREATION LOANS		SOIL AND WATER LOANS		RURAL HOUSING LOANS	
	NON	AMOUNT	NON	AMOUNT	NON	AMOUNT	NON	AMOUNT	NON	AMOUNT	NON	AMOUNT	NON	AMOUNT
ALASKA	29	1,682	0	0	0	0	0	0	0	0	0	0	21	1,680
WHITE	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEGRO	1	25	0	0	0	0	0	0	0	0	0	0	1	25
AMERICAN INDIAN	14	200	0	0	0	0	0	0	0	0	0	0	14	200
SPANISH														
OTHER	3	60	0	0	0	0	0	0	0	0	0	0	3	60
PENNSYLVANIA	15,558	185,483	417	5,093	12,000	33,372	193	5,192	3,222	40,828	3,222	40,828	23	200
WHITE	15,558	185,483	417	5,093	12,000	33,372	193	5,192	3,222	40,828	3,222	40,828	23	200
NEGRO	34	354	3	29	7	29	1	7	7	517	7	517	0	0
AMERICAN INDIAN	3	43	0	0	0	0	0	0	0	0	0	0	0	0
SPANISH	2	59	0	0	2	36	0	0	0	0	0	0	2	41
OTHER	3	59	0	0	0	0	0	0	0	0	0	0	1	23
SOUTH CAROLINA	4,498	82,427	1,313	9,091	16	572	248	2,392	1	7	1	7	0	0
WHITE	3,135	46,724	776	7,083	0	0	218	2,392	1	7	1	7	0	0
NEGRO	3,269	39,303	736	2,816	16	572	31	517	0	0	0	0	2,000	30,007
AMERICAN INDIAN	2	4	0	0	0	0	0	0	0	0	0	0	0	0
SPANISH	3	30	1	1	0	0	0	0	0	0	0	0	1	1
OTHER	3	30	1	1	0	0	0	0	0	0	0	0	2	23
SOUTH DAKOTA	11,414	89,537	1,313	10,340	4,922	42,412	473	10,000	3	41	3	41	10	102
WHITE	11,414	89,537	1,313	10,340	4,922	42,412	473	10,000	3	41	3	41	10	102
NEGRO	2	4	0	0	1	5	0	0	0	0	0	0	2	4
SPANISH	2	15	0	0	0	0	0	0	0	0	0	0	1	10
OTHER	2	15	0	0	0	0	0	0	0	0	0	0	1	10
TENNESSEE	6,693	92,306	1,493	7,003	425	3,082	313	9,083	4	11	4	11	0	0
WHITE	6,693	92,306	1,493	7,003	425	3,082	313	9,083	4	11	4	11	0	0
NEGRO	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AMERICAN INDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SPANISH	2	24	0	0	0	0	0	0	0	0	0	0	2	20
OTHER	2	31	0	0	0	0	0	0	0	0	0	0	2	31



UNITED STATES DEPARTMENT OF AGRICULTURE
 FARMERS HOME ADMINISTRATION
 FINANCE OFFICE

DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
 (AMOUNTS IN THOUSANDS OF DOLLARS)
 (INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OTHER SIX LOANS		RECREATION LOANS		SOIL AND WATER LOANS		RURAL HOUSING LOANS	
	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT	NBR	AMOUNT
TEXAS														
WHITE	10,523	241,035	3,025	40,017	19,079	133,010	751	20,140	43	310	3,025	48,759	21,321	31,321
NEGRO	4,080	218,245	3,381	38,204	36,292	128,242	712	19,020	41	305	2,312	41,921	6,092	6,092
AMERICAN INDIAN	1,092	6,122	125	566	616	948	7	134		5	642	6,092	11	11
SPANISH	2,032	10,522	190	1,400	1,092	3,704	13	377			749	6,099	1	1
OTHER	11	121	1	16	15	88								28
UTAH														
WHITE	2,914	26,075	812	3,064	1,532	6,373	133	3,374	1	51	811	13,111	1	1
NEGRO	2,984	25,923	806	3,057	1,526	6,355	131	3,374						28
AMERICAN INDIAN	13	131	5	7	6	16								109
SPANISH	6	100												28
OTHER	6	40	1	2	4	16								28
VERMONT OFFICE:														
WHITE	6,107	74,000	338	3,500	3,392	28,709	168	3,033	4	14	3,397	33,225	15	15
NEGRO	17	27			2	10								
AMERICAN INDIAN	4	40												
SPANISH	4	40												
OTHER	2	51			1	30								21
CONNECTICUT														
WHITE	1,217	11,073	47	388	885	6,203	11	284			372	4,297	2	2
NEGRO	4	73												73
AMERICAN INDIAN														
SPANISH	2	30												36
OTHER	1	21												21
MASSACHUSETTS														
WHITE	1,482	12,013	33	318	1,001	6,244	16	283			359	5,247	2	2
NEGRO	1,304	17,213	33	318	1,001	6,244	16	283			359	5,247	2	2
AMERICAN INDIAN	2	31												31
SPANISH	2	31												31
OTHER	2	31												31

UNITED STATES DEPARTMENT OF AGRICULTURE
 FARMERS, HOME ADMINISTRATION
 FINANCE OFFICE

DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
 FISCAL YEAR 1973
 (AMOUNTS IN THOUSANDS OF DOLLARS)
 (INCLUDES INITIAL AND SUBSEQUENT LOANS)

