

# Association of Village Council Presidents Regional Housing Authority

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Akiak**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Akiak

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Akiak**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Akiak****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.

## **Akiak Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Akiak ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this



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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Akiak**

### **Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 396**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Akiak**

### **Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 396**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Akiak Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>368</b>
AIAN households with annual income less than 30% of median income:	25
AIAN households with annual income between 30% and 50% of median income:	15
AIAN households with annual income between 50% and 80% of median income:	25
AIAN households which are overcrowded or without kitchen or plumbing:	55
AIAN households with housing cost burden greater than 50% of annual income:	10
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	65

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Akiak

### Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$303,073
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$1,281
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$3,164
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$298,627</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$298,627</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$298,627</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.

## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	368	372		
AIAN households with annual income less than 30% of median income	30	30		
AIAN households with annual income between 30% and 50% of median income	10	10		
AIAN households with annual income between 50% and 80% of median income	20	20		
AIAN households which are overcrowded or without kitchen or plumbing	50	50		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.



All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

1. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
2. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
3. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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## **Indian Housing Block Grant Formula Data for the Alakanuk**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

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### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Alakanuk**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Alakanuk**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Alakanuk**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.

## **Alakanuk Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Alakanuk ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this



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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Alakanuk Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 849**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Alakanuk**  
**Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 849**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Alakanuk Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>731</b>
AIAN households with annual income less than 30% of median income:	45
AIAN households with annual income between 30% and 50% of median income:	45
AIAN households with annual income between 50% and 80% of median income:	30
AIAN households which are overcrowded or without kitchen or plumbing:	110
AIAN households with housing cost burden greater than 50% of annual income:	10
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	120

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Alakanuk Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$563,662
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$1,942
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$5,889
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$555,831</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$555,831</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$555,831</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.

## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	731	751		
AIAN households with annual income less than 30% of median income	45	45		
AIAN households with annual income between 30% and 50% of median income	50	50		
AIAN households with annual income between 50% and 80% of median income	25	25		
AIAN households which are overcrowded or without kitchen or plumbing	100	100		
AIAN households with housing cost burden greater than 50% of annual income	10	10		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.



All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

4. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
5. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
6. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Algaaciq (St. Mary's)

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Algaaciq (St. Mary's)**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Algaaciq (St. Mary's)**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Algaaciq (St. Mary's)**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.

**Algaaciq (St. Mary's)  
Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Algaaciq ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this



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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Algaaciq (St. Mary's) Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 274**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Algaaciq (St. Mary's)  
Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 480**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Algaaciq (St. Mary's) Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>438</b>
AIAN households with annual income less than 30% of median income:	30
AIAN households with annual income between 30% and 50% of median income:	25
AIAN households with annual income between 50% and 80% of median income:	45
AIAN households which are overcrowded or without kitchen or plumbing:	75
AIAN households with housing cost burden greater than 50% of annual income:	20
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	100

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Algaaciq (St. Mary's) Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$440,952
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$911
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$4,614
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$435,428</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$435,428</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$435,428</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.

## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	438	464		
AIAN households with annual income less than 30% of median income	35	35		
AIAN households with annual income between 30% and 50% of median income	30	30		
AIAN households with annual income between 50% and 80% of median income	50	54		
AIAN households which are overcrowded or without kitchen or plumbing	80	84		
AIAN households with housing cost burden greater than 50% of annual income	10	10		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.



All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

7. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
8. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
9. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Aniak**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Aniak

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Aniak**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Aniak**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.

## **Aniak Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Aniak ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this



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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Aniak**

### **Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 629**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Aniak**

### **Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 629**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Aniak Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>398</b>
AIAN households with annual income less than 30% of median income:	20
AIAN households with annual income between 30% and 50% of median income:	25
AIAN households with annual income between 50% and 80% of median income:	20
AIAN households which are overcrowded or without kitchen or plumbing:	50
AIAN households with housing cost burden greater than 50% of annual income:	15
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	65

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Aniak Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$304,183
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$3,189
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$300,994</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$300,994</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$300,994</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.

## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	398	450		
AIAN households with annual income less than 30% of median income	20	20		
AIAN households with annual income between 30% and 50% of median income	35	39		
AIAN households with annual income between 50% and 80% of median income	25	29		
AIAN households which are overcrowded or without kitchen or plumbing	50	50		
AIAN households with housing cost burden greater than 50% of annual income	15	19		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.



All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

10. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
11. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
12. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Atmauthluak

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Atmauthluak**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

# FY 2023 Formula Response Form

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and Urban Development  
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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Atmauthluak**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Atmauthluak**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.

## **Atmauthluak Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Atmauthluak ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this



# **FY 2023 Formula Response Form**

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Atmauthluak Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 301**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Atmauthluak**  
**Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 301**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Atmauthluak Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>310</b>
AIAN households with annual income less than 30% of median income:	25
AIAN households with annual income between 30% and 50% of median income:	10
AIAN households with annual income between 50% and 80% of median income:	10
AIAN households which are overcrowded or without kitchen or plumbing:	50
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	45

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Atmauthluak Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$243,326
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$894
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$2,542
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$239,890</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$239,890</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$239,890</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.

## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	310	307		
AIAN households with annual income less than 30% of median income	20	20		
AIAN households with annual income between 30% and 50% of median income	15	15		
AIAN households with annual income between 50% and 80% of median income	4	4		
AIAN households which are overcrowded or without kitchen or plumbing	45	45		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.



All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

13. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
14. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
15. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Bill Moore's Slough

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

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E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Bill Moore's Slough Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Bill Moore's Slough  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Bill Moore's Slough**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.

## Bill Moore's Slough Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Bill Moore's ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this



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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Bill Moore's Slough Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 106**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Bill Moore's Slough  
Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 106**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Bill Moore's Slough Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>0</b>
AIAN households with annual income less than 30% of median income:	0
AIAN households with annual income between 30% and 50% of median income:	0
AIAN households with annual income between 50% and 80% of median income:	0
AIAN households which are overcrowded or without kitchen or plumbing:	0
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	0

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Bill Moore's Slough Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$60,417
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$0
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$60,417</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$60,417</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$60,417</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.

## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	0	0		
AIAN households with annual income less than 30% of median income	0	0		
AIAN households with annual income between 30% and 50% of median income	0	0		
AIAN households with annual income between 50% and 80% of median income	0	0		
AIAN households which are overcrowded or without kitchen or plumbing	0	0		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.



All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

16. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
17. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
18. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Calista Corporation**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Calista Corporation**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

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<b>Project Number</b>	<b>Low Rent</b>	<b>Mutual Help</b>	<b>TurnKey III</b>	<b>In Development</b>	<b>DOFA</b>
AK06B009069	12	0	0	0	11/30/1992
AK06P00961	20	0	0	0	10/31/1988
AK94B009093*	0	0	0	0	9/30/1997
AK94B009094*	0	0	0	0	12/31/1996
AK94B009095*	0	0	0	0	6/30/1997
AK94B009096*	0	0	0	0	7/31/1997
AK94B009097	0	20	0	0	1/31/1998
AK94B009098	0	5	0	0	2/28/2003
AK94B009098	0	19	0	0	12/31/1999
AK94B009099	0	18	0	0	11/30/1999
AK94B009102	0	18	0	0	12/31/1999
AK94B009103	0	20	0	0	7/31/2000

**Calista Corporation**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## Calista Corporation

### Adjustment Factors

#### Inflation Rate Factor

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### Local Area Cost Adjustments

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):	<b>\$954</b>
Fair Market Rent (FMR):	<b>\$1,698</b>
Total Development Cost (TDC):	<b>\$724,888</b>

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Calista Corporation Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Balance - Calista Alaska Native Regional Corporation, Alaska+	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Calista Corporation Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**Umkumiut**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 60**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Calista Corporation**  
**Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 11,940**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Calista Corporation Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	57
AIAN households with annual income less than 30% of median income:	0
AIAN households with annual income between 30% and 50% of median income:	0
AIAN households with annual income between 50% and 80% of median income:	0
AIAN households which are overcrowded or without kitchen or plumbing:	2
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	0

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Calista Corporation Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$1,722,245
Needs Component <sup>3</sup> :	\$7,598
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$180
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$2,222,325
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$3,951,989</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$3,951,989</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$3,951,989</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	57	60		
AIAN households with annual income less than 30% of median income	0	0		
AIAN households with annual income between 30% and 50% of median income	0	0		
AIAN households with annual income between 50% and 80% of median income	3	0		
AIAN households which are overcrowded or without kitchen or plumbing	7	0		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

19. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
20. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
21. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Chefornak**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Chefornak Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Chefornak**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Chefornak**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Chefornak Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Chefornak ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Chefornak Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 514**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Chefornak**

### **Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 514**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Chefornak Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>458</b>
AIAN households with annual income less than 30% of median income:	15
AIAN households with annual income between 30% and 50% of median income:	25
AIAN households with annual income between 50% and 80% of median income:	20
AIAN households which are overcrowded or without kitchen or plumbing:	85
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	60

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Chefornak Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$372,157
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$17
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$3,902
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$368,238</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$368,238</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$368,238</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	458	457		
AIAN households with annual income less than 30% of median income	15	15		
AIAN households with annual income between 30% and 50% of median income	25	25		
AIAN households with annual income between 50% and 80% of median income	20	20		
AIAN households which are overcrowded or without kitchen or plumbing	80	80		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

22. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
23. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
24. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Chevak

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Chevak

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Chevak**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Chevak**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Chevak Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Chevak ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Chevak**

### **Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 667**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Chevak**

