

Bristol Bay 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 Aleknagik**

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

**Aleknagik**  
**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

U.S. Department of Housing  
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Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Aleknagik**  
**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.

## **Aleknagik**

### **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):

**\$1,234**

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.

## **Aleknagik 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>
Aleknagik ANVSA, AK-Dillingham Census Area, Alaska	1.54%

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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**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

**Aleknagik  
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: 208**

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.

**Aleknagik**  
**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: 351**

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.

## **Aleknagik 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>197</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:	15
AIAN households which are overcrowded or without kitchen or plumbing:	19
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

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).

## Aleknagik 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> :	\$98,698
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	\$8,899
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$1,128
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$106,468</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$106,468</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>\$106,468</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*	180	197		
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	15	15		
AIAN households which are overcrowded or without kitchen or plumbing	15	19		
AIAN households with housing cost burden greater than 50% of annual income	0	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 Bristol Bay Native 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.
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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

# **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)

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)

**Bristol Bay Native 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).

# 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)

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.

# 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)

Project Number	Low Rent	Mutual Help	TurnKey III	In Development	DOFA
AK02P010011	12	0	0	0	12/31/1982
AK06B010023	15	0	0	0	5/31/1986
AK94B010037	0	3	0	0	3/31/1998
AK94B010038	1	0	0	0	5/31/1998
AK94B010039	1	0	0	0	3/31/1998
AK94B010040	0	1	0	0	3/31/1998
AK94B010041	8	0	0	0	12/31/1998
AK94B010042	0	3	0	0	3/31/1998
AK94B010043	0	8	0	0	1/1/2000
AK94B010044	1	0	0	0	1/1/2000

**Bristol Bay Native 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.

## **Bristol Bay Native 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>\$799</b>
Fair Market Rent (FMR):	<b>\$985</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.

**Bristol Bay Native 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.

<b>Formula Area</b>	<b>Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census</b>
Balance - Bristol Bay Alaska Native Regional Corporation, Alaska+	-12.28%

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

# **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)

determine whether or not to include these areas. HUD will make its judgment using as its guide whether this 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).

**Bristol Bay Native 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:

**King Salmon**

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: 25**

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.

**Bristol Bay Native 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: 5,945**

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.

## **Bristol Bay Native 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:	<b>23</b>
AIAN households with annual income less than 30% of median income:	2
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:	3
AIAN households which are overcrowded or without kitchen or plumbing:	1
AIAN households with housing cost burden greater than 50% of annual income:	1
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	9

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).

## Bristol Bay Native 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> :	\$909,390
Needs Component <sup>3</sup> :	\$18,368
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$221
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	\$562,345
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$1,489,882</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$1,489,882</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>\$1,489,882</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*	23	38		
AIAN households with annual income less than 30% of median income	2	3		
AIAN households with annual income between 30% and 50% of median income	1	1		
AIAN households with annual income between 50% and 80% of median income	1	2		
AIAN households which are overcrowded or without kitchen or plumbing	1	1		
AIAN households with housing cost burden greater than 50% of annual income	1	1		

\* 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)

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 Chignik Bay Tribal 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

## **Chignik Bay Tribal 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).

# 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)

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.

**Chignik Bay Tribal 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.

## Chignik Bay Tribal 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):

**\$825**

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.

## Chignik Bay Tribal 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.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Chignik ANVSA, AK-Lake and Peninsula Borough, Alaska	-8.75%

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

**U.S. Department of Housing  
and Urban Development**  
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**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

**Chignik Bay Tribal 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: 75**

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.

**Chignik Bay Tribal 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: 227**

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.

## Chignik Bay Tribal 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>54</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:	8
AIAN households with annual income between 50% and 80% of median income:	4
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):	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.

# 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).

## Chignik Bay Tribal 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> :	\$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

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*	50	54		
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	4		
AIAN households with annual income between 50% and 80% of median income	4	8		
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:

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 Chignik Lagoon**

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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Indian Housing Block Grant Formula Data

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Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

## Chignik Lagoon

### 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Chignik Lagoon**  
**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.

## Chignik Lagoon

### 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):

**\$825**

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.

## Chignik Lagoon 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
Chignik Lagoon ANVSA, AK-Lake and Peninsula Borough, Alaska	-8.75%

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

# **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)

determine whether or not to include these areas. HUD will make its judgment using as its guide whether this 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).

## **Chignik Lagoon 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: 87**

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.

## **Chignik Lagoon**

### **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: 218**

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.

## Chignik Lagoon 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>56</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:	0
AIAN households with housing cost burden greater than 50% of annual income:	8
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.