RACE OR ETHNIC GROUP	TOTAL SIX LEAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM OWNER-SHIP LOANS		RECREATION LOANS		SOIL AND WATER LOANS		RURAL HOUSING LOANS	
	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.
NEW HAMPSHIRE	12,280	95	588	392	2,560	14	282						826	8,066
WHITE	12,280	94	586	392	2,560	14	282						826	8,066
NEGRO														
AMERICAN INDIAN														
SPANISH														
OTHER		16												16
RHODE ISLAND	237	2,493	3	111	12,380	1	7						23	1,937
WHITE	237	2,493	3	111	12,380	1	7						23	1,937
NEGRO														
AMERICAN INDIAN														
SPANISH														
OTHER		99												99
VERMONT	4,113	39,237	125	4,288	2,434	138	4,887						388	12,288
WHITE	4,113	39,237	125	4,288	2,434	138	4,887						388	12,288
NEGRO														
AMERICAN INDIAN														
SPANISH														
OTHER		44												44
VIRGINIA	9,435	135,405	333	3,004	12,288	4,913	117	2,889					2,281	11,281
WHITE	9,435	135,405	333	3,004	12,288	4,913	117	2,889					2,281	11,281
NEGRO	3,379	51,498	221	681	161	279	159						3,067	50,191
AMERICAN INDIAN														
SPANISH														
OTHER		12												12
WASHINGTON	2,772	29,274	352	7,713	388	1,383	182	7,887					1,788	10,338
WHITE	2,772	29,274	352	7,713	388	1,383	182	7,887					1,788	10,338
NEGRO	4	117	4	45			25							47
AMERICAN INDIAN	37	635	3	64			137							437
SPANISH	95	1,481	1	14			24							1,263
OTHER	12	285	3	83			5							137



UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
FINANCE OFFICE

DISTRIBUTION OF LOANS MADE BY SIX SPECIFIED TYPES BY RACE OR ETHNIC GROUP
FISCAL YEAR 1973
(AMOUNTS IN THOUSANDS OF DOLLARS)
(INCLUDES INITIAL AND SUBSEQUENT LOANS)

AREA, STATE, RACE OR ETHNIC GROUP	TOTAL SIX LOAN TYPES		OPERATING LOANS		EMERGENCY LOANS		FARM BUREAU SHIP LOANS		RECREATION LOANS		SOIL AND WATER LOANS		RURAL HOUSING LOANS	
	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT	NUM	AMOUNT
WEST VIRGINIA	2,813	46,279	217	2,530	135	408	42	2,413					2,741	49,374
WHITE	3,754	43,771	253	3,506	134	408	142	2,413					2,713	39,300
NEGRO	79	1,081	0	15									48	886
AMERICAN INDIAN														
SPANISH														
OTHER														
WISCONSIN	3,539	42,511	1,498	30,633	339	1,981	438	16,386	1	10	38	43	2,783	46,827
WHITE														
NEGRO			77	1									2	49
AMERICAN INDIAN			224	1			2	62					18	135
SPANISH			28										38	288
OTHER														
WYOMING	374	13,438	398	3,513	11	38	48	2,883	1	10	7	18	437	16,889
WHITE														
NEGRO			51	13									2	38
AMERICAN INDIAN			28	36			1	50					15	162
SPANISH			2										1	5
OTHER														

Source: Form FMA 302-00-9

2/ Does not include Hawaii, Puerto Rico and the Virgin Islands.

Applications for Initial Loans Received From Individuals, By Type of Loan and by Race or Ethnic Group During 1974 Fiscal Year

State and race or ethnic group	Number of applications received for:								
	Operating loans	Emergency loans	Farm Ownership loans	Recreation loans	Soil and Water loans	Rural Housing loans	Mural Housing loans	Labor Housing loans	All types of loans
	1	2	3	4	5	6	7	8	9
United States:									
White	32,294	27,273	31,191	33	1,093	173,031	722	126	265,825
As % of total	87.6	82.5	86.8	100.0	96.0	82.4	98.0	100.0	85.5
Negro	3,427	1,287	676	0	28	29,784	12	0	35,554
As % of total	9.9	4.3	2.1	0	2.4	14.2	1.6	0	11.4
American Indian	509	101	158	0	6	1,288	0	0	2,072
As % of total	1.4	0.3	0.5	0	0.5	0.6	0.0	0	0.7
Spanish	386	822	147	0	11	5,779	3	0	7,148
As % of total	1.0	2.8	0.5	0	1.0	2.7	0.4	0	2.3
Other	35	28	20	0	1	257	0	0	341
As % of total	0.1	0.1	0.1	0	0.1	0.1	0	0	0.1
Total	36,811	29,811	32,192	33	1,139	210,089	737	128	310,740
Alabama:									
White	670	532	870	0	42	3,252	15	2	5,373
Negro	267	92	149	0	5	2,017	1	0	2,433
American Indian	0	0	0	0	0	0	0	0	0
Spanish	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0
Total	937	624	919	0	47	5,269	16	2	7,806
Alaska:									
White	7	0	5	0	0	265	4	0	281
Negro	0	0	0	0	0	2	0	0	2
American Indian	0	0	0	0	0	24	0	0	24
Spanish	0	0	0	0	0	13	0	0	13
Other	0	0	0	0	0	10	0	0	10
Total	7	0	5	0	0	314	4	0	330
Arizona:									
White	147	3	141	0	16	1,768	2	1	2,078
Negro	0	0	0	0	0	83	0	0	83
American Indian	80	0	0	0	0	306	0	0	386
Spanish	11	578	8	0	2	578	0	0	599
Other	0	0	0	0	0	0	0	0	0
Total	238	581	149	0	18	2,742	2	1	3,153
Arkansas:									
White	1,538	61	1,428	0	138	5,534	12	21	8,732
Negro	360	23	43	0	5	1,110	0	0	1,541
American Indian	0	0	0	0	0	1	0	0	1
Spanish	2	0	1	0	0	5	0	0	8
Other	0	0	0	0	0	0	0	0	0
Total	1,900	84	1,472	0	143	6,651	12	21	10,283