### **Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 1,582**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Chevak Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>1,012</b>
AIAN households with annual income less than 30% of median income:	65
AIAN households with annual income between 30% and 50% of median income:	70
AIAN households with annual income between 50% and 80% of median income:	35
AIAN households which are overcrowded or without kitchen or plumbing:	135
AIAN households with housing cost burden greater than 50% of annual income:	25
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	152

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Chevak Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$758,875
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$1,895
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$7,937
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$749,043</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$749,043</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$749,043</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	1,012	1,037		
AIAN households with annual income less than 30% of median income	55	55		
AIAN households with annual income between 30% and 50% of median income	65	65		
AIAN households with annual income between 50% and 80% of median income	30	30		
AIAN households which are overcrowded or without kitchen or plumbing	110	110		
AIAN households with housing cost burden greater than 50% of annual income	15	15		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

25. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
26. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
27. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Chuathbaluk (Russian Mission, Kuskokwim)

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Chuathbaluk (Russian Mission, Kuskokwim)**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Chuathbaluk (Russian Mission, Kuskokwim)**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Chuathbaluk (Russian Mission, Kuskokwim)**

**Adjustment Factors**

**Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

**Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



**Chuathbaluk (Russian Mission, Kuskokwim)  
Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Chuathbaluk ANVSA, AK-Bethel Census Area, Alaska	8.07%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

**Chuathbaluk (Russian Mission, Kuskokwim)  
Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 80**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Chuathbaluk (Russian Mission, Kuskokwim)  
Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 132**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Chuathbaluk (Russian Mission, Kuskokwim) Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **multi-race data**. The Needs data are:

AIAN persons:	127
AIAN households with annual income less than 30% of median income:	10
AIAN households with annual income between 30% and 50% of median income:	8
AIAN households with annual income between 50% and 80% of median income:	4
AIAN households which are overcrowded or without kitchen or plumbing:	14
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	22

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Chuathbaluk (Russian Mission, Kuskokwim) Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$76,547
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$1,888
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$822
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$77,613</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$77,613</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$77,613</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	119	127		
AIAN households with annual income less than 30% of median income	15	15		
AIAN households with annual income between 30% and 50% of median income	4	8		
AIAN households with annual income between 50% and 80% of median income	4	4		
AIAN households which are overcrowded or without kitchen or plumbing	10	14		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

28. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
29. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
30. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Chuloonawick

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## **Chuloonawick Formula Current Assisted Stock Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Chuloonawick  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Chuloonawick****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Chuloonawick Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Chulloonawick ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

# **FY 2023 Formula Response Form**

Indian Housing Block Grant Formula Data

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Chuloonawick Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 89**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Chuloonawick**

### **Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 89**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Chuloonawick Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>0</b>
AIAN households with annual income less than 30% of median income:	0
AIAN households with annual income between 30% and 50% of median income:	0
AIAN households with annual income between 50% and 80% of median income:	0
AIAN households which are overcrowded or without kitchen or plumbing:	0
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	0

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Chuloonawick Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$60,417
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$0
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$60,417</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$60,417</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$60,417</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	0	0		
AIAN households with annual income less than 30% of median income	0	0		
AIAN households with annual income between 30% and 50% of median income	0	0		
AIAN households with annual income between 50% and 80% of median income	0	0		
AIAN households which are overcrowded or without kitchen or plumbing	0	0		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

31. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
32. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
33. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Crooked Creek**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Crooked Creek

### Formula Current Assisted Stock

### Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Crooked Creek**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Crooked Creek**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Crooked Creek Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Crooked Creek ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Crooked Creek Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 115**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Crooked Creek Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 121**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Crooked Creek Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>101</b>
AIAN households with annual income less than 30% of median income:	10
AIAN households with annual income between 30% and 50% of median income:	4
AIAN households with annual income between 50% and 80% of median income:	4
AIAN households which are overcrowded or without kitchen or plumbing:	25
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	18

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Crooked Creek Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$106,850
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$1,120
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$105,730</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$105,730</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$105,730</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	101	110		
AIAN households with annual income less than 30% of median income	10	14		
AIAN households with annual income between 30% and 50% of median income	4	4		
AIAN households with annual income between 50% and 80% of median income	4	4		
AIAN households which are overcrowded or without kitchen or plumbing	20	20		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

34. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
35. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
36. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Eek

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Eek**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Eek**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Eek****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Eek Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Eek ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Eek**

### **Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 278**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Eek**

### **Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 375**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Eek Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>331</b>
AIAN households with annual income less than 30% of median income:	35
AIAN households with annual income between 30% and 50% of median income:	25
AIAN households with annual income between 50% and 80% of median income:	40
AIAN households which are overcrowded or without kitchen or plumbing:	105
AIAN households with housing cost burden greater than 50% of annual income:	10
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	100

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Eek

### Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$498,020
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$369
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$5,218
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$492,433</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$492,433</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$492,433</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	331	328		
AIAN households with annual income less than 30% of median income	40	40		
AIAN households with annual income between 30% and 50% of median income	30	30		
AIAN households with annual income between 50% and 80% of median income	20	20		
AIAN households which are overcrowded or without kitchen or plumbing	95	95		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

37. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
38. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
39. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Emmonak**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

Indian Housing Block Grant Formula Data

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Emmonak

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Emmonak  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Emmonak**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Emmonak Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Emmonak ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Emmonak Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 984**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Emmonak**  
**Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 984**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Emmonak Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>835</b>
AIAN households with annual income less than 30% of median income:	30
AIAN households with annual income between 30% and 50% of median income:	50
AIAN households with annual income between 50% and 80% of median income:	45
AIAN households which are overcrowded or without kitchen or plumbing:	90
AIAN households with housing cost burden greater than 50% of annual income:	10
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	125

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

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Office of Native American Programs

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Emmonak Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$508,516
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$1,631
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$5,314
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$501,571</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$501,571</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$501,571</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

# FY 2023 Formula Response Form

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	835	838		
AIAN households with annual income less than 30% of median income	55	55		
AIAN households with annual income between 30% and 50% of median income	60	60		
AIAN households with annual income between 50% and 80% of median income	45	49		
AIAN households which are overcrowded or without kitchen or plumbing	105	105		
AIAN households with housing cost burden greater than 50% of annual income	10	10		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

40. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
41. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
42. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Georgetown

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

Indian Housing Block Grant Formula Data

U.S. Department of Housing  
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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Georgetown

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Georgetown**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## Georgetown

### Adjustment Factors

#### Inflation Rate Factor

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### Local Area Cost Adjustments

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Georgetown Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Georgetown ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

# **FY 2023 Formula Response Form**

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Georgetown Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 112**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Georgetown**  
**Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 113**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Georgetown Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	2
AIAN households with annual income less than 30% of median income:	0
AIAN households with annual income between 30% and 50% of median income:	0
AIAN households with annual income between 50% and 80% of median income:	0
AIAN households which are overcrowded or without kitchen or plumbing:	0
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	0

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

U.S. Department of Housing  
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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Georgetown Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$60,417
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$0
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$60,417</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$60,417</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$60,417</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

# FY 2023 Formula Response Form

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	2	2		
AIAN households with annual income less than 30% of median income	0	0		
AIAN households with annual income between 30% and 50% of median income	0	0		
AIAN households with annual income between 50% and 80% of median income	0	0		
AIAN households which are overcrowded or without kitchen or plumbing	0	0		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

43. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
44. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
45. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

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and Urban Development  
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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Goodnews Bay

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

Indian Housing Block Grant Formula Data

U.S. Department of Housing  
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Office of Native American Programs

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Goodnews Bay

### Formula Current Assisted Stock

### Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Goodnews Bay  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Goodnews Bay****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Goodnews Bay Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Goodnews Bay ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

# **FY 2023 Formula Response Form**

Indian Housing Block Grant Formula Data

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Goodnews Bay Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 338**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Goodnews Bay Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 344**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Goodnews Bay Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>263</b>
AIAN households with annual income less than 30% of median income:	10
AIAN households with annual income between 30% and 50% of median income:	15
AIAN households with annual income between 50% and 80% of median income:	4
AIAN households which are overcrowded or without kitchen or plumbing:	25
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	29

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Goodnews Bay Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$141,534
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$1,284
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$1,470
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$138,780</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$138,780</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$138,780</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	263	263		
AIAN households with annual income less than 30% of median income	15	19		
AIAN households with annual income between 30% and 50% of median income	4	4		
AIAN households with annual income between 50% and 80% of median income	4	4		
AIAN households which are overcrowded or without kitchen or plumbing	20	20		
AIAN households with housing cost burden greater than 50% of annual income	4	8		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

46. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
47. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
48. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Hamilton**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Hamilton

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Hamilton**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Hamilton****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Hamilton Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Hamilton ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Hamilton Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 21**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Hamilton**

### **Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 29**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Hamilton Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	0
AIAN households with annual income less than 30% of median income:	0
AIAN households with annual income between 30% and 50% of median income:	0
AIAN households with annual income between 50% and 80% of median income:	0
AIAN households which are overcrowded or without kitchen or plumbing:	0
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	0

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Hamilton

### Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$60,417
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$0
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$60,417</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$60,417</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$60,417</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	0	0		
AIAN households with annual income less than 30% of median income				
AIAN households with annual income between 30% and 50% of median income				
AIAN households with annual income between 50% and 80% of median income				
AIAN households which are overcrowded or without kitchen or plumbing				
AIAN households with housing cost burden greater than 50% of annual income				

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

49. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
50. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
51. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Hooper Bay**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Hooper Bay