# 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).

## Chignik Lagoon 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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U.S. Department of Housing  
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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*	47	56		
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	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	4	4		
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:

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:

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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)

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 Chignik Lake

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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and Urban Development  
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OMB Approval No. 2577-0218  
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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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E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

## Chignik Lake

### 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Chignik Lake**  
**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.

## Chignik Lake

### 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):

**\$825**

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.

## Chignik Lake 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
Chignik Lake ANVSA, AK-Lake and Peninsula Borough, Alaska	-7.97%

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

# **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)

determine whether or not to include these areas. HUD will make its judgment using as its guide whether this 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).

## **Chignik Lake 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: 144**

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.

## **Chignik Lake 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: 275**

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.

## Chignik Lake 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>67</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:	10
AIAN households with annual income between 50% and 80% of median income:	4
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):	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.

# 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).

## Chignik Lake 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

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*	67	67		
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	10	10		
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:

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  
Fax: 202-393-6411  
E-mail: [IHBGformula@firstpic.org](mailto:IHBGformula@firstpic.org)

# 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)

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 Clark'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

# **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)

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)

## Clark'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

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)

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.

**Clark'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.

## Clark'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):

**\$1,234**

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.

## Clark'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.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Clarks Point ANVSA, AK-Dillingham Census Area, Alaska	3.19%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Clark'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: 74**

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.

## **Clark'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: 138**

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.

## Clark'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>60</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:	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):	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.

# 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).

## Clark'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> :	\$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

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*	60	59		
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	4	8		
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:

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)

# 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)

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 Curyung (Dillingham)

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

**Curyung (Dillingham)**  
**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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Curyung (Dillingham)**  
**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.

**Curyung (Dillingham)****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):

**\$1,234**

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.

**Curyung (Dillingham)  
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>
Dillingham ANVSA, AK-Dillingham Census Area, Alaska	3.19%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

**Curyung (Dillingham)  
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: 2,251**

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.

**Curyung (Dillingham)**  
**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: 2,160**

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.

## Curyung (Dillingham) 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:	1,377
AIAN households with annual income less than 30% of median income:	60
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:	100
AIAN households which are overcrowded or without kitchen or plumbing:	105
AIAN households with housing cost burden greater than 50% of annual income:	40
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	183

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).

## Curyung (Dillingham) 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> :	\$767,785
§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> :	-\$8,050
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$759,736</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$759,736</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>\$759,736</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*	1,377	1,609		
AIAN households with annual income less than 30% of median income	75	79		
AIAN households with annual income between 30% and 50% of median income	50	54		
AIAN households with annual income between 50% and 80% of median income	105	115		
AIAN households which are overcrowded or without kitchen or plumbing	105	109		
AIAN households with housing cost burden greater than 50% of annual income	45	45		

\* 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 Ekuk**

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

## Ekuk

### 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Ekuk**  
**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.

**Ekuk****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):

**\$1,234**

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.

## **Ekuk 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>
Ekuk ANVSA, AK-Dillingham Census Area, Alaska	3.19%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Ekuk 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: 2**

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.

## **Ekuk 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: 122**

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.

## Ekuk 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>2</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.

# 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).

## Ekuk 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

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*	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:

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)

# 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)

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 Ekwok

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

**Ekwok**  
**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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Ekwok**  
**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.

**Ekwok****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):

**\$1,234**

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.

## **Ekwok 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>
Ekwok ANVSA, AK-Dillingham Census Area, Alaska	3.19%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Ekwok 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: 130**

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.

## **Ekwok 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: 242**

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.

## Ekwok 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>113</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:	10
AIAN households with annual income between 50% and 80% of median income:	10
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):	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.

# 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).

## Ekwok 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> :	\$67,161
§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> :	-\$704
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$66,457</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$66,457</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>\$66,457</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*	113	116		
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	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:

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)

# 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)

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 Igiugig

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

**Igiugig**  
**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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Igiugig**  
**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.

## Igiugig

### 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):

**\$825**

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.

## Igiugig 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
Igiugig ANVSA, AK-Lake and Peninsula Borough, Alaska	-7.97%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Igiugig 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: 42**

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.

## **Igiugig 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: 64**

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.

## Igiugig 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>19</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:	4
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):	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.

# 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).

## Igiugig 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

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*	19	33		
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	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:

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)

# 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)

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 Iliamna

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

**Iliamna**  
**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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

# **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)

## **Iliamna 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.

## Iliamna

### 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):

**\$825**

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.

## **Iliamna 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>
Iliamna ANVSA, AK-Lake and Peninsula Borough, Alaska	-7.97%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Iliamna 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: 91**

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.