Number of applications received for:

State and race or ethnic group	Number of applications received for:								
	1	2	3	4	5	6	7	8	9
	Operating loans	Emergency loans	Farm Ownership loans	Recreation loans	Soil and Water loans	Rural Housing loans	Rural Mental Housing loans	Labor Housing loans	All types of loans
California:									
White.....	276	35	243	1	4	2,371	16	0	2,981
Negro.....	6	0	0	0	0	14	0	0	63
American Indian.....	0	0	0	0	0	13	0	0	112
Spanish.....	9	1	12	0	0	903	1	0	928
Other.....	20	0	0	0	0	44	0	0	12
Total.....	308	36	255	1	4	3,398	17	0	4,028
Colorado:									
White.....	312	279	308	0	4	2,095	8	0	3,087
Negro.....	1	0	2	0	0	6	0	0	17
American Indian.....	1	0	0	0	0	1	0	0	7
Spanish.....	16	20	10	0	0	730	0	0	774
Other.....	6	2	6	0	0	8	0	0	22
Total.....	334	301	326	0	4	2,868	8	0	3,868
Connecticut:									
White.....	58	0	46	0	1	1,545	5	0	1,655
Negro.....	0	0	0	0	0	15	0	0	15
American Indian.....	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	8	0	0	8
Other.....	0	0	0	0	0	0	0	0	0
Total.....	58	0	46	0	1	1,571	5	0	1,681
Delaware:									
White.....	45	1	49	0	0	611	0	0	706
Negro.....	0	0	0	0	0	321	0	0	321
American Indian.....	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0
Total.....	45	1	49	0	0	932	0	0	1,027
Florida:									
White.....	376	5	188	0	4	1,487	1	0	4,953
Negro.....	97	0	17	0	2	1,132	2	0	1,254
American Indian.....	2	0	0	0	0	114	0	0	9
Spanish.....	0	0	0	0	0	0	0	0	117
Other.....	1	0	1	0	0	25	0	0	27
Total.....	445	5	199	0	6	4,763	3	0	5,460
Georgia:									
White.....	902	83	407	0	11	3,587	8	0	4,918
Negro.....	208	5	34	0	0	2,341	0	0	2,580
American Indian.....	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0
Total.....	1,102	88	441	0	11	5,851	8	0	7,501
I Idaho:									
White.....	574	11	603	1	56	4,914	30	1	6,198
Negro.....	0	0	0	0	0	0	0	0	0
American Indian.....	2	0	0	0	0	27	0	0	29
Spanish.....	0	0	0	0	0	119	0	0	121
Other.....	0	0	0	0	0	11	0	0	11
Total.....	576	11	603	1	56	5,076	30	1	6,361

Number of applications received for:

State and race or ethnic group	Number of applications received for:									All types of loans
	Operating loans	Emergency loans	Farm Ownership loans	Recreation loans	Soil and Water loans	Rural Housing loans	Rural Housing loans	Rural Housing loans	Labor Housing loans	
	-1	2	3	4	5	-6	7	8	9	
Illinois:										
White.....	602	2,086	1,144	0	5	6,904	38	0	0	16,819
Negro.....	5	25	4	0	0	265	0	0	0	293
American Indian.....	0	0	0	0	0	1	0	0	0	1
Spanish.....	0	0	0	0	0	55	0	0	0	55
Other.....	0	0	0	0	0	0	0	0	0	0
Total.....	607	2,111	1,148	0	5	7,267	38	0	0	17,176
Indiana:										
White.....	561	308	918	4	0	6,789	28	2	0	8,657
Negro.....	1	0	3	0	0	31	0	0	0	35
American Indian.....	0	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	35	0	0	0	35
Other.....	0	0	0	0	0	0	0	0	0	0
Total.....	562	308	921	4	0	6,861	28	2	0	8,726
Iowa:										
White.....	780	6,018	1,199	1	35	5,287	43	0	0	13,323
Negro.....	0	0	0	0	0	0	0	0	0	0
American Indian.....	0	0	0	0	0	12	0	0	0	12
Spanish.....	0	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0	0
Total.....	780	6,019	1,199	1	35	5,299	43	0	0	13,345
Kansas:										
White.....	1,061	41	1,296	0	15	3,146	16	2	0	5,597
Negro.....	3	0	6	0	0	13	0	0	0	22
American Indian.....	2	0	0	0	0	13	0	0	0	17
Spanish.....	1	4	1	0	0	45	0	0	0	53
Other.....	0	0	0	0	0	0	0	0	0	0
Total.....	1,067	41	1,303	0	15	3,217	16	2	0	5,685
Kentucky:										
White.....	1,764	818	1,897	1	84	7,282	3	1	0	11,768
Negro.....	36	18	27	0	2	342	0	0	0	425
American Indian.....	0	0	0	0	1	2	0	0	0	3
Spanish.....	0	0	0	0	0	1	0	0	0	1
Other.....	0	0	0	0	0	0	0	0	0	0
Total.....	1,800	836	1,924	1	87	7,637	3	1	0	12,196
Louisiana:										
White.....	1,113	3,200	301	0	29	1,509	2	4	0	6,158
Negro.....	413	544	29	0	3	1,268	0	0	0	2,249
American Indian.....	0	0	0	0	0	2	0	0	0	2
Spanish.....	0	2	0	0	0	4	0	0	0	6
Other.....	0	0	0	0	0	0	0	0	0	0
Total.....	1,526	3,747	330	0	32	2,775	2	4	0	8,416
Maine:										
White.....	532	4	428	2	8	8,318	20	3	0	9,315
Negro.....	0	0	0	0	0	0	0	0	0	0
American Indian.....	0	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0	0
Total.....	532	4	428	2	8	8,318	20	3	0	9,315