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Hooper Bay**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Hooper Bay****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Hooper Bay Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Hooper Bay ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Hooper Bay Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 1,011**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Hooper Bay Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 1,356**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Hooper Bay Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>1,176</b>
AIAN households with annual income less than 30% of median income:	85
AIAN households with annual income between 30% and 50% of median income:	55
AIAN households with annual income between 50% and 80% of median income:	30
AIAN households which are overcrowded or without kitchen or plumbing:	170
AIAN households with housing cost burden greater than 50% of annual income:	25
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	170

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Hooper Bay Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$888,934
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$3,055
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$9,288
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$876,591</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$876,591</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$876,591</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	1,176	1,217		
AIAN households with annual income less than 30% of median income	65	65		
AIAN households with annual income between 30% and 50% of median income	70	70		
AIAN households with annual income between 50% and 80% of median income	30	30		
AIAN households which are overcrowded or without kitchen or plumbing	165	165		
AIAN households with housing cost burden greater than 50% of annual income	20	20		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

52. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
53. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
54. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Iqurmuit Traditional Council**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

Indian Housing Block Grant Formula Data

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Iqurmuit Traditional Council Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Iqurmuit Traditional Council  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Iqurmuit Traditional Council**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Iqurmuit Traditional Council Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Russian Mission ANVSA, AK-Kusilvak Census Area, Alaska	8.46%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

**Iqurmuit Traditional Council  
Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 278**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Iqurmuit Traditional Council  
Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 374**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## **Iqurmuit Traditional Council Needs Data**

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **multi-race data**. The Needs data are:

AIAN persons:	<b>344</b>
AIAN households with annual income less than 30% of median income:	14
AIAN households with annual income between 30% and 50% of median income:	14
AIAN households with annual income between 50% and 80% of median income:	8
AIAN households which are overcrowded or without kitchen or plumbing:	35
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	16

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Iqurmuit Traditional Council Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$140,593
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$1,077
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$1,463
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$138,052</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$138,052</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$138,052</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	340	344		
AIAN households with annual income less than 30% of median income	4	14		
AIAN households with annual income between 30% and 50% of median income	10	14		
AIAN households with annual income between 50% and 80% of median income	4	8		
AIAN households which are overcrowded or without kitchen or plumbing	15	30		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

55. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
56. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
57. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Kalskag

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Kalskag

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Kalskag**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Kalskag****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



**Kalskag  
Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Kalskag ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Kalskag Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 226**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Kalskag**  
**Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 220**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Kalskag Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>196</b>
AIAN households with annual income less than 30% of median income:	20
AIAN households with annual income between 30% and 50% of median income:	20
AIAN households with annual income between 50% and 80% of median income:	10
AIAN households which are overcrowded or without kitchen or plumbing:	40
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	50

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Kalskag Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$212,173
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$2,225
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$209,948</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$209,948</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$209,948</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	196	219		
AIAN households with annual income less than 30% of median income	20	20		
AIAN households with annual income between 30% and 50% of median income	15	15		
AIAN households with annual income between 50% and 80% of median income	10	10		
AIAN households which are overcrowded or without kitchen or plumbing	40	40		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

58. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
59. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
60. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Kasigluk

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Kasigluk

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

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## **Kasigluk Formula Current Assisted Stock Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Kasigluk**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Kasigluk Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Kasigluk ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Kasigluk Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 603**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Kasigluk Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 607**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Kasigluk Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>617</b>
AIAN households with annual income less than 30% of median income:	35
AIAN households with annual income between 30% and 50% of median income:	25
AIAN households with annual income between 50% and 80% of median income:	25
AIAN households which are overcrowded or without kitchen or plumbing:	70
AIAN households with housing cost burden greater than 50% of annual income:	10
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	80

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Kasigluk Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$387,113
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$4,059
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$383,055</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$383,055</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$383,055</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	617	623		
AIAN households with annual income less than 30% of median income	35	39		
AIAN households with annual income between 30% and 50% of median income	30	30		
AIAN households with annual income between 50% and 80% of median income	20	20		
AIAN households which are overcrowded or without kitchen or plumbing	65	69		
AIAN households with housing cost burden greater than 50% of annual income	10	14		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

61. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
62. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
63. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

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Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Kipnuk**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Kipnuk

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Kipnuk**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Kipnuk****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Kipnuk Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Kipnuk ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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Indian Housing Block Grant Formula Data

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Kipnuk Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 784**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Kipnuk**

### **Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 809**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Kipnuk Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>714</b>
AIAN households with annual income less than 30% of median income:	50
AIAN households with annual income between 30% and 50% of median income:	40
AIAN households with annual income between 50% and 80% of median income:	35
AIAN households which are overcrowded or without kitchen or plumbing:	155
AIAN households with housing cost burden greater than 50% of annual income:	10
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	125

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

**FY 2023 Formula Response Form**

Indian Housing Block Grant Formula Data

U.S. Department of Housing  
and Urban Development  
Office of Native American ProgramsOMB Approval No. 2577-0218  
(exp.11/30/2022)**Kipnuk  
Preliminary Allocation Amount***(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$706,228
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$3,282
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$7,370
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$695,577</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$695,577</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$695,577</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	714	710		
AIAN households with annual income less than 30% of median income	50	50		
AIAN households with annual income between 30% and 50% of median income	30	30		
AIAN households with annual income between 50% and 80% of median income	35	35		
AIAN households which are overcrowded or without kitchen or plumbing	130	130		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

64. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
65. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
66. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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## Indian Housing Block Grant Formula Data for the Kongiganak

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Kongiganak Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Kongiganak  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## Kongiganak

### Adjustment Factors

#### Inflation Rate Factor

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### Local Area Cost Adjustments

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Kongiganak Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Kongiganak ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Kongiganak Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 349**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Kongiganak**  
**Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 490**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Kongiganak Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>481</b>
AIAN households with annual income less than 30% of median income:	20
AIAN households with annual income between 30% and 50% of median income:	20
AIAN households with annual income between 50% and 80% of median income:	35
AIAN households which are overcrowded or without kitchen or plumbing:	80
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	75

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Kongiganak Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$376,434
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$425
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$3,942
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$372,067</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$372,067</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$372,067</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	481	487		
AIAN households with annual income less than 30% of median income	15	15		
AIAN households with annual income between 30% and 50% of median income	20	20		
AIAN households with annual income between 50% and 80% of median income	45	45		
AIAN households which are overcrowded or without kitchen or plumbing	80	84		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

67. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
68. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
69. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Kotlik**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Kotlik

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Kotlik**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Kotlik**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Kotlik Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Kotlik ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Kotlik Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 590**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Kotlik**

### **Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 590**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Kotlik Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>638</b>
AIAN households with annual income less than 30% of median income:	55
AIAN households with annual income between 30% and 50% of median income:	40
AIAN households with annual income between 50% and 80% of median income:	25
AIAN households which are overcrowded or without kitchen or plumbing:	110
AIAN households with housing cost burden greater than 50% of annual income:	15
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	101

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Kotlik Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$567,544
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$5,950
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$561,594</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$561,594</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$561,594</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	638	640		
AIAN households with annual income less than 30% of median income	70	70		
AIAN households with annual income between 30% and 50% of median income	40	40		
AIAN households with annual income between 50% and 80% of median income	30	30		
AIAN households which are overcrowded or without kitchen or plumbing	120	120		
AIAN households with housing cost burden greater than 50% of annual income	20	20		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

70. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
71. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
72. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

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Gambrills, MD 21054  
Phone: 800-410-8808  
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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Kwigillingok

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

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The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

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Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Kwigillingok**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Kwigillingok**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Kwigillingok****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Kwigillingok Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Kwigillingok ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Kwigillingok Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 266**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Kwigillingok**  
**Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 408**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Kwigillingok Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>349</b>
AIAN households with annual income less than 30% of median income:	15
AIAN households with annual income between 30% and 50% of median income:	15
AIAN households with annual income between 50% and 80% of median income:	25
AIAN households which are overcrowded or without kitchen or plumbing:	55
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	35

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Kwigillingok Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$257,928
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$2,704
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$255,224</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$255,224</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$255,224</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	349	351		
AIAN households with annual income less than 30% of median income	10	10		
AIAN households with annual income between 30% and 50% of median income	25	25		
AIAN households with annual income between 50% and 80% of median income	30	30		
AIAN households which are overcrowded or without kitchen or plumbing	60	60		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

73. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
74. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
75. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Kwinhagak (Quinhagak)**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Kwinhagak (Quinhagak) Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Kwinhagak (Quinhagak)  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Kwinhagak (Quinhagak)**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



**Kwinhagak (Quinhagak)  
Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Kwinhagak ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

**Kwinhagak (Quinhagak)  
Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 0**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Kwinhagak (Quinhagak)  
Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 808**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Kwinhagak (Quinhagak) Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>716</b>
AIAN households with annual income less than 30% of median income:	50
AIAN households with annual income between 30% and 50% of median income:	45
AIAN households with annual income between 50% and 80% of median income:	25
AIAN households which are overcrowded or without kitchen or plumbing:	110
AIAN households with housing cost burden greater than 50% of annual income:	15
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	120

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Kwinhagak (Quinhagak) Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$580,171
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$266
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$6,080
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$573,824</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$573,824</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$573,824</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	716	737		
AIAN households with annual income less than 30% of median income	50	50		
AIAN households with annual income between 30% and 50% of median income	40	40		
AIAN households with annual income between 50% and 80% of median income	30	34		
AIAN households which are overcrowded or without kitchen or plumbing	105	109		
AIAN households with housing cost burden greater than 50% of annual income	15	15		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

76. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
77. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
78. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Lime Village**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Lime Village Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Lime Village**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Lime Village**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$776,034**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Lime Village Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Lime Village ANVSA, AK-Bethel Census Area, Alaska	8.07%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Lime Village Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 43**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Lime Village Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 44**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Lime Village Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **multi-race data**. The Needs data are:

AIAN persons:	<b>32</b>
AIAN households with annual income less than 30% of median income:	8
AIAN households with annual income between 30% and 50% of median income:	0
AIAN households with annual income between 50% and 80% of median income:	4
AIAN households which are overcrowded or without kitchen or plumbing:	8
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	12

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Lime Village Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$60,417
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$0
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$60,417</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$60,417</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$60,417</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	31	32		
AIAN households with annual income less than 30% of median income	4	8		
AIAN households with annual income between 30% and 50% of median income	0	0		
AIAN households with annual income between 50% and 80% of median income	4	4		
AIAN households which are overcrowded or without kitchen or plumbing	4	8		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

79. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
80. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
81. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Lower Kalskag

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Lower Kalskag Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Lower Kalskag  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## Lower Kalskag

### Adjustment Factors

#### Inflation Rate Factor

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### Local Area Cost Adjustments

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Lower Kalskag Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Lower Kalskag ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Lower Kalskag Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 259**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Lower Kalskag Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 294**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Lower Kalskag Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>298</b>
AIAN households with annual income less than 30% of median income:	30
AIAN households with annual income between 30% and 50% of median income:	10
AIAN households with annual income between 50% and 80% of median income:	10
AIAN households which are overcrowded or without kitchen or plumbing:	65
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	50

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Lower Kalskag Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$295,893
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$3,102
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$292,791</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$292,791</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$292,791</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	298	311		
AIAN households with annual income less than 30% of median income	25	25		
AIAN households with annual income between 30% and 50% of median income	10	10		
AIAN households with annual income between 50% and 80% of median income	10	10		
AIAN households which are overcrowded or without kitchen or plumbing	50	50		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

82. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
83. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
84. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Marshall (Fortuna Ledge)

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Marshall (Fortuna Ledge) Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Marshall (Fortuna Ledge)**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Marshall (Fortuna Ledge)****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



**Marshall (Fortuna Ledge)  
Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Marshall ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

**Marshall (Fortuna Ledge)  
Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 377**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Marshall (Fortuna Ledge)  
Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 377**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Marshall (Fortuna Ledge) Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>446</b>
AIAN households with annual income less than 30% of median income:	20
AIAN households with annual income between 30% and 50% of median income:	20
AIAN households with annual income between 50% and 80% of median income:	15
AIAN households which are overcrowded or without kitchen or plumbing:	50
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	55

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Marshall (Fortuna Ledge) Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$261,060
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$2,737
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$258,323</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$258,323</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$258,323</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	446	457		
AIAN households with annual income less than 30% of median income	25	25		
AIAN households with annual income between 30% and 50% of median income	25	25		
AIAN households with annual income between 50% and 80% of median income	10	10		
AIAN households which are overcrowded or without kitchen or plumbing	45	45		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

85. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
86. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
87. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Mekoryuk

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Mekoryuk

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Mekoryuk**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Mekoryuk****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Mekoryuk Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Mekoryuk ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Mekoryuk**

### **Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 170**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Mekoryuk Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 454**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Mekoryuk Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>204</b>
AIAN households with annual income less than 30% of median income:	20
AIAN households with annual income between 30% and 50% of median income:	25
AIAN households with annual income between 50% and 80% of median income:	10
AIAN households which are overcrowded or without kitchen or plumbing:	40
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	37

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Mekoryuk Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$209,580
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$556
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$2,192
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$206,833</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$206,833</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$206,833</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	204	210		
AIAN households with annual income less than 30% of median income	35	35		
AIAN households with annual income between 30% and 50% of median income	20	20		
AIAN households with annual income between 50% and 80% of median income	4	4		
AIAN households which are overcrowded or without kitchen or plumbing	40	40		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

88. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
89. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
90. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Napaimute**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Napaimute

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Napaimute**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## Napaimute

### Adjustment Factors

#### Inflation Rate Factor

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### Local Area Cost Adjustments

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Napaimute Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Napaimute ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Napaimute Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 90**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Napaimute Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 84**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Napaimute Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	1
AIAN households with annual income less than 30% of median income:	0
AIAN households with annual income between 30% and 50% of median income:	0
AIAN households with annual income between 50% and 80% of median income:	0
AIAN households which are overcrowded or without kitchen or plumbing:	0
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	0

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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Indian Housing Block Grant Formula Data

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Napaimute Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$60,417
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$0
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$60,417</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$60,417</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$60,417</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	1	1		
AIAN households with annual income less than 30% of median income	0	0		
AIAN households with annual income between 30% and 50% of median income	0	0		
AIAN households with annual income between 50% and 80% of median income	0	0		
AIAN households which are overcrowded or without kitchen or plumbing	0	0		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

91. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
92. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
93. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Napakiak

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Napakiak

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Napakiak**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Napakiak**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Napakiak Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Napakiak ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Napakiak Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 303**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Napakiak**

### **Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 510**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Napakiak Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>394</b>
AIAN households with annual income less than 30% of median income:	45
AIAN households with annual income between 30% and 50% of median income:	30
AIAN households with annual income between 50% and 80% of median income:	20
AIAN households which are overcrowded or without kitchen or plumbing:	75
AIAN households with housing cost burden greater than 50% of annual income:	10
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	95

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

**FY 2023 Formula Response Form**

Indian Housing Block Grant Formula Data

U.S. Department of Housing  
and Urban Development  
Office of Native American ProgramsOMB Approval No. 2577-0218  
(exp.11/30/2022)**Napakiak  
Preliminary Allocation Amount***(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$409,576
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$850
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$4,285
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$404,441</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$404,441</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$404,441</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

# FY 2023 Formula Response Form

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	394	390		
AIAN households with annual income less than 30% of median income	55	55		
AIAN households with annual income between 30% and 50% of median income	30	30		
AIAN households with annual income between 50% and 80% of median income	20	20		
AIAN households which are overcrowded or without kitchen or plumbing	85	85		
AIAN households with housing cost burden greater than 50% of annual income	10	10		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

94. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
95. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
96. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Napaskiak

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

Indian Housing Block Grant Formula Data

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Napaskiak**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Napaskiak**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Napaskiak****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Napaskiak Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Napaskiak ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

# **FY 2023 Formula Response Form**

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Napaskiak Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 399**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Napaskiak Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 642**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Napaskiak Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>448</b>
AIAN households with annual income less than 30% of median income:	35
AIAN households with annual income between 30% and 50% of median income:	10
AIAN households with annual income between 50% and 80% of median income:	4
AIAN households which are overcrowded or without kitchen or plumbing:	70
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	49

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Napaskiak Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$319,758
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$3,352
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$316,405</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$316,405</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$316,405</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	448	445		
AIAN households with annual income less than 30% of median income	45	49		
AIAN households with annual income between 30% and 50% of median income	15	15		
AIAN households with annual income between 50% and 80% of median income	4	4		
AIAN households which are overcrowded or without kitchen or plumbing	70	74		
AIAN households with housing cost burden greater than 50% of annual income	10	10		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

97. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
98. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
99. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Newtok**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Newtok**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Newtok**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Newtok****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



**Newtok  
Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Newtok ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Newtok Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 421**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Newtok**

### **Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 429**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Newtok Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>389</b>
AIAN households with annual income less than 30% of median income:	25
AIAN households with annual income between 30% and 50% of median income:	15
AIAN households with annual income between 50% and 80% of median income:	20
AIAN households which are overcrowded or without kitchen or plumbing:	70
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	60

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

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and Urban Development  
Office of Native American ProgramsOMB Approval No. 2577-0218  
(exp.11/30/2022)**Newtok  
Preliminary Allocation Amount***(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$325,759
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$1,882
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$3,396
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$320,481</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$320,481</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$320,481</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

U.S. Department of Housing  
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Office of Native American Programs

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	389	389		
AIAN households with annual income less than 30% of median income	20	20		
AIAN households with annual income between 30% and 50% of median income	10	10		
AIAN households with annual income between 50% and 80% of median income	15	15		
AIAN households which are overcrowded or without kitchen or plumbing	55	55		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

100. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
101. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
102. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Nightmute

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

Indian Housing Block Grant Formula Data

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and Urban Development  
Office of Native American Programs

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Nightmute

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Nightmute**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## Nightmute

### Adjustment Factors

#### Inflation Rate Factor

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### Local Area Cost Adjustments

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Nightmute Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Nightmute ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Nightmute Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 188**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Nightmute Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 221**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Nightmute Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>294</b>
AIAN households with annual income less than 30% of median income:	15
AIAN households with annual income between 30% and 50% of median income:	10
AIAN households with annual income between 50% and 80% of median income:	15
AIAN households which are overcrowded or without kitchen or plumbing:	40
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	40

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Nightmute Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$190,174
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$1,243
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$1,981
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$186,950</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$186,950</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$186,950</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	294	291		
AIAN households with annual income less than 30% of median income	10	10		
AIAN households with annual income between 30% and 50% of median income	10	10		
AIAN households with annual income between 50% and 80% of median income	10	10		
AIAN households which are overcrowded or without kitchen or plumbing	35	35		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

103. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
104. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
105. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Nunakauyarmiut (Toksook Bay)

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Nunakauyarmiut (Toksook Bay)  
Formula Current Assisted Stock  
Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Nunakauyarmiut (Toksook Bay)  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Nunakauyarmiut (Toksook Bay)**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



