

and that time does not count towards probation. Phil said the HIP authority has always had the authority to submit a check request for payment. Jessie said even without checks on the construction status? Phil said no, Housing Authority and BIA check on the status. Manuel said in future contracts they will be paid on the percentage of work completed. Manuel said they have dissolved with Minor Trudell and are going to rehire and start over again on the 3 HIP contracts. Terry Fasthorse is bonded and well known through HIP BIA in Portland and has been recommended for hiring. Fasthorse has went around to each home and appraised the work. They then hired Ken Struthers from Newport to do the same thing. He does not do construction, just estimates. Each submitted a bid which was sent to the attorney. Craig said his office sent out a demand letter to Trudell and utilized the higher figure on the estimates and requested Trudell repay the Tribe that amount. Craig said they called the State Housing Board and requested to go after Trudell's bond. The Housing Board said the bond was no good on Indian Land because the land was in trust and they had no authority. Craig said he will resolve this with the Housing Board to have a bond that works. Craig said the Board knows very little about Indian law and we are going to have to educate them. If we have a bond we should be able to go after the bond regardless. Manuel said he would stick with it until after the houses are finished. Manuel said there will not be any extra money, the money required to finish the 3 homes will run up to the limit and maybe a little over. Frank asked if Paul had received the letter yet. Manuel said no. Frank expressed concern that Paul may quit. Monte said our recommendation is not to fire him but to reprimand him. Manuel said it has taken 2 weeks to get the information from the people. Monte said there is another issue about a Tribal member being threatened by someone else. Jane wanted to know about threatening letters or verbal threats and why we don't turn it over to the authorities. The member said at the meeting that he would go for a ride and the next day one Paul Mason would be missing. Dee said a personal threat against someone's life could be dealt with and should be reported. Lillie asked about the houses, if it was 1989 carryover dollars.

TRIBAL ATTORNEY REPORT - Craig met with the Attorney General's Office last week. The western Attorney's are writing a book about Indian Rights. They are willing to work out any problems unique to Indian Tribes. He will work more on this and get back to us on his progress. Another issue is water rights, the State is willing to talk rather than going to Court. Wyoming had the same situation and spent about \$15 million in Court. Oregon is not willing to do this. Craig has prepared a letter to the State regarding Water Rights penalties and that it doesn't apply to the Tribe. The only authority they have is to determine the quantity of water the tribes own and not to regulate. Craig will be meeting with Sharon Edenfield regarding unemployment issues relating to the Tribe. Craig said under the correct view of the law the Fair Labor Standards Act does not apply to Indians. The Grand Ronde is not paying overtime in the Drug & Alcohol field. The law says you must pay overtime or give comp time. Dee asked if the people are working overtime and not being paid or given comp time. Craig said that was correct. If taken to court and found guilty, a substantial penalty would be fine. Craig prepared a letter regarding Honorary Membership/Adoption rolls. Craig asked this be an Agenda Item rather than general discussion. Dee

wanted to take the letter out to the Community for general discussion. Dee stated it was important enough to discuss in the community and get tribal members opinions. Craig will be meeting with Judy on health, John Roe on Court procedures and personnel procedures, Kristi on ICWA, and Sharon Butler on Food distribution off the reservation. Monte asked Craig if he was pursuing anything regarding hunting & fishing and if we have any rights to ocean fishing. Craig said the Tribe approached the ODL & F about hunting & fishing areas. Their response was that we agreed to what we have and not to ask for additional land. Craig said he read the consent decree and it is very specific that the Tribe would not request additional land. Craig said there were a number of issues. Craig said if the Tribe gets the hatchery this will give us an opportunity to go back to the State and say we are interested in operating the hatchery but we want additional benefits. Craig said legally we don't have any rights to expand. Monte asked if we bought the land and enhanced the run of fish, then would we not be able to catch more fish. Craig said we would be entitled to the fish that come back but would not be able to catch additional fish. Monte said we need to enhance the run regardless of our fishing rights. Monte asked how many tags we are allowed. Frank said 200 tags and only 17 were turned in. Monte said if we owned the hatchery then we would be able to catch our own fish with no limits. Phil said that this is an additional issue. Dee said the agreement with the State said they would assist us in getting a fishing site. Craig said that we may be able to utilize the hatchery as more bargaining power on changing the agreement. Monte said there were more angles then just releasing the fish. Phil asked if Craig was ready to make a recommendation on purchasing the property. Craig said he wants to obtain a copy of the lease and is concern about the water rights. Monte wanted to know if we were going to have restrictions on the amounts of water. Phil asked if Council wanted to proceed with the purchase. Dee said she would like to see the questions cleared up before deciding to purchase. Frank asked about the pounds of fish. Dee said that this was a part of the denial received from the State. Craig said they did not specify in the denial letter what they are going to address. Craig said opening the hatchery would probably be easier than asking for additional tags.