## **Iliamna 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: 128**

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.

## Iliamna 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:	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:	4
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):	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.

# 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).

## Iliamna 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

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*	57	68		
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	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 Ivanof 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  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

**Ivanof 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Ivanof 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.

**Ivanof 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):

**\$825**

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.

**Ivanof 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
Ivanof Bay ANVSA, AK-Lake and Peninsula Borough, Alaska	-7.97%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

**Ivanof 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: 5**

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.

**Ivanof 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: 15**

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.

## Ivanof 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:	7
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  
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).

## Ivanof 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> :	\$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

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*	7	7		
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:

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)

# 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)

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 Kanatak

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

## Kanatak

### 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Kanatak**  
**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.

**Kanatak****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):

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.

## **Kanatak 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>
Minimum Needs	0.00%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Kanatak**

### **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: 57**

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.

**Kanatak**  
**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: 133**

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.

## Kanatak 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.

# 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).

## Kanatank 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

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*	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:

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 King Salmon**

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

## King Salmon

### 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**King Salmon**  
**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.

## King Salmon

### 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):

**\$985**

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.

## King Salmon 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
King Salmon ANVSA, AK-Bristol Bay Borough, Alaska+	-12.28%
Balance - Bristol Bay Alaska Native Regional Corporation, AK+	-12.28%

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

# **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)

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 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).

## **King Salmon 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:

**Bristol Bay Native 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: 85**

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.

## **King Salmon 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: 85**

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.

## King Salmon 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:	79
AIAN households with annual income less than 30% of median income:	8
AIAN households with annual income between 30% and 50% of median income:	12
AIAN households with annual income between 50% and 80% of median income:	10
AIAN households which are overcrowded or without kitchen or plumbing:	3
AIAN households with housing cost burden greater than 50% of annual income:	3
Housing Shortage (number of low-income AIAN households less total number of NAHASDA and Current Assisted Stock):	30

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).

## King Salmon 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> :	\$62,819
§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> :	-\$659
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$62,161</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$62,161</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>\$62,161</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*	79	91		
AIAN households with annual income less than 30% of median income	9	7		
AIAN households with annual income between 30% and 50% of median income	4	3		
AIAN households with annual income between 50% and 80% of median income	3	6		
AIAN households which are overcrowded or without kitchen or plumbing	3	3		
AIAN households with housing cost burden greater than 50% of annual income	3	3		

\* 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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 Kokhanok

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

## Kokhanok

### 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Kokhanok**  
**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.

## **Kokhanok**

### **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):

**\$825**

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.

## **Kokhanok 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>
Kokhanok ANVSA, AK-Lake and Peninsula Borough, Alaska	-7.97%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Kokhanok 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: 174**

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.

**Kokhanok**  
**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: 190**

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.

## Kokhanok 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>131</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:	10
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):	32

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).

## Kokhanok 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> :	\$141,238
§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> :	-\$1,481
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$139,757</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$139,757</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>\$139,757</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*	131	146		
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	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	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:

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)

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 Levelock**

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

OMB Approval No. 2577-0218  
(exp.11/30/2022)

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)

## Levelock

### 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Levelock**  
**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.

**Levelock****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):

**\$825**

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.

## Levelock 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
Levelock ANVSA, AK-Lake and Peninsula Borough, Alaska	-7.97%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Levelock 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: 124**

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.

## **Levelock 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: 209**

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.

## Levelock 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>56</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:	10
AIAN households with annual income between 50% and 80% of median income:	4
AIAN households which are overcrowded or without kitchen or plumbing:	15
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.

# 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).

## Levelock 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> :	\$94,088
§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> :	-\$986
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$93,102</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$93,102</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>\$93,102</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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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*	56	59		
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	10	10		
AIAN households with annual income between 50% and 80% of median income	0	0		
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:

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 Manokotak**

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

## Manokotak

### 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

# **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)

## **Manokotak 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.

**Manokotak****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):

**\$1,234**

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.

## Manokotak 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
Manokotak ANVSA, AK-Dillingham Census Area, Alaska	3.19%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Manokotak 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: 404**

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.

## **Manokotak**

### **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: 515**

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.

## Manokotak 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:	30
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:	40
AIAN households which are overcrowded or without kitchen or plumbing:	95
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):	110

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).

## Manokotak 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> :	\$500,981
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$614
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$5,246
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$495,121</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$495,121</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>\$495,121</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*	458	453		
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	40	40		
AIAN households with annual income between 50% and 80% of median income	35	39		
AIAN households which are overcrowded or without kitchen or plumbing	80	80		
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:

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)

# 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)

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 Naknek

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

**Naknek**  
**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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Naknek**  
**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.