**Nunakauyarmiut (Toksook Bay)  
Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Toksook Bay ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

**Nunakauyarmiut (Toksook Bay)  
Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 567**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Nunakauyarmiut (Toksook Bay)  
Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 732**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Nunakauyarmiut (Toksook Bay) Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>593</b>
AIAN households with annual income less than 30% of median income:	35
AIAN households with annual income between 30% and 50% of median income:	25
AIAN households with annual income between 50% and 80% of median income:	25
AIAN households which are overcrowded or without kitchen or plumbing:	95
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	85

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Nunakauyarmiut (Toksook Bay) Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$446,021
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$1,522
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$4,660
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$439,838</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$439,838</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$439,838</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	593	600		
AIAN households with annual income less than 30% of median income	35	35		
AIAN households with annual income between 30% and 50% of median income	35	35		
AIAN households with annual income between 50% and 80% of median income	20	20		
AIAN households which are overcrowded or without kitchen or plumbing	95	95		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

106. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
107. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
108. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Nunam Iqua (Sheldon's Point)**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Nunam Iqua (Sheldon's Point)**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Nunam Iqua (Sheldon's Point)  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Nunam Iqua (Sheldon's Point)****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



**Nunam Iqua (Sheldon's Point)  
Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Nunam Iqua ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

**Nunam Iqua (Sheldon's Point)  
Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 198**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Nunam Iqua (Sheldon's Point)  
Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 263**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Nunam Iqua (Sheldon's Point) Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>194</b>
AIAN households with annual income less than 30% of median income:	10
AIAN households with annual income between 30% and 50% of median income:	20
AIAN households with annual income between 50% and 80% of median income:	4
AIAN households which are overcrowded or without kitchen or plumbing:	20
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	34

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Nunam Iqua (Sheldon's Point) Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$129,221
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$1,355
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$127,866</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$127,866</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$127,866</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	194	198		
AIAN households with annual income less than 30% of median income	10	10		
AIAN households with annual income between 30% and 50% of median income	20	20		
AIAN households with annual income between 50% and 80% of median income	4	4		
AIAN households which are overcrowded or without kitchen or plumbing	20	20		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

109. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
110. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
111. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Nunapitchuk

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Nunapitchuk Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Nunapitchuk**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Nunapitchuk****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Nunapitchuk Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Nunapitchuk ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Nunapitchuk Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 480**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Nunapitchuk Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 755**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Nunapitchuk Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>544</b>
AIAN households with annual income less than 30% of median income:	40
AIAN households with annual income between 30% and 50% of median income:	30
AIAN households with annual income between 50% and 80% of median income:	35
AIAN households which are overcrowded or without kitchen or plumbing:	100
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	105

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Nunapitchuk Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$484,067
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$107
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$5,074
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$478,887</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$478,887</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$478,887</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	544	549		
AIAN households with annual income less than 30% of median income	60	60		
AIAN households with annual income between 30% and 50% of median income	25	25		
AIAN households with annual income between 50% and 80% of median income	30	30		
AIAN households which are overcrowded or without kitchen or plumbing	105	105		
AIAN households with housing cost burden greater than 50% of annual income	10	10		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

112. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
113. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
114. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Ohogamiut

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Ohogamiut Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Ohogamiut**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## Ohogamiut

### Adjustment Factors

#### Inflation Rate Factor

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### Local Area Cost Adjustments

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Ohogamiut Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Ohogamiut ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Ohogamiut Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 81**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Ohogamiut Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 150**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Ohogamiut Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>0</b>
AIAN households with annual income less than 30% of median income:	0
AIAN households with annual income between 30% and 50% of median income:	0
AIAN households with annual income between 50% and 80% of median income:	0
AIAN households which are overcrowded or without kitchen or plumbing:	0
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	0

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Ohogamiut Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$60,417
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$0
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$60,417</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$60,417</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$60,417</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	0	0		
AIAN households with annual income less than 30% of median income				
AIAN households with annual income between 30% and 50% of median income				
AIAN households with annual income between 50% and 80% of median income				
AIAN households which are overcrowded or without kitchen or plumbing				
AIAN households with housing cost burden greater than 50% of annual income				

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

115. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
116. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
117. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Oscarville**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Oscarville

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Oscarville**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## Oscarville

### Adjustment Factors

#### Inflation Rate Factor

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### Local Area Cost Adjustments

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



**Oscarville  
Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Oscarville ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Oscarville Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 59**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Oscarville Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 54**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Oscarville Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	73
AIAN households with annual income less than 30% of median income:	4
AIAN households with annual income between 30% and 50% of median income:	4
AIAN households with annual income between 50% and 80% of median income:	0
AIAN households which are overcrowded or without kitchen or plumbing:	10
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	8

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Oscarville Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$60,417
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$0
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$60,417</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$60,417</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$60,417</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	73	76		
AIAN households with annual income less than 30% of median income	4	4		
AIAN households with annual income between 30% and 50% of median income	4	4		
AIAN households with annual income between 50% and 80% of median income	4	4		
AIAN households which are overcrowded or without kitchen or plumbing	15	15		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

118. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
119. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
120. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Paimiut

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Paimiut**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Paimiut**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Paimiut**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Paimiut Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Paimiut ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Paimiut Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 78**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Paimiut**  
**Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 78**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Paimiut Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>0</b>
AIAN households with annual income less than 30% of median income:	0
AIAN households with annual income between 30% and 50% of median income:	0
AIAN households with annual income between 50% and 80% of median income:	0
AIAN households which are overcrowded or without kitchen or plumbing:	0
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	0

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Paimiut Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$60,417
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$0
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$60,417</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$60,417</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$60,417</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	0	0		
AIAN households with annual income less than 30% of median income	0	0		
AIAN households with annual income between 30% and 50% of median income	0	0		
AIAN households with annual income between 50% and 80% of median income	0	0		
AIAN households which are overcrowded or without kitchen or plumbing	0	0		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

121. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
122. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
123. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Pilot Station**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Pilot Station**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Pilot Station**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## Pilot Station

### Adjustment Factors

#### Inflation Rate Factor

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### Local Area Cost Adjustments

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Pilot Station Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Pilot Station ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Pilot Station Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 663**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Pilot Station Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 711**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Pilot Station Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>633</b>
AIAN households with annual income less than 30% of median income:	55
AIAN households with annual income between 30% and 50% of median income:	25
AIAN households with annual income between 50% and 80% of median income:	15
AIAN households which are overcrowded or without kitchen or plumbing:	85
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	95

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Pilot Station Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$437,400
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$697
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$4,579
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$432,124</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$432,124</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$432,124</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	633	635		
AIAN households with annual income less than 30% of median income	55	55		
AIAN households with annual income between 30% and 50% of median income	25	25		
AIAN households with annual income between 50% and 80% of median income	15	15		
AIAN households which are overcrowded or without kitchen or plumbing	85	85		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

124. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
125. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
126. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Pitka's Point**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Pitka's Point**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

# FY 2023 Formula Response Form

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Pitka's Point**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Pitka's Point**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Pitka's Point Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Pitkas Point ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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Indian Housing Block Grant Formula Data

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Pitka's Point Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 136**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Pitka's Point**  
**Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 137**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## **Pitka's Point Needs Data**

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>121</b>
AIAN households with annual income less than 30% of median income:	10
AIAN households with annual income between 30% and 50% of median income:	4
AIAN households with annual income between 50% and 80% of median income:	10
AIAN households which are overcrowded or without kitchen or plumbing:	20
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	24

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Pitka's Point Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$111,672
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$480
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$1,166
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$110,026</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$110,026</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$110,026</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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Indian Housing Block Grant Formula Data

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	121	122		
AIAN households with annual income less than 30% of median income	10	10		
AIAN households with annual income between 30% and 50% of median income	4	4		
AIAN households with annual income between 50% and 80% of median income	10	10		
AIAN households which are overcrowded or without kitchen or plumbing	25	25		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

127. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
128. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
129. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Platinum**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

Indian Housing Block Grant Formula Data

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

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The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

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## **Technical Assistance**

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## Platinum

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Platinum**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## Platinum

### Adjustment Factors

#### Inflation Rate Factor

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### Local Area Cost Adjustments

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Platinum Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Platinum ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Platinum Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 71**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Platinum Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 70**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Platinum Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>59</b>
AIAN households with annual income less than 30% of median income:	4
AIAN households with annual income between 30% and 50% of median income:	0
AIAN households with annual income between 50% and 80% of median income:	0
AIAN households which are overcrowded or without kitchen or plumbing:	4
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	4

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Platinum Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$60,417
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$193
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$0
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$60,224</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$60,224</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$60,224</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	59	62		
AIAN households with annual income less than 30% of median income	4	4		
AIAN households with annual income between 30% and 50% of median income	0	0		
AIAN households with annual income between 50% and 80% of median income	0	0		
AIAN households which are overcrowded or without kitchen or plumbing	4	4		
AIAN households with housing cost burden greater than 50% of annual income	4	4		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

130. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
131. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
132. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Red Devil**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Red Devil

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Red Devil**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## Red Devil

### Adjustment Factors

#### Inflation Rate Factor

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### Local Area Cost Adjustments

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Red Devil Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Red Devil ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Red Devil Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 22**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Red Devil Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 26**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Red Devil Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>11</b>
AIAN households with annual income less than 30% of median income:	0
AIAN households with annual income between 30% and 50% of median income:	4
AIAN households with annual income between 50% and 80% of median income:	0
AIAN households which are overcrowded or without kitchen or plumbing:	4
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	4

