



August 22, 2011

Raphael W. Bostic, Ph.D.
Assistant Secretary
Office of Policy Development and Research
Department of Housing and Urban Development
451 Seventh Street, SW., Room 8230
Washington, DC 20410-6000

**RE: Response to CIHA's Public Comments Regarding HUD's Assessment of Native American, Alaska Native and Native Hawaiian Housing Needs
[Docket No. FR-5486-N-11]**

Dear Assistant Secretary Bostic:

On behalf of Cook Inlet Housing Authority (CIHA), thank you for your prompt and thorough response to our public comments on the above-referenced notice issued by the Department of Housing and Urban Development (HUD). CIHA appreciates HUD's significant efforts to solicit, review, and respond to the input of tribes and Tribally-Designated Housing Entities (TDHEs) regarding the Housing Needs Study.

It is clear from HUD's response that HUD has given the comments it received due consideration and was willing to modify the survey instruments based upon the suggestions of tribes and TDHEs. HUD's desire to conduct an unbiased study that accurately demonstrates the need for affordable housing in Alaska Native and American Indian communities is apparent and greatly appreciated.

While HUD's responses were generally sound and well-reasoned, CIHA was confused and somewhat concerned by the manner in which HUD responded to several of our comments. This letter asks HUD to reassess those few issues and provides additional information regarding the nature of CIHA's concerns. Your reconsideration will be greatly appreciated.

1. Household Screener, Sections S1c and S1f – Tribal Affiliation

In its written comments, CIHA suggested that references to tribal affiliation should be removed throughout the survey tools and the questions reframed to mirror the U.S. Census, from which Alaska Native and American Indian population data is presently gathered and used to run the Indian Housing Block Grant funding formula. The U.S. Census relies upon self-identification, rather than tribal affiliation or enrollment, to determine Alaska Native/American Indian status.

HUD has repeatedly assured tribes and TDHEs that the singular purpose of the Housing Needs Study is to provide a national level assessment of the need for housing in Indian Country. We have been told that the study will not distinguish between the housing needs of different tribes. If this is the case, it does not make sense that HUD would seek to gather data regarding tribal enrollment or tribal affiliation.

In its response to CIHA's comments, HUD stated, "By statute, The Indian Housing Block Grant is designed to serve enrolled tribal members, although there are some exceptions. Therefore, HUD will gather information that indicates if the funds are serving the intended target group." This response fails to give due consideration to the approximately 75,000 Alaska Native and American Indian individuals who were born after the Alaska Native Claims Settlement Act (ANCSA) was passed and who are therefore unable to become shareholders ("members") of ANCSA Regional Corporations. Any suggestion that NAHASDA funds expended to serve this vast Alaska Native and American Indian population are not being used to serve the "intended target group" is inaccurate and contrary to the NAHASDA regulations.

In conducting the Housing Needs Study, HUD should not simply disregard NAHASDA's regulatory framework by equating tribal enrollment or tribal affiliation with eligibility to receive IHBG-funded services. To maintain consistency between the Housing Needs Study and the NAHASDA regulations, HUD should remove references to tribal affiliation or enrollment throughout the survey tools and reframe the questions to mirror the U.S. Census, which relies upon self-identification to determine Alaska Native/American Indian status.

2. Household Survey, Section H2 – Maintenance Performance of Tribes and TDHEs.

This question asks whether a "tribal housing authority" does "its share" to keep a unit in good condition. CIHA noted that under some programs, such as Mutual Help, it is the responsibility of the resident, not the tribal housing entity, to maintain the unit. However, this will not stop some of the participants in such programs from responding that the tribal housing entity should do more to maintain the unit, even though it is the intent of the program to help residents develop self-sufficiency as they transition to homeownership. Thus, the question does not provide an accurate indication of whether the tribe or TDHE is actually doing "its share" of the maintenance. Rather, it measures whether the resident *wants* the tribal housing entity to do more, regardless of whether the resident or the tribal housing entity is responsible for maintenance under a particular program.

HUD responded, "This question seeks only the perception of the respondent and will be treated as such." How is this good data? It is CIHA's understanding, from HUD's public representations, that the Housing Needs Study is HUD's effort to accurately measure, at a national level, the need for housing in Native American communities. It is difficult to understand how this question will gather accurate, reliable data that informs the need for housing in Indian Country. The purpose of the Housing Needs Study will not be furthered if HUD determines the percentage of Alaska Native and American Indian Individuals that subjectively believe and Indian housing organization should do more to maintain their homes. Rather, the study should inquire about the condition of the unit and what resources are needed to improve the home to a safe and secure condition.

3. Tribal/TDHE Telephone Survey, Section H6 (page 20) – IHBG Rules and Practices

In its written comments, CIHA questioned why the Tribal/TDHE Telephone Survey contains an entire section addressing Indian Housing Block Grant rules and procedures. HUD responded, in part, "We see a direct connection between thoughtful improvements in NHASDA [sic] rules and procedures and addressing housing needs in an efficient, cost effective, and culturally responsive manner."

Publicly, HUD has described the Housing Needs Study as a national-level assessment of the need for housing in Indian Country. If the Housing Needs Study is also intended to measure the efficacy of NAHASDA in addressing housing needs, HUD should explicitly inform tribes and TDHEs of this objective. Whether NAHASDA has or has not effectively met the need for housing in Indian

Country is a very different assessment than that which has been described to IHBG recipients during HUD's outreach and Tribal Consultation efforts.

In fact, it would be redundant for the Housing Needs Study to attempt to assess how NAHASDA rules and procedures have impacted housing needs. Just last year, the Government Accountability Office published a report titled, "Native American Housing: Tribes Generally View Block Grant Program as Effective, but Tracking of Infrastructure Plans and Investments Needs Improvement" (GAO-10-326). HUD should refrain from gathering new data on the efficacy of NAHASDA and instead use the resources at its disposal to gather as much pertinent data as possible regarding the need for housing in Native American communities.

On behalf of Cook Inlet Housing Authority, thank you for engaging tribes and TDHEs in meaningful conversation about the form and content of the Housing Needs Study survey implements. We have found PD&R staff to be eager to learn, responsive, and committed to producing a product of the highest quality. If we can further clarify our concerns regarding the above issues, please do not hesitate to contact Gabe Layman, Corporate Counsel for CIHA, at (907) 793-3004.

Respectfully,

A handwritten signature in purple ink, appearing to read "Carol Gore", with a long horizontal flourish extending to the right.

Carol Gore
President/CEO