State and race or ethnic group	Number of applications received for:								
	1	2	3	4	5	6	7	8	9
	Operating loans	Emergency loans	Pawn Owership loans	Recreation loans	Sell and Buy loans	Rural Housing loans	Rural Rental Housing loans	Lebor Housing loans	All types of loans
Illinois:									
White.....	662	2,086	1,194	0	5	6,944	38	0	10,815
Negro.....	5	25	265	0	0	0	0	0	295
American Indian.....	0	0	0	0	0	1	0	0	1
Spanish.....	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0
Total.....	397	2,111	1,459	0	5	7,247	38	0	11,111
Indiana:									
White.....	563	308	918	4	8	6,789	28	2	8,614
Negro.....	1	0	3	0	0	31	0	0	34
American Indian.....	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	35	0	0	35
Other.....	0	0	0	0	0	0	0	0	0
Total.....	564	308	921	4	8	6,865	28	2	8,689
Iowa:									
White.....	709	6,018	1,199	1	35	5,287	43	0	13,322
Negro.....	0	1	0	0	0	0	0	0	1
American Indian.....	0	0	0	0	0	12	0	0	12
Spanish.....	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0
Total.....	709	6,019	1,199	1	35	5,299	43	0	13,344
Kansas:									
White.....	1,081	41	1,296	0	15	3,196	16	2	5,591
Negro.....	0	0	0	0	0	13	0	0	13
American Indian.....	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	1	0	0	43	0	0	44
Other.....	0	0	0	0	0	2	0	0	2
Total.....	1,081	41	1,297	0	15	3,211	16	2	5,652
Kentucky:									
White.....	1,769	810	1,807	1	82	7,852	3	1	11,764
Negro.....	56	18	27	0	2	342	0	0	427
American Indian.....	0	0	0	0	1	2	0	0	3
Spanish.....	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	1	0	0	1
Total.....	1,825	828	1,834	1	85	7,857	3	1	12,195
Louisiana:									
White.....	1,113	3,290	581	0	29	1,599	2	4	6,114
Negro.....	913	544	89	0	5	1,260	0	0	2,201
American Indian.....	0	1	0	0	0	2	0	0	3
Spanish.....	0	2	0	0	0	0	0	0	2
Other.....	0	0	0	0	0	0	0	0	0
Total.....	1,926	3,797	670	0	34	2,775	2	4	8,421
Mississ:									
White.....	532	4	408	2	8	8,138	29	3	9,131
Negro.....	0	0	0	0	0	5	0	0	5
American Indian.....	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0
Total.....	532	4	408	2	8	8,143	29	3	9,136

Number of applications received for:

State and race or ethnic group	Number of applications received for:								
	1	2	3	4	5	6	7	8	9
Married:									
White.....	133	0	122	0	0	1,276	1	0	1,834
Negro.....	15	0	0	0	0	499	0	0	513
American Indian.....	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	1	0	0	1
Total.....	148	0	122	0	0	2,072	1	0	2,352
Massachusetts:									
White.....	52	0	38	0	1	1,404	7	0	1,942
Negro.....	2	0	1	0	0	10	0	0	13
American Indian.....	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0
Total.....	54	0	39	0	1	1,414	7	0	1,955
Michigan:									
White.....	777	1,066	691	2	0	7,113	65	2	10,466
Negro.....	4	0	5	0	0	34	0	0	126
American Indian.....	3	0	1	0	0	1	0	0	37
Spanish.....	1	2	1	0	0	121	0	0	125
Other.....	0	0	0	0	0	518	0	0	10
Total.....	785	1,068	697	2	0	7,402	65	2	10,704
Minnesota:									
White.....	1,069	11	1,302	0	3	2,712	62	0	5,179
Negro.....	1	0	0	0	0	0	0	0	0
American Indian.....	2	0	5	0	0	28	0	0	35
Spanish.....	0	0	0	0	0	10	0	0	12
Other.....	0	0	0	0	0	0	0	0	0
Total.....	1,072	11	1,307	0	3	2,752	62	0	5,223
Mississippi:									
White.....	2,648	771	912	0	30	4,604	11	47	8,443
Negro.....	669	238	110	0	0	4,409	0	0	5,372
American Indian.....	0	0	0	0	0	13	0	0	13
Spanish.....	0	0	0	0	0	1	0	0	1
Other.....	0	0	0	0	0	0	0	0	0
Total.....	2,897	1,009	1,022	0	30	9,027	11	47	13,762
Missouri:									
White.....	1,709	5,772	1,972	1	169	5,910	22	0	15,558
Negro.....	35	162	2	0	1	192	6	0	337
American Indian.....	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	3	0	0	3
Total.....	1,744	5,934	1,974	1	170	6,105	22	0	15,902
Montana:									
White.....	253	2	258	1	46	647	15	0	1,222
Negro.....	0	0	0	0	0	0	0	0	0
American Indian.....	54	0	45	0	2	23	0	0	134
Spanish.....	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0
Total.....	311	2	303	1	48	670	15	0	1,356