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Red Devil Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$60,417
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$0
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$60,417</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$60,417</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$60,417</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	11	22		
AIAN households with annual income less than 30% of median income	0	0		
AIAN households with annual income between 30% and 50% of median income	4	4		
AIAN households with annual income between 50% and 80% of median income	0	0		
AIAN households which are overcrowded or without kitchen or plumbing	4	4		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

133. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
134. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
135. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Scammon Bay

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Scammon Bay Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Scammon Bay  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Scammon Bay****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Scammon Bay Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Scammon Bay ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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Indian Housing Block Grant Formula Data

**U.S. Department of Housing  
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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Scammon Bay Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 619**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Scammon Bay  
Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 619**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Scammon Bay Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>536</b>
AIAN households with annual income less than 30% of median income:	45
AIAN households with annual income between 30% and 50% of median income:	30
AIAN households with annual income between 50% and 80% of median income:	30
AIAN households which are overcrowded or without kitchen or plumbing:	100
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	105

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Scammon Bay Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$485,725
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$1,590
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$5,076
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$479,059</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$479,059</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$479,059</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	536	537		
AIAN households with annual income less than 30% of median income	45	49		
AIAN households with annual income between 30% and 50% of median income	30	30		
AIAN households with annual income between 50% and 80% of median income	30	30		
AIAN households which are overcrowded or without kitchen or plumbing	105	109		
AIAN households with housing cost burden greater than 50% of annual income	4	8		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

136. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
137. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
138. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Stony River**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Stony River

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Stony River**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Stony River****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$776,034**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Stony River Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Stony River ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Stony River Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 39**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Stony River  
Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 63**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Stony River Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	52
AIAN households with annual income less than 30% of median income:	4
AIAN households with annual income between 30% and 50% of median income:	4
AIAN households with annual income between 50% and 80% of median income:	4
AIAN households which are overcrowded or without kitchen or plumbing:	10
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	12

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Stony River Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$60,417
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$0
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$60,417</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$60,417</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$60,417</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	52	57		
AIAN households with annual income less than 30% of median income	4	4		
AIAN households with annual income between 30% and 50% of median income	0	0		
AIAN households with annual income between 50% and 80% of median income	4	4		
AIAN households which are overcrowded or without kitchen or plumbing	10	10		
AIAN households with housing cost burden greater than 50% of annual income	0	0		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

139. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
140. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
141. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Tuluksak**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Tuluksak

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Tuluksak**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Tuluksak****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Tuluksak Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Tuluksak ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Tuluksak Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 504**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Tuluksak Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 464**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Tuluksak Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>405</b>
AIAN households with annual income less than 30% of median income:	40
AIAN households with annual income between 30% and 50% of median income:	15
AIAN households with annual income between 50% and 80% of median income:	15
AIAN households which are overcrowded or without kitchen or plumbing:	80
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	70

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Tuluksak Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$374,452
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$618
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$3,919
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$369,915</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$369,915</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$369,915</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	405	405		
AIAN households with annual income less than 30% of median income	35	35		
AIAN households with annual income between 30% and 50% of median income	10	10		
AIAN households with annual income between 50% and 80% of median income	10	10		
AIAN households which are overcrowded or without kitchen or plumbing	60	60		
AIAN households with housing cost burden greater than 50% of annual income	10	10		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

142. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
143. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
144. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Tuntutuliak

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Tuntutuliak**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Tuntutuliak**  
**Formula Current Assisted Stock**  
**Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Tuntutuliak**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Tuntutuliak Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Tuntutuliak ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Tuntutuliak Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 425**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

**Tuntutuliak**  
**Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 602**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Tuntutuliak Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>420</b>
AIAN households with annual income less than 30% of median income:	55
AIAN households with annual income between 30% and 50% of median income:	35
AIAN households with annual income between 50% and 80% of median income:	30
AIAN households which are overcrowded or without kitchen or plumbing:	135
AIAN households with housing cost burden greater than 50% of annual income:	10
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	120

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Tuntutuliak Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$626,049
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$1,773
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$6,545
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$617,731</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$617,731</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$617,731</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	420	419		
AIAN households with annual income less than 30% of median income	55	55		
AIAN households with annual income between 30% and 50% of median income	45	45		
AIAN households with annual income between 50% and 80% of median income	25	25		
AIAN households which are overcrowded or without kitchen or plumbing	130	130		
AIAN households with housing cost burden greater than 50% of annual income	10	10		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

145. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
146. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
147. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Tununak**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Tununak

### Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Tununak  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Tununak**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Tununak Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Tununak ANVSA, AK-Bethel Census Area, Alaska	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Tununak Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 350**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Tununak**

### **Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 350**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Tununak Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	<b>354</b>
AIAN households with annual income less than 30% of median income:	15
AIAN households with annual income between 30% and 50% of median income:	20
AIAN households with annual income between 50% and 80% of median income:	20
AIAN households which are overcrowded or without kitchen or plumbing:	60
AIAN households with housing cost burden greater than 50% of annual income:	4
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	55

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Tununak Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$284,551
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$42
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$2,983
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$281,526</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$281,526</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$281,526</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

# FY 2023 Formula Response Form

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	354	356		
AIAN households with annual income less than 30% of median income	35	39		
AIAN households with annual income between 30% and 50% of median income	20	20		
AIAN households with annual income between 50% and 80% of median income	10	14		
AIAN households which are overcrowded or without kitchen or plumbing	65	69		
AIAN households with housing cost burden greater than 50% of annual income	4	8		

\* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.

**Note:** The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.

All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

148. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
149. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
150. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## **Indian Housing Block Grant Formula Data for the Umkumiut**

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### **Submission Deadlines**

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

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Office of Native American Programs

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula."* The guide outlines procedures for conducting a Census challenge.

## Failure to Report

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## Appeals Process

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## Technical Assistance

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

**Umkumiut**  
**Formula Current Assisted Stock**  
**Homeownership and Rental**

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Umkumiut  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

**Umkumiut****Adjustment Factors****Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%****Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$1,698**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## Umkumiut Formula Area

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Balance - Calista Alaska Native Regional Corporation, AK+	9.16%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

# **FY 2023 Formula Response Form**

Indian Housing Block Grant Formula Data

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Office of Native American Programs

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Umkumiut Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**Calista Corporation**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 60**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Umkumiut Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 61**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Umkumiut Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	57
AIAN households with annual income less than 30% of median income:	0
AIAN households with annual income between 30% and 50% of median income:	0
AIAN households with annual income between 50% and 80% of median income:	0
AIAN households which are overcrowded or without kitchen or plumbing:	2
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	0

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

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- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Umkumiut Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$60,417
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$0
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$0
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$60,417</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$60,417</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$60,417</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

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<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	57	60		
AIAN households with annual income less than 30% of median income	0	0		
AIAN households with annual income between 30% and 50% of median income	0	0		
AIAN households with annual income between 50% and 80% of median income	3	0		
AIAN households which are overcrowded or without kitchen or plumbing	7	0		
AIAN households with housing cost burden greater than 50% of annual income	0	0		
<p>* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.</p> <p><b>Note:</b> The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not</p>				

provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.
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All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

151. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
152. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
153. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ih/bgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ih/bgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

# FY 2023 Formula Response Form

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Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

## Indian Housing Block Grant Formula Data for the Yupit of Andreafski

This document provides notice to the Tribe and/or Tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

### Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2022**, for consideration in the FY 2023 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2022. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2024 is included in Attachment A

# **FY 2023 Formula Response Form**

Indian Housing Block Grant Formula Data

U.S. Department of Housing  
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Office of Native American Programs

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of this form. Should you wish to initiate a challenge to your Needs data for FY 2024, please consult the guide, "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula.*" The guide outlines procedures for conducting a Census challenge.

## **Failure to Report**

Please note that pursuant to §1000.315 and §1000.319, recipients are responsible for verifying and reporting changes to their FCAS on the FRF to ensure that data used for the IHBG Formula are accurate. Reporting shall be completed in accordance with requirements in subpart D and the FRF. If a recipient receives an overpayment of funds because it failed to report such changes on the FRF in a timely manner, the recipient shall be required to repay the funds within five fiscal years. HUD shall subsequently distribute the funds to all Indian Tribes in accordance with the next IHBG Formula allocation. A recipient will not be provided back funding for any units that the recipient failed to report on the FRF in a timely manner. HUD shall have three years from the date a FRF is sent out to take action against any recipient that fails to correct or make appropriate changes on that FRF. Review of FCAS will be accomplished by HUD as a component of A-133 audits, routine monitoring, FCAS target monitoring or other reviews.

The deadline for responding with changes to the data on the FRF is August 1. Any changes reported after the August 1 deadline are not timely under §1000.315 and §1000.319. Accordingly, no back funding is authorized based on changes reported after August 1; nor will untimely reported units be included in the FY 2023 allocation.

## **Appeals Process**

Tribes/TDHEs may appeal HUD decisions regarding data used in the IHBG formula and HUD formula determinations in accordance with §1000.336(d).

## **Technical Assistance**

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Yupiiit of Andreafski Formula Current Assisted Stock Homeownership and Rental

HUD records show your Tribe/TDHE having the following Formula Current Assisted Stock (FCAS) funded by 1937 Housing Act programs. Please compare the project numbers, number of units, type of units, and Date of Full Availability (DOFA) with your records. Then postmark or fax any changes and corrections, including updated information, to the IHBG Formula Customer Service Center by **August 1, 2022**, for inclusion in the FY 2023 allocation. **Please note:** If a unit becomes ineligible as FCAS between the date in which you report and September 30, HUD will need to recover the over-funding that the recipient received for that unit unless the recipient submits an additional Appendix A1 before September 30 that indicates the unit's eligibility status.

