



July 28, 1998

TO: All Tribal Government Leaders and Tribally Designated Housing Entities

FROM: Jacqueline Johnson, Deputy Assistant Secretary, P

TOPIC: Indian Housing Plan

SUBJECT: Submission date for Indian Housing Plans for Federal Fiscal Year 1999, and Thereafter

Purpose: This guidance is to notify tribes and tribally designated housing entities (TDHEs) of HUD's policy regarding submission dates for Indian Housing Plans for Federal Fiscal Year (FFY) 1999, and subsequent years.

Background: The regulation at 24 CFR section 1000.201 states that every fiscal year HUD will make grants under the Indian Housing Block Grant (IHBG) Program to recipients (tribes or TDHEs when authorized by one or more Indian tribes) who have submitted an IHP to HUD for that fiscal year in accordance with section 1000.220 to carry out affordable housing activities.

Section 1000.214 requires that IHPs be initially sent by the recipient to the Area Office of Native American Programs (ONAP) no later than July 1. Grant funds cannot be provided until the plan is submitted and determined to be in compliance with section 102 of NAHASDA and funds are available.

FFY 1998 IHPs were required to be submitted to the Area ONAP no later than July 1, 1998. The regulation at section 1000.216 explains that if the IHP is not initially sent by July 1, the recipient will not be eligible for IHBG funds for that fiscal year. Any funds not obligated because an IHP was not received before the deadline has passed shall be distributed by formula in the following year.

Policy: In accordance with section 1000.216, IHPs for FFY 1999 funding must be submitted to the Area ONAP no later than July 1, 1999. Subsequent submissions must also be sent no later than July 1, of the FFY for which the IHP is being submitted. Other than the July 1 deadline, the regulations do not require IHPs to be submitted at any particular time.

NAHASDA Guidance 98-08, dated January 23, 1998, explained that after the first year of the IHBG Program (1998), all IHPs must coincide with the tribe's/TDHE's 12-month program year. The Bulletin also states that in order to maintain continuity in its program, a tribe/TDHE should submit its IHP no later than 60 days prior to its program year start date to allow for HUD's review period. This guidance was provided to assist tribes/TDHEs with program management and is only a suggestion, not a requirement.

While an IHP can be submitted any time prior to the July 1 deadline, recipients should remember that in accordance with section 1000.214, grant funds cannot be provided until funds are available. Funds are made available to HUD, and therefore can be made available to recipients, only after the funds are appropriated by Congress and made available to HUD for distribution. Therefore, IHPs that are submitted prior to HUD's appropriations will be reviewed by the Area ONAP to determine compliance, but grant awards will not be made until such time as funds, for the FFY for which the IHP is prepared, are appropriated by Congress and made available to HUD for distribution. Additionally, if the recipient's final grant amount is not known at the time the IHP is prepared, the recipient will need to revise its IHP to reflect the

correct grant amount.