

Form Numbers: HUD-52730, HUD-3188, HUD-53045/HUD-53045A.

Respondents: Indian Housing Authorities.

Reporting Burden:

	Number of respondents	×	Frequency of responses	×	Hours per response	=	Burden hours
Application Development; Site Report; Cost Budget; Certifications; Plans; Agreements; Operating Budgets; Notification; Documentation; Reporting.	191		1		Varies		69,426

Status: Reinstatement.

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Dated: June 22, 1995.

Part 950—Indian Housing: Revised Consolidated Program Regulations

A. Justification

1. Approval is requested for information collections (new (N) and existing without OMB Approval (E)). The Indian Housing Act of 1988 (Public Law 100-358, 102 Stat. 676) created a separate Title II of the U.S. Housing Act of 1937 (42 U.S.C. 1437aa). The Indian Housing Revised Consolidated Program Regulations (Part 905) were drafted to implement the Indian Housing Act of 1988. HUD has reviewed these regulations and added a new Part 950 which contains the Indian Housing consolidated regulations that were previously set forth in 24 CFR part 905. In addition, Part 950 amends a number of the Indian Housing consolidated regulations to simplify program processes, reduce the number of regulatory requirements, and provide more flexibility to local Tribal and Indian housing authority officials.

(E) Section 950.135(e)—Indian Housing Authorities (IHAs) must prepare and submit a management improvement plan to the Field Office of Native American Programs (FONAP) when it is informed that it lacks administrative capability. The Plan must describe in detail the method for correction of existing deficiencies to achieve administrative capability and the time schedule to be maintained. The Plan shall be approved by the IHA Board of Commissioners and is subject to HUD approval.

(E) Section 950.135 (f)—An IHA may be classified as "high risk" and determined ineligible for certain types of future funding related to the classification of the risk, or may be determined eligible for future funding but subject to special conditions or restrictions corresponding to the high risk classification. Some of the special conditions could be submission to HUD of additional documentation, more detailed financial reports; establishing additional approval by HUD.

(E) Section 950.135(g)—An IHA may appeal a corrective action order or a determination of high risk status to the Administrator, Field Office of Native American Programs (FONAP). The appeal must be in writing. An IHA may appeal the decision of the FONAP Administrator to the Director of ONAP, Headquarters if the case involves actions related to a determination of ineligibility of funding for the upcoming funding cycle. The appeal must be writing.

(E) Section 950.160(a)(4)—An IHA shall maintain records sufficient to detail significant history of an procurement i.e., solicitation and award procedures comply with State, tribal, or local laws, award does not exceed approved budget amount, IHA renewed contractor's qualifications.

(E) Section 950.160(b)—All IHAs must adopt and promulgate rules and regulations for the procurement and administration of supplies, materials, services, and equipment in connection with the development and operations of its projects. As soon as these standards, rules or regulations are adopted, or modified, the IHA must submit a copy to HUD.

(E) Section 950.175—Indian Preference requirements of 7(b) of the Indian Self-determination and Education Assistance Act apply to all procurement under a contract with the IHA. If only one bids received the IHA must request a HUD review in accordance with 24 CFR 85.36 in order to award the contract to the single bidder. (Current OMB Number 2577-0076, expires 8/31/95.)

(E) Section 950.215—The development project production methods are determined by the IHA. If HUD disapproves of the preferred development, the IHA must be provided justification for the disapproval. In all cases where the IHA chooses the Force Account method prior HUD approval must be obtained. The IHA must demonstrate that it has the technical and administrative capability to complete the project within the projected time and budget. (Current OMB Number 2577-0030, expires 2/28/97.)

(E) Section 950.225—Application for a project are submitted in response to a NOFA published by HUD. The applicant must submit information to HUD which enables the Department to rate and rank applications under the competitive process. (2577-0030)

(E) Section 950.229—The IHA shall submit for HUD review and acceptance a development cost budget showing anticipated expenditures and any needed supporting documentation before funds can be obligated or expended. (Current OMB 2577-0032, expires 8/31/95.)

(N) Section 950.230—At the beginning of the development planning process, an IHA prepares a schedule of activities guiding the process. The schedule, and any amendments thereto, are provided to HUD to be used in planning and monitoring activities.

(E) Section 950.231—Upon notification of a development grant approval, the IHA shall schedule a project coordination meeting to plan and schedule the steps needed to develop the project. IHA shall establish a schedule of planning activities with target dates for completion of key activities. The schedule, and any amendments thereto, shall be provided to meeting participants and to HUD to be used in planning and monitoring activities. (2577-0030)

(N) Section 950.247—The need to submit the required documents are the direct results of the change in the environmental review process for public and Indian Housing programs. A statutory change moved the environmental review responsibility from the HUD field office staff to the tribal government. The process now requires the tribe to complete the environmental review and provide the IHA a written certification reflecting the completion of the process and the nature of the findings. The IHA will submit the certification along with a request for release of funds to the area ONAP for each project to be undertaken.

(E) Section 950.250(a)—IHAs must certify to HUD that all conditions that would prevent the site from being included in the project have been