State and race or ethnic group	Number of applications received for:								
	1	2	3	4	5	6	7	8	9
	Operating loans	Emergency loans	Farm Ownership loans	Recreation loans	Soil and Water loans	Rural Housing loans	Rural Rental Housing loans	Lebor Housing loans	All types of loans
Nebraska:									
White.....	556	12	946	0	33	1,896	9	5	3,473
Negro.....	0	0	0	0	0	1	0	0	1
American Indian.....	0	0	0	0	0	2	0	0	2
Spanish.....	0	0	0	0	0	2	0	0	2
Other.....	0	0	0	0	0	0	0	0	0
Total.....	556	12	946	0	33	1,901	9	5	3,382
 Nevada:									
White.....	58	0	44	0	2	200	2	0	266
Negro.....	0	0	0	0	0	1	0	0	1
American Indian.....	19	0	2	0	0	0	0	0	21
Spanish.....	0	0	0	0	0	7	0	0	7
Other.....	0	0	0	0	0	4	0	0	4
Total.....	77	0	46	0	2	212	2	0	283
 New Hampshire:									
White.....	43	4	41	0	0	1,207	2	0	1,297
Negro.....	1	0	1	0	0	2	0	0	4
American Indian.....	1	0	1	0	0	1	0	0	3
Spanish.....	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0
Total.....	44	4	44	0	0	1,210	2	0	1,257
 New Jersey:									
White.....	104	1	52	0	2	2,099	1	0	2,259
Negro.....	11	0	1	0	0	273	0	0	285
American Indian.....	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	0	0	0	0
Other.....	1	0	1	0	0	42	0	0	44
Total.....	116	1	54	0	2	2,414	1	0	2,471
 New Mexico:									
White.....	214	171	142	0	20	818	2	0	1,378
Negro.....	4	0	11	0	0	11	0	0	16
American Indian.....	44	85	0	0	0	11	0	0	140
Spanish.....	122	497	33	0	7	919	1	0	1,682
Other.....	1	0	0	0	0	0	0	0	1
Total.....	382	753	186	0	27	1,759	3	0	3,137
 New York:									
White.....	904	20	1,027	1	2	6,406	4	0	8,508
Negro.....	6	0	4	0	0	208	0	0	218
American Indian.....	1	0	0	0	0	6	0	0	7
Spanish.....	0	0	0	0	0	37	0	0	37
Other.....	0	0	0	0	0	0	0	0	0
Total.....	911	20	1,031	1	2	6,657	4	0	8,592
 North Carolina:									
White.....	1,335	46	950	10	3	7,525	5	2	9,876
Negro.....	619	0	126	0	0	5,492	3	0	6,240
American Indian.....	53	0	0	0	0	209	0	0	272
Spanish.....	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0
Total.....	2,007	46	1,076	10	3	13,226	8	2	16,208

Number of applications received for:

State and race or ethnic group	Number of applications received for:									All types of loans	
	1	2	3	4	5	6	7	8	9		
North Dakota:											
White.....	577	33	936	0	21	1,648	6	0	0	0	3,203
Negro.....	0	0	0	0	0	0	0	0	0	0	0
American Indian.....	73	0	47	0	0	68	0	0	0	0	180
Spanish.....	0	0	0	0	0	1	0	0	0	0	1
Other.....	0	0	0	0	0	0	0	0	0	0	0
Total.....	630	33	983	0	21	1,717	6	0	0	0	3,384
Ohio:											
White.....	390	115	489	1	7	5,232	14	1	0	0	6,249
Negro.....	5	2	4	0	0	63	0	0	0	0	74
American Indian.....	0	0	0	0	0	1	0	0	0	0	1
Spanish.....	0	0	0	0	0	103	0	0	0	0	103
Other.....	0	0	0	0	0	0	0	0	0	0	0
Total.....	395	117	493	1	7	5,704	14	1	0	0	6,732
Oklahoma:											
White.....	1,446	187	1,882	1	60	5,874	9	0	0	0	9,227
Negro.....	48	22	22	0	0	281	0	0	0	0	381
American Indian.....	39	2	27	0	2	148	0	0	0	0	260
Spanish.....	1	0	1	0	0	45	0	0	0	0	45
Other.....	0	0	0	0	0	0	0	0	0	0	0
Total.....	1,532	189	1,932	1	62	6,370	9	0	0	0	10,005
Oregon:											
White.....	354	111	355	0	8	2,567	33	0	0	0	3,428
Negro.....	0	0	0	0	0	1	0	0	0	0	1
American Indian.....	0	0	0	0	0	12	0	0	0	0	12
Spanish.....	5	0	3	0	0	173	0	0	0	0	181
Other.....	1	0	1	0	0	5	0	0	0	0	7
Total.....	362	111	360	0	8	2,760	33	0	0	0	3,628
Pennsylvania:											
White.....	548	1	494	1	0	2,938	8	0	0	0	3,970
Negro.....	1	0	0	0	0	20	0	0	0	0	21
American Indian.....	0	0	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	0	0	0	0	0	0
Other.....	0	0	1	0	0	0	0	0	0	0	1
Total.....	549	1	495	1	0	2,959	8	0	0	0	3,993
Rhode Island:											
White.....	21	0	6	0	0	252	0	0	0	0	279
Negro.....	0	0	0	0	0	1	0	0	0	0	1
American Indian.....	0	0	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0	0	0
Total.....	21	0	6	0	0	253	0	0	0	0	280
South Carolina:											
White.....	533	116	386	0	3	3,177	12	7	0	0	4,134
Negro.....	512	64	57	0	0	3,092	0	0	0	0	3,752
American Indian.....	0	0	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	0	0	0	0	0	0
Other.....	0	0	0	0	0	0	0	0	0	0	0
Total.....	1,045	180	383	0	3	6,269	12	7	0	0	7,871