**Naknek****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):

**\$985**

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.

## **Naknek 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>
Naknek ANVSA, AK-Bristol Bay Borough, Alaska	-13.90%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Naknek**

### **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: 335**

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.

**Naknek**  
**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.

## Naknek 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>256</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:	10
AIAN households with annual income between 50% and 80% of median income:	19
AIAN households which are overcrowded or without kitchen or plumbing:	8
AIAN households with housing cost burden greater than 50% of annual income:	8
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.

# 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).

## Naknek 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> :	\$86,909
§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> :	-\$911
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$85,998</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$85,998</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>\$85,998</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*	152	256		
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	10	10		
AIAN households with annual income between 50% and 80% of median income	15	19		
AIAN households which are overcrowded or without kitchen or plumbing	4	8		
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:

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 New Koliganek**

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

## New Koliganek 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**New Koliganek  
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.

## **New Koliganek**

### **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):

**\$1,234**

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.

## New Koliganek 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
New Koliganek ANVSA, AK-Dillingham Census Area, Alaska	3.19%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **New Koliganek 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: 174**

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.

## **New Koliganek 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: 262**

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.

## **New Koliganek 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>216</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:	15
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):	20

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).

## New Koliganek 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> :	\$125,809
§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> :	-\$1,319
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$124,490</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$124,490</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>\$124,490</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*	216	215		
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	20	20		
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:

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:

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# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

U.S. Department of Housing  
and Urban Development  
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OMB Approval No. 2577-0218  
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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 New Stuyahok

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

## New Stuyahok 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**New Stuyahok  
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.

## **New Stuyahok**

### **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):

**\$1,234**

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.

## New Stuyahok 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
New Stuyahok ANVSA, AK-Dillingham Census Area, Alaska	3.19%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **New Stuyahok 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: 400**

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.

## **New Stuyahok 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: 598**

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.

## **New Stuyahok 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>516</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:	30
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.

# 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).

## New Stuyahok 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> :	\$401,910
§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> :	-\$4,214
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$397,696</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$397,696</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>\$397,696</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*	516	523		
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	35	39		
AIAN households with annual income between 50% and 80% of median income	35	35		
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:

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)

# FY 2023 Formula Response Form

Indian Housing Block Grant Formula Data

U.S. Department of Housing  
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OMB Approval No. 2577-0218  
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## Indian Housing Block Grant Formula Data for the Newhalen

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

## Newhalen

### 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp.11/30/2022)

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.

# **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)

## **Newhalen 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.

## Newhalen

### 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):

**\$825**

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.

## **Newhalen 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>
Newhalen ANVSA, AK-Lake and Peninsula Borough, Alaska	-7.97%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Newhalen 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: 219**

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.

## **Newhalen 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: 219**

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.

## Newhalen 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>147</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:	4
AIAN households with annual income between 50% and 80% of median income:	15
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):	21

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).

## Newhalen 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> :	\$65,836
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$580
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$684
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$64,573</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$64,573</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>\$64,573</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*	147	167		
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	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:

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).

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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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 Perryville

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

OMB Approval No. 2577-0218  
(exp.11/30/2022)

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)

**Perryville**  
**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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Perryville**  
**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.

**Perryville**

**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):

**\$825**

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.

**Perryville  
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
Perryville ANVSA, AK-Lake and Peninsula Borough, Alaska	-7.97%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

**Perryville**  
**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: 110**

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.

**Perryville**  
**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: 269**

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.

## Perryville 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>104</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:	10
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:	4
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.

# 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)**Perryville  
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> :	\$72,145
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$412
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$752
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$70,981</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$70,981</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>\$70,981</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*	104	105		
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	14		
AIAN households with annual income between 50% and 80% of median income	10	10		
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:

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)

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 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

# **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)

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 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

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)

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 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.

**Pilot 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):

**\$825**

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 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>
Pilot Point ANVSA, AK-Lake and Peninsula Borough, Alaska	-8.75%

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

**U.S. Department of Housing  
and Urban Development**  
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**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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 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: 96**

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 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: 156**

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 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 **multi-race data**. The Needs data are:

AIAN persons:	55
AIAN households with annual income less than 30% of median income:	8
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:	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):	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.

# 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).

## Pilot 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> :	\$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

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*	43	55		
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	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	10	14		
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:

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 Port Heiden**

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

OMB Approval No. 2577-0218  
(exp.11/30/2022)

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)

**Port Heiden**  
**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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp.11/30/2022)

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.

