

NATIVE AMERICAN RECOVERY ACT PROGRAMS FREQUENTLY ASKED QUESTIONS

NATIVE AMERICAN HOUSING BLOCK GRANT (NAHBG) PROGRAM

Eligible Activities/Applicants

Q.33. The NAHASDA regulation at 24 CFR 1000.122 says that there is no prohibition on using NAHASDA funds as match for other programs. Can Recovery Act NAHBG funds be used as match?

A.33. Yes. These funds have to be used for affordable housing and meet the deadlines in the Recovery Act.

Q.34. Can Recovery Act formula funds be used by a TDHE/tribe as leverage in its NAHBG competitive application?

A.34. No. Funds that were distributed to a tribe/TDHE in the Recovery Act formula may not be counted as leverage in NAHBG competitive applications. The NOFA says that HUD will award points based on the percentage of non-IHBG resources provided relative to project costs. Recovery Act IHBG formula funds are an IHBG resource.

Q.35. Section 1000.110(d) of the NAHASDA regulation says that TDHEs/tribes can use up to 10% of their annual grant amounts to serve non-low income families. Can NAHBG grantees also use 10% of their NAHBG Recovery Act funds to serve this population?

A.35. Yes. The NAHASDA regulation permits tribes/TDHEs to use up to 10% of their annual grant amounts to serve families whose incomes are between 80-100% of median income. HUD approval is needed to exceed this amount. The NAHASDA regulation applies to this competitive program.

Q.36. Can a tribe waive its procurement rules to use Recovery Act funds quickly?

A.36. No, the NOFA states that applicants awarded a grant under this NOFA are required to comply with the regulations, guidelines, and requirements with respect to the acceptance and use of federal funds for this federally assisted program.

Q.37. In relation to the total development cost, is there a square foot maximum?

A.37. No. The NAHASDA regulation at 24 CFR 1000.156 states that affordable housing must be of moderate design which is defined as housing that is of a size, and with amenities consistent with unassisted housing in the Indian tribe's general geographic area. The latest TDC limits are posted on the web at <http://www.hud.gov/offices/pih/ih/regs/notices.cfm>

Q.38. Is there a maximum on indirect costs?

A.38. Applicants must utilize the indirect cost rates for this competitive NAHBG program that they have been using in their annual formula IHBG programs. See ONAP Program Guidance No. 2002-06.

Q.39. Is there a cap on administrative fees?

A.39. Yes, there is a cap of 20 percent on administrative and planning costs.

Project Ceilings

Q. 40. How does a tribe that has never received IHBG funds in the past know what its ceiling is for the competitive NAHBG program?

A.40. The NAHBG Recovery Act formula allocations included all tribes that are eligible for the formula except for three tribes that have requested that they not be included in the annual formula run. So even if a tribe has not participated in the Indian Housing Block Grant program, a formula grant amount was calculated for both the annual IHBG program and the Recovery Act formula program. If one of the three tribes that has opted out of the program in writing would like to participate, they should contact their Area Office of Native American Programs.

Application Submission Process

Q.41. What documentation is required for the tribal certification? Must it be a tribal resolution or would a letter from the Tribal Chairperson be sufficient?

A.41. A letter from the Tribal Chairperson or the person that signs the SF-424 would suffice.

Q.42. What does "submit evidence of registration with the CCR" mean?

A.42. Applicants receive an e-mail from CCR upon successful registration. A copy of this e-mail or any other documentation from CCR that indicates a valid registration can be submitted.

Q. 43. The NOFA identifies HUD-4123 as the Implementation Schedule. In actuality the form 4125 is the Implementation Schedule. Will this be corrected?

A. 43. There is no mistake in either the ICDBG or NAHBG Recovery Act NOFA on the number or name of the form HUD-4125 or form HUD-4125-A. The Implementation Schedule is identified as form HUD-4125 (or form HUD-4125-A) in both NOFAs in the checklists.

Application Review Process

Q.44. With respect to leveraging resources, can a tribe's contribution of "proceeds of sale" (MEPA funds from conveyed Mutual Help units) be considered leveraged resources since these are not NAHASDA funds?

A.44. Yes, since these are not NAHASDA funds.

Q.45. What happens to applications that are received on the last day (July 13)? Are they still awarded first come, first serve if they make 70 points or are they ranked based on the number of points?

A.45. Applications will be date and time stamped as they are received. If two or more fundable applications are received on the same date and at the same time, the application will be considered for funding based on the highest points received.

Q.46. What documentation is required to prove the feasibility of the project and to document costs? Does HUD expect to see architectural drawings, if so at what detail, and do applicants need to send a third party cost estimate?

A.46. The documentation needed will depend on the project. HUD will expect to see cost estimates broken down by line item for each proposed activity, including planning and administration costs. Architectural drawings are not required nor are third party cost estimates. Applicants are, however, required to include a description of the qualifications of the person who prepared the cost estimate.