State and race or ethnic group	Number of applications received for:									
	1	2	3	4	5	6	7	8	9	
	Operating loans	Emergency loans	Farm Ownership loans	Recreation loans	Soil and Water loans	Rural Housing loans	Rural Market Housing loans	Labor Housing loans	All types of loans	
South Dakota:										
White.....	956	14	846	0	14	1,206	36	0	3,042	
Negro.....	0	0	0	0	0	0	0	0	0	
American Indian.....	107	0	18	0	0	90	0	0	213	
Spanish.....	0	0	0	0	0	0	0	0	0	
Other.....	0	0	0	0	0	0	0	0	0	
Total.....	1,063	14	864	0	14	1,296	36	0	3,255	
Tennessee:										
White.....	765	1,242	1,143	0	10	7,045	18	18	11,039	
Negro.....	68	163	24	0	0	94	0	0	1,208	
American Indian.....	0	0	0	0	0	0	0	0	0	
Spanish.....	0	0	0	0	0	1	0	0	1	
Other.....	0	0	0	0	0	2	0	0	2	
Total.....	833	1,405	1,167	0	10	8,192	18	18	12,262	
Texas:										
White.....	2,371	659	1,216	2	68	4,427	34	3	8,551	
Negro.....	154	3	32	0	3	1,351	0	0	1,545	
American Indian.....	208	0	1	0	0	21	0	0	22	
Spanish.....	0	298	45	0	2	1,402	0	0	1,953	
Other.....	0	0	0	0	0	0	0	0	0	
Total.....	2,533	954	1,294	2	73	7,203	34	3	12,078	
Texas:										
White.....	279	1	144	0	16	2,204	3	2	2,651	
Negro.....	0	0	0	0	0	1	0	0	1	
American Indian.....	10	0	0	0	0	15	0	0	25	
Spanish.....	0	0	0	0	0	0	0	0	0	
Other.....	0	0	0	0	0	0	0	0	0	
Total.....	289	1	144	0	16	2,220	3	2	2,704	
Vermont:										
White.....	319	45	325	0	2	2,185	10	3	2,809	
Negro.....	0	0	0	0	0	0	0	0	0	
American Indian.....	0	0	0	0	0	0	0	0	0	
Spanish.....	0	0	0	0	0	1	0	0	1	
Other.....	0	0	0	0	0	0	0	0	0	
Total.....	319	45	325	0	2	2,186	10	3	2,812	
Virginia:										
White.....	414	11	500	0	0	7,034	6	1	7,768	
Negro.....	137	0	31	0	0	5,451	0	0	5,618	
American Indian.....	0	0	1	0	0	14	0	0	15	
Spanish.....	0	0	0	0	0	2	0	0	2	
Other.....	0	0	0	0	0	0	0	0	0	
Total.....	551	11	532	0	0	10,506	6	1	13,409	
Washington:										
White.....	251	215	295	1	9	2,776	11	0	4,548	
Negro.....	2	0	2	0	0	8	0	0	12	
American Indian.....	5	9	1	0	1	27	0	0	43	
Spanish.....	1	2	3	0	0	43	0	0	55	
Other.....	0	1	0	0	0	12	0	0	13	
Total.....	260	229	295	1	10	2,936	11	0	4,783	

State and race or ethnic group	Number of applications received for:								
	1	2	3	4	5	6	7	8	9
	Operating loans	Emergency loans	Farm Ownership loans	Recreation loans	Soil and Water loans	Rural Housing loans	Rural Housing loans	Labor Housing loans	All types of loans
West Virginia:									
White.....	623	0	528	0	0	6,428	3	0	7,583
Negro.....	1	0	0	0	0	189	0	0	190
American Indian.....	0	0	0	0	0	0	0	0	0
Spanish.....	0	0	0	0	0	4	0	0	4
Other.....	0	0	0	0	0	4	0	0	4
Total.....	624	0	528	0	0	6,623	3	0	7,778
Virginia:									
White.....	1,494	2,568	1,865	2	95	3,285	50	0	9,379
Negro.....	0	0	0	0	0	10	0	0	10
American Indian.....	0	0	0	0	0	42	0	0	42
Spanish.....	0	0	0	0	0	56	0	0	56
Other.....	0	0	0	0	0	0	0	0	0
Total.....	1,494	2,568	1,865	2	95	3,393	50	0	9,467
Wyoming:									
White.....	279	38	120	0	7	869	6	0	1,319
Negro.....	0	0	0	0	0	1	0	0	1
American Indian.....	2	0	1	0	0	2	0	0	5
Spanish.....	0	0	0	0	0	58	0	0	58
Other.....	0	0	0	0	0	0	0	0	0
Total.....	282	38	121	0	7	932	6	0	1,386

Source: Farm FMA 492-AJ, Quarterly County Report - Supplement.