BIA HOUSING REPORT - Dee introduced Curtis Ball and Bill Sullivan from the BIA Housing. Nelsen Witt said we have the HIP program which has changed a lot since the initial start. The Bureau has revamped the program and tighten the screws on what the Tribe can do. Nelsen said originally it was questioned if the projects were actually category B and could be finished with the amount of money authorized. If everything fell into place it probably could have been done. The contract was extended until the end of December and then until the end of March. The Contractor Office said they would extend it through March but this would be the last time. Nelsen said they are holding up the money for the next projects but there would be no problems in obtaining the money once the present projects are completed. One of the projects to be completed is different from what was originally started. Nelsen said in the end if we go over the allowed amount than the Tribe may have to foot the bill.

Curtis said they were here to help the Tribe and not to point fingers. Curtis passed out a table to show how annual funding is derived. The table shows the number of housing on a national scale

that is substandard and needs repaired or replace and those who have no housing. When HIP started in 1964 they were into new housing. When HUD came into the picture HIP became a repair program and HUD picked up 90% of the new projects and 10% of the repairs. They are still using the same figures that were being used in 1984 (\$8,000 for repairs per house). Dee asked if there were any procedures for updating this figure. Monte asked if the individual homeowner skills were compensated in this. Curtis said this was a national average and homeowner skills don't apply. Approximately \$36,000 for a new house on a national average. For the Siletz Tribe under a five year program, we need \$160,000 per year. Congress appropriated roughly 22 million for the national program with Siletz getting \$152,000 for the next two years. Dee asked how the area office divide the funds. Curtis said it is already separated by Washington. Frank asked if Indian reservations across the U.S. that are doing well are receiving this money and if they are not if the money is being funnelled down to other tribes. Curtis said the money is allocated on need. The regulations state that you can only receive Cat B assistance one time after 1975. The revised regulations states you may only receive one after 1983. Frank asked if there would be more funding. Bill Sullivan said no. Frank asked what area tell the people who is in need and they are not receiving enough money. Nelsen said the formula is done when the Bureau appropriates money. The money remains in a big pot and is distributed according to Tribes input and on the need. The money is initially allotted based on the formula. Monte asked what size of house the \$36,000 was figured on. Curtis said the figure was based on the 1980 census and was probably a 3 bedroom. Dee said the argument over the amounts of money was between the Tribes and the Congressional level. Nelsen said that if they were served, regardless of the amount they received, they were no longer entitled. Hopefully under the new regulations this will change. The new regulations will clearly establish limits and guidelines to conduct HIP projects. Monte wanted to know if the owner had the money or expertise to work on the project, who inspects the work. Curtis said the tribe had a HIP coordinator and BIA also checks out the home and the costs. Monte asked about Cat D. Curtis said it was up to Tribal approval. Dolly and Jane said we have done only one CAT D in the past which included 4 homes. Bill Sullivan said the money is generated purely as a result of the survey that the Tribes submit. This is encoded and sent to the area supervisor. Bill passed out a sheet regarding repairs to houses.

Cat A - Max \$2,500 per building. This can be broken down over a period of time as long as you don't exceed the maximum limit. This is basically a social services function (electrical, plumbing, etc). You can serve someone under Cat A and then next year under Cat B. Frank asked if you put in for Cat B and you receive the money why aren't you automatically put into the Cat A category. The Tribal HIP Coordinator will inspect the house and determine the correct category. Then someone from the BIA inspects the house and either concurs and disagree.

Cat B - service that provides standard housing to the applicant (all the things that include decent standard housing) not to exceed \$20,000. The member can add their own money or obtain a tribal loan to the existing \$20,000 maximum. They also