The unit counts reported below include:

- Low Rent, Mutual Help and Turnkey III units funded under 1937 Housing Act (i.e., units that were subject to an Annual Contributions Contract (ACC)).
- Units converted prior to October 1, 1997, as the type of unit to which it was converted.
- Units converted on or after October 1, 1997, as the type of unit funded on the latest ACC.

The unit counts reported below do not include:

- Units built with NAHASDA, HOME, or ICDBG funds.
- Units built with BIA, State, or tribal funds.
- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as housing dwelling units, including units used for non-dwelling purposes and unoccupied units not being made available for occupancy.
- Units previously reported as having been conveyed, conveyance eligible (paid-off but not conveyed), or demolished.

A unit that is conveyance eligible will be removed from HUD's FCAS data when it becomes eligible for conveyance. If a legal impediment prevented the conveyance, the Tribe/TDHE needs to make reasonable efforts to overcome the legal impediment as required in §1000.318(b). When the unit is conveyed, it is up to the Tribe/TDHE to report to the IHBG Formula Customer Service Center when the unit is conveyed or when the 2-year time period is up, and to provide all necessary documentation for HUD to re-evaluate the unit to see if it remained eligible as FCAS beyond the conveyance eligibility date. If the Tribe/TDHE has demonstrated it made reasonable efforts to convey in the face of a legal impediment as required by §1000.318(b), then HUD will revise the FCAS data for the preceding years and calculate the appropriate adjustment pursuant to the formula at §1000.319. No homeownership unit will be considered FCAS 24 months after the date the unit became conveyance eligible, unless the Tribe, TDHE, or IHA provides evidence from a third party, such as a court or state or federal government agency, documenting that a legal impediment continues to prevent conveyance, and assuming that the Tribe made reasonable efforts to overcome any existing legal impediments during the preceding 24 months in accordance with §1000.318(b).

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Please note changes and corrections to the unit counts on the table below and also complete and submit appropriate forms as follows:

- Use **Appendix A1** to report units that are conveyance eligible or conveyed.
- Use **Appendix A2** to report changes due to DOFA of FCAS units.
- Use **Appendix A3** to report changes due to conversion of FCAS units.
- Use **Appendix A4** to report demolished and rebuilt FCAS units.
- Use **Appendix A5** to report all other FCAS changes.

**NOTE:** In accordance with Section 302(b)(1) of the *Native American Housing Assistance and Self-Determination Act (NAHASDA)*, 25 U.S.C. § 4152(b)(1), Mutual Help and Turnkey III units developed under the United States Housing Act of 1937 that are conveyed or eligible to be conveyed prior to October 1 of the calendar year immediately preceding the FY for which funds are provided cease to be eligible as FCAS beginning that FY unless the Tribe can demonstrate that the unit has not been conveyed for reasons beyond its control. By the terms of their Mutual Help and Occupancy Agreements (MHOA), such units are eligible for conveyance no later than 25 years from the inception of those agreements, which generally corresponds to the Date of Full Availability (DOFA). **Accordingly, all units in any project that reached its DOFA in FY 1997<sup>1</sup>, are presumptively no longer considered FCAS, and HUD is removing them from its FCAS data for the Tribe in the table below as indicated with a (\*).** If your Tribe believes that any of these units are still eligible for FCAS, please identify the project and unit number and provide the necessary information in accordance with the FRF as follows:

1. If the unit was converted to and is currently managed as a Low Rent (LR) unit, provide the information required in Appendix A3.
2. If there is a subsequent homebuyer, or the unit is still within the term of its lease-to-own agreement, please provide the information required in Appendix A5, including the date that the current agreement was signed and the termination date of the agreement.

Your Tribe has no Current Assisted Stock Projects

<sup>1</sup>All units in projects that reached DOFA prior to FY 1997 were previously removed from FCAS on an FRF for FY 2014 or later, and are only listed on the FRF if the Tribe/TDHE submitted unit level information documenting continued eligibility. Unit eligibility will be re-challenged every three years to assure appropriate treatment.

**Yupiit of Andreafski  
Formula Current Assisted Stock  
Section 8**

Under the IHBG Formula, your Tribe's FCAS count includes the following Section 8 units:

**Number of units: 0**

By regulation, Section 8 units are counted under the IHBG formula after their contracts expire only if the Tribe/TDHE continues to manage the assistance in a manner similar to the Section 8 program.

If you no longer provide or operate an equivalent number of Section 8, please make corrections to the total above and on the table below.

## **Yupiiit of Andreafski**

### **Adjustment Factors**

#### **Inflation Rate Factor**

Inflation rate is adjusted annually and is a national figure used to adjust the amount of subsidy for FCAS.

**1.91%**

#### **Local Area Cost Adjustments**

Allowable Expense Level (AEL), Fair Market Rent (FMR), and Total Development Cost (TDC) are used to adjust the amount of subsidy for FCAS to reflect local conditions. TDC is also used to adjust the Needs component to reflect local costs.

Annual Expense Level (AEL):

Fair Market Rent (FMR):

**\$868**

Total Development Cost (TDC):

**\$724,888**

In accordance with §1000.336(a)(7)(b), AEL cannot be challenged. However instructions for challenging the FMR and TDC are provided in the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" available through the IHBG Formula Customer Service Center. Tribes successfully challenging FMR and TDC data elements must submit the revised figures to the IHBG Formula Customer Service Center by August 1, 2022. Please note that while HUD requires requests for formula changes to be submitted by August 1<sup>st</sup>, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY.



## **Yupiiit of Andreafski Formula Area**

In accordance with §1000.302 Formula Area (1)...."Formula Areas are:"

1. Reservations for federally recognized Indian Tribes, as defined by the U.S. Census;
2. Trust lands;
3. Department of the Interior Near-Reservation Service Areas;
4. Former Indian Reservation Areas in Oklahoma Indian Areas, as defined by the U.S. Census as Oklahoma Tribal Statistical Areas (OTSAs);
5. Congressionally Mandated Service Areas;
6. State Tribal Areas as defined by the U.S. Census as State Designated American Indian Statistical Areas (SDAISAs);
7. Tribal Designated Statistical Areas (TDSAs);
8. California Tribal Jurisdictional Areas established or reestablished by Federal court judgment; and
9. Alaska formula areas described in §1000.302 Formula area (4).

Formula areas may include additional geographic units if the Tribe demonstrates that it is providing substantial housing services in accord with §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services.

The geographic areas currently contained in your Formula Area are listed below.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Andreafsky ANVSA, AK-Kusilvak Census Area, Alaska	8.43%

A "+" next to a geographic area listed above indicates that the area overlaps with other Tribe(s). For overlapping areas, be sure to review the information in the next section, "Overlapping Formula Areas." Balance of county refers to any land in a county outside reservations or trust lands.

If any of these areas do not meet the above criteria or are not covered under §1000.302 Formula area (2), please make changes and corrections in Appendices B1 and B2.

If you wish to request other geographic areas beyond those identified above to be added to your Tribe's Formula Area, please complete the Formula Area table in **Appendices B1 and/or B2**. HUD will review this submission based on §1000.302 Formula area (2) & (3) and §1000.302 substantial housing services and determine whether or not to include these areas. HUD will make its judgment using as its guide whether this

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addition is fair and equitable for all Tribes receiving a formula allocation. Please note that if Formula Area expansions are approved based on substantial housing services, Tribes must continue to provide investment levels consistent with the definition of substantial housing services in accordance with §1000.302 substantial housing services (2).

## **Yupiit of Andreafski Overlapping Formula Areas**

**Only for Tribes with a "+" next to the geographic area  
(see previous section on Formula Area)**

In cases where Tribes are overlapped, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared. If your Formula Area is overlapped, you are likely receiving a share of the Needs data for areas beyond those listed as being part of your Tribe's Formula Area.

Currently, your Tribe is sharing Needs data as a result of overlapping Formula Areas with the following Tribes:

**None**

HUD uses Bureau of Indian Affairs (BIA) estimates for Total Resident Service Area Indian Population (TRSAIP) to proportionately allocate Needs data to the affected Tribes.

**The TRSAIP being used for your Tribe is: 134**

If you wish to correct your Tribe's TRSAIP, please contact your BIA Area Office. HUD will only accept written correspondence from the BIA to correct TRSAIP figures (see Appendix D to the document *"Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula"* available through the IHBG Formula Customer Service Center).

HUD recognizes that Tribes may be able to provide better data for overlapping areas. Therefore, HUD is requesting that each Tribe provide its Tribal Enrollment within each of the geographic areas described in the preceding section as overlapping.

If all Tribes in an overlapping area submit corrected information to HUD, HUD will then use this information to divide the funds for the affected area. Otherwise, HUD will continue to use the BIA TRSAIP estimates to make the allocations. On the form in Appendix C, list the overlapping geographic area (indicated earlier under the Formula Area section by a "+" next to the geographic area) and your Tribe's enrollment in the area.

## **Yupiit of Andreafski Tribal Enrollment & Formula Area Population Cap**

In accordance with §1000.302 (5), Tribal Enrollment is used to cap AIAN persons in calculating Needs data. A cap is placed at twice Tribal Enrollment. If there is a "\*" next to "AIAN persons" in the Needs section, your Tribe's data have been "capped."

**The enrollment being used for your Tribe (or Alaska Village or Corporation) is: 248**

If your Tribe's enrollment is different than what is listed above, please follow the instructions in Appendix D for correcting your Tribe's enrollment.