2/ Does not include Eastern, Puerto Rico and the Virgin Islands.

Reports Management Staff - Data Division

FARMERS HOME ADMINISTRATION RURAL
HOUSING LOANS TO INDIANS ON RESERVATIONS
FY 1973

<u>State</u>	<u>Rural Housing Loans</u>	
	<u>Number</u>	<u>Amount</u>
Arizona	17	\$ 234,150
Nevada		
Florida		
Idaho	14	209,930
Minnesota	3	31,000
Mississippi	5	70,686
Montana	14	172,800
New Mexico	2	9,500
New York	2	13,950
North Carolina	3	46,410
North Dakota	24	261,550
Alaska	5	145,890
South Dakota	11	71,100
Utah		
Washington	1	10,000
Wyoming	1	18,500
Total	102	\$1,295,466

Source: Farmers Home Administration, Department of Agriculture

FARMERS HOME ADMINISTRATION RURAL
HOUSING LOANS TO INDIANS ON RESERVATIONS
FY 1974 thru May 24th

<u>State</u>	<u>Rural Housing Loans</u>	
	<u>Number</u>	<u>Amount</u>
Arizona	35	\$ 542,850
California	1	19,040
Nevada		
Florida		
Idaho	7	139,870
Louisiana		
Minnesota	3	27,650
Mississippi	1	19,000
Montana	9	145,500
New Mexico		
New York		
North Carolina	8	111,500
North Dakota	17	210,350
Alaska	5	155,000
South Dakota	33	382,160
Utah	1	23,700
Washington	23	262,790
Wisconsin	3	72,500
Total	146	\$1,991,410

Source: Farmers Home Administration, Department of Agriculture

APPENDIX XIII

Veterans' Administration Loans to American Indians,
1972-1974

VA GUARANTEED LOANS CLOSED

	American Indian veterans			American Indian veterans	
	Number	As percent of total		Number	As percent of total
1972:			1973—Continued		
July.....	26	0.1	September.....	31	.1
August.....	39	.1	October.....	37	.1
September.....	36	.1	November.....	34	.1
October.....	39	.1	December.....	27	.1
November.....	32	.1	1974:		
December.....	27	.1	January.....	31	.1
1973:			February.....	24	.1
January.....	36	.1	March.....	34	.2
February.....	19	.1	April.....	39	.2
March.....	30	.1	May.....	29	.1
April.....	28	.1	June.....	63	.2
May.....	39	.1	July.....	38	.2
June.....	18	.1	August.....	31	.1
July.....	25	.1	September.....	32	.1
August.....	30	.1	October.....	35	.1

Source: Veterans' Administration.

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APPENDIX XIV

Correspondence Regarding the Indian Housing Set-Aside
in the Housing and Community Development
Act of 1974

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U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., December 13, 1974.

HON. JAMES T. LYNN,
Secretary, Department of Housing and Urban Development,
Washington, D.C.

DEAR SECRETARY LYNN: Among the many provisions of the omnibus housing legislation enacted this year in P.L. 93-383 was the set-aside of traditional public housing contract authority for Indian use only. This provision, Title II, Section 5(c), was introduced in the Senate in order to continue the production commitment made to Indians in 1969 by the Department of Housing and Urban Development, and to continue it with programs that can actually serve Indian people living on tribal and other Indian lands.

When this provision was introduced, it was expected that it would contribute to the construction of 7,500 units annually for fiscal years 1975 and 1976. That is, in addition to the 30,000 unit commitment made in 1969, the provision was expected to build some 15,000 additional low-income units that are so desperately needed by Indian people. We, the undersigned, are now concerned that the intent of this provision will not be carried out. We have attempted to analyze recent Indian housing production figures of your HPMC staff, and your recent statements to Indian housing personnel in Scottsdale, and have concluded that only 1,100 units will be produced in fiscal years 1975 and 1976 instead of the 15,000 units that were intended by the legislation.

These are the facts as we see them: According to a 6 November 1974 memorandum from Morris Shroder to Shelton Lubar, there were 6,558 units allocated to tribal housing authorities before the end of FY 74 that were not put under ACC. These units will, according to that memorandum, "exhaust the FY 75 funding set-aside." Is it your intention to use the FY 75 Indian contract authority for units that are already in the pipeline?

