

MEMORANDUM OF AGREEMENT
Federal Fiscal Year 2018

The parties to this Memorandum of Agreement are the eleven tribes that are within the United States Department of Housing and Urban Development's Indian Housing Block Grant formula o-link for Northern California and Oregon: Confederated Tribes of Coos, Lower Umpqua, and Siuslaw; Confederated Tribes of the Grand Ronde Community of Oregon; Confederated Tribes of Siletz Indians; Coquille Indian Tribe; Cow Creek Band of Umpqua Indians; the Karuk Tribe; The Klamath Tribes; Quartz Valley Indian Reservation; Tolowa Dee-ni' Nation (formerly known as Smith River Rancheria); the Fort Bidwell Tribe and the Yurok Tribe. All eleven tribes are hereinafter collectively referred to as "the Parties".

For good consideration therefore, receipt of which is hereby acknowledged, the Parties hereby agree to the following regarding the data to be used by the United States Department of Housing and Urban Development (hereinafter referred to as "HUD") in allocating FY-2018 Indian Housing Block Grant (hereinafter referred to as "IHBG") funds among the Parties:

1. The IHBG formula areas for the Parties overlap with one another, which has led HUD to establish an eleven-tribe "o-link" that includes the formula areas of all eleven parties to this Agreement as a single overlap area for the "needs" portion of the IHBG formula allocation.

2. Pursuant to 24 CFR §1000.326(b), the Parties hereby agree that HUD shall use tribal enrollment to determine tribal membership in the eleven-tribe "o-link" overlapping formula area for the "needs" portion of the FY-2018 IHBG formula allocation.

3. The Parties request that the HUD IHBG formula center prepare two data runs once the final numbers for FY-2018 have been calculated:

- a. Data Run "a" would show the IHBG amount for each of the Parties using tribal enrollment for the data in the needs portion of the formula.
- b. Data Run "b" would show the IHBG amount for each of the Parties if HUD had used the BIA Total Resident Service Area Indian Population (hereinafter referred to as "TRSAIP") for the data in the needs portion of the formula.

4. Those parties whose IHBG amount under the Data Run "a" (tribal enrollment) is less than that under Data Run "b" (TRSAIP) will receive a transfer of funds from the other Parties (as described below) to ensure that the total amount of funds they receive for FY-2018 equals the amount they would have received if Data Run "b" had been used as the IHBG formula allocation data. This transfer of funds will be referred to hereinafter as "making the parties whole" or "make whole" payments. Each of the parties whose IHBG amount under Data Run "a" is greater than that under Data Run "b" shall be responsible for "making the parties whole" payment in an amount equal to that party's percentage of the increase in the overall IHBG amount resulting from the use of tribal enrollment data, which payments shall be made as follows:

- a. The Klamath Tribes will make direct payment with non-IHBG funds to the Coquille Indian Tribe in the full amount of \$51,519 to make the Coquille Indian Tribe whole.
- b. The Grand Ronde Tribal Housing Authority (\$16,227.62), the Quartz Valley Indian Reservation (\$7,023.16), and the Coos, Lower Umpqua and Siuslaw Tribes (\$176.22) will make direct payment with non-IHBG funds to the Cow Creek Band of Umpqua Indians in the full amount needed to make Cow Creek Band of Umpqua Indians whole.

- c. The Fort Bidwell Indian Community Council (\$5,679.50), the Karuk Tribe Housing Authority (\$4,400.50), the Tolowa Dee-ni' Nation (formerly known as Smith River Rancheria) (\$7,971.94), the Yurok Indian Housing Authority (\$9,520.19), the Coos, Lower Umpqua and Siuslaw Tribes (\$352.32), and the Klamath Tribes (\$14,171.55) will make direct payment with non-IHBG funds to the Confederated Tribes of Siletz Indians in the full amount needed to make the Confederated Tribes of Siletz Indians whole.
 - d. The payments described in paragraph (4) a, b, and c above, shall be made upon execution of this agreement, and no later than September 30, 2017. Payments not received by September 30, 2017 will incur a 10% penalty of the amount due. Tribes that are remitting payment will notify the host tribe when payment is rendered.
 - e. No later than 30 days after the HUD award, the hosting tribe for that year will convene a conference call with all eleven (11) Tribes to determine if any adjustments to payments will be required. Payments due as a result of the reconciliation of estimated versus actual grants will be remitted within 15 days of the conference call.
 - f. A copy of each Tribes executed agreement shall be submitted to the hosting Tribe by October 1, 2017.
 - g. For payments made with IHBG funds, the party receiving payment(s) certifies that the funds shall be used in accordance with the Native American Housing Assistance and Self-Determination Act.
5. Aside from the agreements specifically set out herein, none of the Parties will have any obligation toward any of the other Parties to make payment to or indemnify as a result of this Agreement.
 6. Nothing in this Agreement is intended nor shall be construed to be a waiver of the sovereign immunity of any of the Parties, which immunity is hereby expressly asserted.
 7. Nothing in this Agreement is intended to and shall not be construed to benefit any third party or to grant any rights to any person or entity not a party to this Agreement.
 8. The Parties hereby agree that they will confer in June 2018 to determine whether or not this Memorandum of Agreement will continue for the FY-2019 IHBG allocation, and agree to meet each year thereafter in June of that year to determine the issue for the subsequent year's IHBG allocation.

[signatures on the following page]

By our signatures below, each of the persons executing this document represents that he or she is acting with proper and delegated authority on behalf of the party on whose behalf he or she is signing this Agreement:

Confederated Tribes of Coos, Lower Umpqua, and Siuslaw:

By: _____ Date: _____
Name and Title: _____

Confederated Tribes of the Grand Ronde:

By: _____ Date: _____
Name and Title: _____

Confederated Tribes of Siletz Indians:

By: _____ Date: _____
Name and Title: _____

Coquille Indian Tribe:

By: _____ Date: August 25, 2017
Name and Title: Brenda Meade, Chairperson

Cow Creek Band of Umpqua Indians:

By: _____ Date: _____
Name and Title: _____

Karuk Tribe:

By: _____ Date: _____
Name and Title: _____

Klamath Tribes:

By: _____ Date: _____
Name and Title: _____

Quartz Valley Indian Rancheria:

By: _____ Date: _____
Name and Title: _____

Tolowa Dee-ni' Nation:

By: _____ Date: _____
Name and Title: _____

Yurok Tribe:

By: _____ Date: _____
Name and Title: _____

Fort Bidwell Tribe:

By: _____ Date: _____
Name and Title: _____