**Port Heiden  
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.

**Port Heiden****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):

**\$825**

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.

## Port Heiden 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
Port Heiden ANVSA, AK-Lake and Peninsula Borough, Alaska	-7.97%

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

**U.S. Department of Housing  
and Urban Development**  
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**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Port Heiden 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: 116**

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.

## **Port Heiden 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: 118**

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.

## Port Heiden 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:	82
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:	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):	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.

# 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).

## Port Heiden 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

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*	82	83		
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	8		
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:

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:

2614 Chapel Lake Drive  
Gambrills, MD 21054  
Phone: 800-410-8808  
Fax: 202-393-6411  
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# 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)

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 Portage 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

# **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)

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

## Portage 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).

# 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)

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.

**Portage 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.

## Portage 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):

**\$1,234**

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.

## Portage 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.

Formula Area	Estimated Change in American Indian and Alaska Native (AIAN) population since 2010 Census
Portage Creek ANVSA, AK-Dillingham Census Area, Alaska	3.19%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Portage 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: 33**

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.

## **Portage 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: 60**

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.

## Portage 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:	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.

# 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).

## Portage 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> :	\$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

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*	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:

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)

# 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)

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 South Naknek

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

OMB Approval No. 2577-0218  
(exp.11/30/2022)

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)

## South Naknek 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**South Naknek  
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.

**South Naknek****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):

**\$985**

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.

## South Naknek 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
South Naknek ANVSA, AK-Bristol Bay Borough, Alaska	-12.28%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **South Naknek 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: 137**

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.

**South Naknek  
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: 245**

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.

## South Naknek 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>60</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:	4
AIAN households with annual income between 50% and 80% of median income:	4
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):	11

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).

## South Naknek 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

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*	60	60		
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	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:

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 Togiak**

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

**Togiak**  
**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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

**Togiak**  
**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.

## **Togiak**

### **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):

**\$1,234**

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.

## **Togiak 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>
Togiak ANVSA, AK-Dillingham Census Area, Alaska	3.19%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Togiak 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: 808**

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.

## **Togiak 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: 915**

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.

## Togiak 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>689</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:	30
AIAN households with annual income between 50% and 80% of median income:	35
AIAN households which are overcrowded or without kitchen or plumbing:	85
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):	112

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).

## Togiak 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> :	\$508,737
§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> :	-\$5,334
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$503,403</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$503,403</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>\$503,403</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*	689	817		
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	45	45		
AIAN households with annual income between 50% and 80% of median income	55	55		
AIAN households which are overcrowded or without kitchen or plumbing	90	90		
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:

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)

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 Twin Hills**

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

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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)

## Twin Hills

### 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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp.11/30/2022)

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.

**Twin Hills  
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.

## **Twin Hills**

### **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):

**\$1,234**

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.

## **Twin Hills 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>
Twin Hills ANVSA, AK-Dillingham Census Area, Alaska	3.19%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Twin Hills 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: 70**

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.

## **Twin Hills 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: 96**

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.

## Twin Hills 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>76</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:	10
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):	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.

# 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).

## Twin Hills 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> :	\$100,999
§1000.331 Phase Down Adjustments to Moderate Impact of Introduction of New Data Source <sup>4</sup> :	-\$312
§1000.340 (b) Adjustments to achieve FY 1996 Base Year Amount <sup>5</sup> :	-\$1,056
<b>Preliminary Current Year Allocation Estimate:</b>	<b>\$99,632</b>
Adjustments for over- or under-funding in prior years <sup>6</sup> :	\$0
<b>Initial Allocation Estimate:</b>	<b>\$99,632</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>\$99,632</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*	76	77		
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	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	20	20		
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:

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/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

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)

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 Ugashik

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

OMB Approval No. 2577-0218  
(exp.11/30/2022)

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)

**Ugashik**  
**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

U.S. Department of Housing  
and Urban Development  
Office of Native American Programs

OMB Approval No. 2577-0218  
(exp. 11/30/2022)

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.

# **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)

## **Ugashik 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.

**Ugashik****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):

**\$825**

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.

## Ugashik 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
Ugashik ANVSA, AK-Lake and Peninsula Borough, Alaska	-7.97%

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

**U.S. Department of Housing  
and Urban Development**  
Office of Native American Programs

**OMB Approval No. 2577-0218**  
(exp. 11/30/2022)

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).

## **Ugashik 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: 12**

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.

## **Ugashik 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: 81**

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.

## Ugashik 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:	7
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.

# 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).

## Ugashik 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

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*	7	9		
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	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		
<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:

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/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)