

CAS proposal 1C

1000.340 How do tribes' pre-NAHASDA funding levels for public housing operation and modernization affect the IHBG formula?

If, in any fiscal year, the total amount made available for the IHBG formula is equal to or greater than the total amount made available for Fiscal Year 1996 for operation and modernization of public housing developed pursuant to a contract between the Secretary and an Indian housing authority pursuant to the United States Housing Act of 1937:

(a) Except with respect to a tribe described in paragraph (b) of 1000.340, if an Indian tribe is allocated less funding under the formula than an IHA received on its behalf in Fiscal Year 1996 for operating subsidy and modernization, its grant is increased to the amount received in Fiscal Year 1996 for operating subsidy and modernization.

(b) An Indian tribe with an IHA that owned or operated fewer than 250 public housing units on October 1, 1997, shall receive as modernization assistance the average amount of funds provided to the tribe (other than funds provided as emergency assistance) under the assistance program under section 14 of the United States Housing Act of 1937 for Fiscal Years 1992-1997.

The remaining grants are adjusted to keep the allocation within available appropriations.

APPENDIX A

8. A tribe's total grant is calculated by summing the FCAS and Need allocations. Subject to Section 302(d)(2) of NAHASDA:

- (a) If a tribe received more in FY 1996 for operating subsidy and modernization than they do under the IHBG formula, their grant is adjusted up to the FY 1996 level. Indian tribes receiving more under the IHBG formula than in FY 1996 "pay" for the upward adjustment for the other tribes by having their grants adjusted **downwards; but**
- (b) **any Indian tribe with an IHA that owned or operated fewer than 250 public housing units on October 1, 1997 will receive modernization assistance equal to the average amount of funds provided under the Comprehensive Improvement Assistance Program set forth in section 14**

of the United States Housing Act of 1937. (See § 1000.340.)

APPENDIX B

1. The Indian Housing Block Grant Formula consists of two components, the Formula Current Assisted Stock (FCAS) and Need. Therefore, the formula allocation before adjusting for the statutory requirement that a tribe's minimum grant will not be less than the tribe's FY 1996 Operating Subsidy and Modernization funding, **or FY 1992-1997 Modernization average as applicable**, can be represented by...

4. (a) Except with respect to a tribe with an IHA that owned or operated fewer than 250 units on October 1, 1997, MOD considers...

(b) for a tribe with an IHA that owned or operated fewer than 250 units on October 1, 1997, MOD equals the average amount of funds provided to the tribe (other than emergency assistance) under the Comprehensive Improvement Assistance Program(CIAP) for FY 1992 to 1997.

$$\text{MOD} = [\text{CIAP '92+93+94+95+96+97}] / 6$$