Furthermore, at the recent HUD Indian conference in Scottsdale, you stated that in FY 75 6,000 units would be allocated to the field. However, these units would not be put under ACC until FY 76 because, you stated: "it takes 18 months" from time of allocation to ACC. It is our view that this lead-in time is unduly long, that the law intended for \$15 million in contract authority to be spent in each of the fiscal years 1975 and 1976 for new commitments, and that 6,000 units do not constitute any new commitment. When FY 74 ended, not only were there 6,558 Indian units in the pipeline, but there were an additional 4,900 units of the original 30,000 unit commitment that had not been allocated. If these are the units to be allocated in FY 75 for ACC in the following year, then Indian people will be receiving only 1,100 units of the new commitment legislated by Congress.

At another point during your Scottsdale appearance, you were asked if the units allocated in FY 74 could have been funded with

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FY 74 funds, specifically a portion of the \$140 million appropriated by Congress last October 1973, in P.L. 93-117. Your response was that they could have. We wonder why they were not.

Congress increased the contract authority for public housing by \$260 million when it enacted P.L. 93-383. These funds were intended to help HUD meet prior commitments. There can be little question that the 1969 promise made to Indians of 30,000 units by the close of FY 74 constitutes a "prior" commitment that should be honored.

P.L. 93-383 provides HUD with authority to finance the construction of approximately 15,000 more units of Indian housing over a two year period. We are extremely interested in how you intend to implement this legislative mandate; your timetable for allocating units; and what steps are being taken to insure that processing will be speeded up so that more Indian people will be housed. Congress and the Administration share the goal of eliminating the bad housing conditions of Indian people. The tools are available, but it is up to you to implement them expeditiously.

Very truly yours,

LEE METCALF.
 FLOYD K. HASKELL.
 JAMES ABOUREZK.
 JAMES M. MONTOYA.
 Frank E. MOSS.
 MIKE MANSFIELD.
 HENRY M. JACKSON.
 TED STEVENS.
 BILL HATHAWAY.
 PETE V. DOMENICI.

THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT,
 Washington, D.C., January 29, 1975.

HON. LEE METCALF,
 U.S. Senate,
 Washington, D.C.

DEAR SENATOR METCALF: This is in response to your letter of December 13, 1974, which discusses the number of Indian housing units to be funded for fiscal years 1975 and 1976 under the United States Housing Act of 1937, as amended by the Housing and Community Development Act of 1974. Like you, I am concerned that sufficient numbers of decent, safe and sanitary housing be provided for all Americans, including Indians. In that connection, I think it's important that we keep a stream of units allocated to our field offices against which the Indian Housing Authorities can submit applications. We provided those authorizations in fiscal years 1974 and 1975 and certainly that principle will be taken into account in our fiscal year 1976 allocations.

At the outset, I think it may be helpful to clarify the use of some of the terms—at least as between "commitment," "allocation," "authorization," and "annual contributions contracts (ACC)." We receive the "authorization" from the Congress, "allocate" those units to our field offices and, after applications are received and approved, enter into an "ACC" with the entity that submitted the application.

Typically, it has taken about 18 months from the time we allocate the units until the ACC is signed and construction can begin. We agree the processing time is too long and we are making every effort to shorten it. However, the time necessary to complete the essential processing steps is only partly under HUD's control. In addition to problems encountered in the processing of public housing applications generally, the production of Indian housing is complicated by many special problems, including difficulties arising from the legal status of Indian trust lands, and problems arising from the necessity of coordinating HUD processing with processing of the Indian Health Service and the Bureau of Indian Affairs, which are integral members of the group of Federal agencies responsible for delivering the final product. The number of units that can be processed to ACC in fiscal years 1975 and 1976 by the Indian housing authorities is also limited by the current administrative capabilities of individual Indian housing authorities.

In that regard, we are engaged in a joint study with the Bureau of Indian Affairs to determine the relative housing needs among the Indian tribes—not only their physical needs, but their planning capacity and other software needs as well. Many of them do not yet have the capacity to determine and project their housing needs and how to satisfy them. We hope to have that information before the allocations are made in FY 1976.

You ask whether it is HUD's intention to use FY 1975 contract authority for units already in the pipeline. In a related question you ask why units allocated in FY 1974 were not funded with FY 1974 funds. The answer to the first question is "yes," because the statute is clear that the set-aside applies to all Indian housing placed under annual contributions contracts on or after July 1, 1974. The units allocated in FY 1974 could not have been funded with FY 1974 funds because the processing could not be completed to allow the contracts to be entered into prior to July 1, 1974. Consequently, the FY 1974 contract authority was carried forward for commitments in FY 1975 and thereafter. These monies are completely fundable and there is no way to identify which monies are from previous years.

Specifically, Section 5(c) of the USHA Act requires, in part, that the Secretary:

... enter into contracts for annual contributions, out of the aggregate amount of contracts for annual contributions authorized under this section to be entered into on or after July 1, 1974, aggregating at least \$15,000,000 per annum . . . to assist in financing the development or acquisition cost of . . . [Indian housing]

Thus, the statute does not provide for an additional allocation this fiscal year. The provision established a set-aside for FY 1975 and FY 1976 that may be satisfied out of all available contract authority (including the FY 1974 contract authority carried forward) by entering into annual contributions contracts on or after July 1, 1974. Therefore, entering into annual contributions contracts for Indian housing in the amount of \$15,000,000 in FY 1975 and \$15,000,000 in FY 1976 satisfies the statute.

Further, it would be unrealistic to allocate more units for Indian housing this year because the Indian Housing Authorities could not prepare and submit allocations for any more units than are already allocated and we could not process them.