If a cap has been applied to your Tribe and you are providing housing services to more than twice as many AIAN members of other Tribes as members of your own Tribe, please follow the instructions in Appendix D for correcting your Tribe's Population Cap.

Please note that Formula Area Population Cap Adjustments must be submitted on an annual basis to the IHBG Formula Customer Service Center for approval. The requests must be postmarked or faxed by August 1 of this year.

## Yupiiit of Andreafski Needs Data

Listed below are the data currently being used to calculate the Needs component of your Tribe's allocation based on your Tribe's "Formula Area" (see Formula Area section of this document).

The data used are from a special tabulation. This tabulation:

- Counts individuals reported as AIAN. The AIAN person count variable comes from the Decennial Census and is aged using Census population estimates. For the FY 2010 Decennial Census, data for reservations, trust lands, and remote Alaska will receive an undercount adjustment of 4.88%. For all other Needs variables, in FY 2023 HUD will use the 5-year rolling average from 2014 to 2018 ACS data. The ACS data will be updated every year. Therefore, in FY 2024, the ACS data will be from 2015 to 2019. These data sources apply unless Tribes have approved Census Challenges in place. **No, your Tribe does not have an approved Census Challenge.**
- The FY 2023 estimate is calculated with the Needs component based on single race (AIAN alone) Census data and multi-race (AIAN alone and in combination with other race(s)) Census data. The amount of the allocation for each Indian Tribe was determined to be the greater of the two resulting allocation amounts.

The growth adjustment factor and the undercount adjustments used for your Formula Area are listed next to each Formula Area in the table listing your Tribe's Formula Area.

After adjusting for population growth and undercount, sharing of Needs data among Tribes in cases of overlapping Formula Areas and application of the Population Cap (see note below), your Tribe's Needs component is based on **single-race data**. The Needs data are:

AIAN persons:	90
AIAN households with annual income less than 30% of median income:	4
AIAN households with annual income between 30% and 50% of median income:	10
AIAN households with annual income between 50% and 80% of median income:	10
AIAN households which are overcrowded or without kitchen or plumbing:	15
AIAN households with housing cost burden greater than 50% of annual income:	0
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	24

Note: If there is a "\*" next to "AIAN persons" above, the Tribe's data have been "capped." This occurs when the AIAN population in the Tribe's Formula Area is greater than twice its total Tribal Enrollment.

If you think these data do not reflect your Needs:

- Check to see if the Formula Area, as listed previously, is correct for your Tribe. If the Formula Area is not correct, submit that correction.

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(exp. 11/30/2022)

- Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
- If you still disagree, you may wish to submit a Census challenge. To determine if submitting a Census challenge would be appropriate for your Tribe, please review the *FY 2023 Needs Data* above and the *FY 2024 Needs Data* on Attachment A for a full presentation on the Needs data available for your Tribe, and then read the document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*" at: [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ihbgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula).

## Yupiiit of Andreafski Preliminary Allocation Amount

*(Based on an estimated \$772,000,000 appropriation)*

This is only a preliminary estimate to be used for planning purposes based on an estimated \$772,000,000 appropriation for the IHBG program. It will change based on corrections to the data used for all Tribes (any change in one Tribe's data affects the allocation for all Tribes) and/or actual FY 2023 appropriations.

FCAS Component <sup>2</sup> :	\$0
Needs Component <sup>3</sup> :	\$81,151
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$22,875
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$1,091
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$102,935</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$102,935</b>
§1000.342 Undisbursed Funds Adjustment <sup>7</sup> :	To be Determined
§1000.329 Minimum Allocation Adjustment <sup>8</sup> :	To be Determined
<b>FY 2023 Final Allocation Estimate:</b>	<b>\$102,935</b>

<sup>2</sup>If an "M" appears following the FCAS component, it means that the modernization subsidy on which FCAS was based was calculated using the alternative definition in §1000.316(b)(2), which states that "for Indian Tribes with an Indian Housing Authority (IHA) that owned or operated fewer than 250 public housing units on October 1, 1997, the modernization allocation equals the amount of funds received under the assistance program authorized by Section 14 of the 1937 Act (not including funds provided as emergency assistance) for FYs 1992 through 1997." If an "A" appears, it means that your Tribe had an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, but was entitled to a larger modernization amount using the original method of calculation (§1000.316(b)(1)) and your allocation was adjusted to take this into account, as called for in §1000.340(a). If no "M" or "A" appears, the modernization subsidy was calculated using the original method described in §1000.316(b)(1).

<sup>3</sup>The Needs component includes adjustments needed to achieve minimum funding as called for in §1000.328. The minimum allocation in any FY to an Indian Tribe under the Needs component of the IHBG Formula shall equal 0.007826% of the available appropriations for that FY after set asides. In this allocation, the minimum Needs allocation is \$60,417. To be eligible for the minimum allocation, an Indian Tribe must receive less than \$200,000 under the FCAS component of the IHBG Formula for the FY, and must demonstrate the presence of any households at or below 80 percent of median income.

<sup>4</sup>In accordance with §1000.331, to minimize the impact of funding changes based on the introduction of a new data source, if, solely as a direct result of the introduction of a new data source, an Indian Tribe's allocation under the Needs component of the formula is less than 90 percent of the amount it received under the Needs component in the immediate previous FY, the Indian Tribe's Needs allocation shall be adjusted to 90% of the previous year's Needs allocation.

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

<sup>5</sup> According to §1000.340, if a Tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization, its allocation is increased to the amount received in FY 1996 for operating subsidy and modernization.

<sup>6</sup> Adjustments refer to corrections made to prior year formula allocations. Most are repayment agreements with HUD, usually for over-funding received by the Tribe in prior years due to late reporting of paid-off and conveyed FCAS. Funds recovered through repayments are reallocated among all Tribes in the following FY through the formula. Adjustments are also occasionally made as a result of HUD errors in entering Tribes' information or in calculating formula allocations.

<sup>7</sup> In accordance with §1000.342, Tribes with an initial allocation amount of \$5 million or greater may be subject to a reduction depending on the amount they have in HUD's Line of Credit Control System (LOCCS) on the first day of FY 2023. The amount of the reduction would be redistributed among other Tribes in proportion to their Needs calculation.

<sup>8</sup> In accordance with §1000.329, if carryover funds are available in any given year, HUD will hold the lesser amount of \$3 million or available carryover funds for additional allocations to Tribes with allocations less than 0.011547 percent of that year's appropriation. If the set-aside carryover funds are insufficient to fund all eligible Tribes at 0.011547 percent of that year's appropriations, the minimum total allocation shall be reduced to an amount which can be fully funded with carryover funds.



## Attachment A: FY 2024 Indian Housing Block Grant (IHBG) Needs Data

The Needs data which will be used to estimate your Fiscal Year (FY) 2024 Indian Housing Block Grant (IHBG) formula allocation are shown below:

Need Variable	Adjusted 2010 Decennial Census and 2015 to 2019 American Community Survey		Tribe Submitted Census Challenge (if applicable)	
	Single Race	Multi Race	Single Race	Multi Race
American Indian and Alaska Native (AIAN) persons*	90	91		
AIAN households with annual income less than 30% of median income	4	4		
AIAN households with annual income between 30% and 50% of median income	10	10		
AIAN households with annual income between 50% and 80% of median income	10	10		
AIAN households which are overcrowded or without kitchen or plumbing	15	15		
AIAN households with housing cost burden greater than 50% of annual income	4	4		
<p>* The Decennial Census AIAN population data is adjusted for undercounts on reservation/trust lands and for remote Alaska. It is also adjusted for population change through FY 2019 based on the most recent Census county-level population projections. The count shown is the same as was used in FY 2022, since any further update is dependent on the introduction of the 2020 Decennial Census.</p> <p><b>Note:</b> The Housing Shortage Needs variable is not shown because it is based on the sum of low-income households less the total number of Current Assisted Stock (CAS), and CAS is not</p>				

provided on this document for review. However, it will be provided on your Tribe's FY 2024 Formula Response Form.
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All of the data above reflects the total Needs for your Formula Area prior to the application of the population cap. Therefore, these figures may be much higher than the amounts shown on your Tribe's Formula Response Form. If you share Formula Area with other Tribes, the data shown are your share of the Needs data in your combined overlapping Formula Areas.

If you have an approved Census challenge it will be shown in the table above, and that data will be used unless the Tribe specifically requests a return to the standard Census data set prior to March 30, 2023. If you believe you have an approved Census challenge but it is not shown in the table above, please contact the IHBG Formula Customer Service Center.

If you think these data do not reflect the Tribe's need:

154. Check to see if the Formula Area, as listed on your FY 2023 Formula Response Form, is correct for your Tribe. If the Formula Area is not correct, you may submit that correction no later than the August 1, 2022, the deadline for the FY 2023 allocation, or August 1, 2023, the deadline for the FY 2024 allocation.
155. Check to see if the Formula Area for your Tribe overlaps that of another Tribe. If it does, you may wish to contact the IHBG Formula Customer Service Center to obtain detailed information on how the Needs data are being shared.
156. If you still disagree, you may wish to submit a Census challenge no later than March 30, 2023 for the FY 2024 IHBG allocation. If so, please review the guidelines in "Challenging U.S. Census Data: Guidelines for the Indian Housing Block Grant Formula."  
[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/ih/codetalk/onap/ih/bgformula](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ih/bgformula).

Should you have questions, please contact the IHBG Formula Customer Service Center at:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)