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HOUSING AND UTILITY RATE

ISSUES ON RESERVATIONS

IN NORTH DAKOTA

NORTH DAKOTA ADVISORY COMMITTEE

TO THE UNITED STATES

COMMISSION ON CIVIL RIGHTS

This summary report of the North Dakota Advisory Committee to the United States Commission on Civil Rights was prepared for the information and consideration of the Commission. Statements and viewpoints in the report should not be attributed to the Commission or to the Advisory Committee, but only to individual participants in the community forum where the information was gathered.

A S U M M A R Y R E P O R T

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THE UNITED STATES COMMISSION ON CIVIL RIGHTS

The United States Commission on Civil Rights, first created by the Civil Rights Act of 1957, and reestablished by the United States Commission on Civil Rights Act of 1983, is an independent, bipartisan agency of the Federal Government. By the terms of the 1983 act, the Commission is charged with the following duties pertaining to discrimination or denials of the equal protection of the laws based on race, color, religion, sex, age, handicap, or national origin, or in the administration of justice; investigation of individual discriminatory denials of the right to vote; study of legal developments with respect to discrimination or denials of equal protections of the law; maintenance of a national clearing house for information respecting discrimination or denials of equal protection of the law; and investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

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An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 and section 6(c) of the United States Commission on Civil Rights Act of 1983. The Advisory Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission on matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Advisory Committee; initiate and forward advice and recommendations to the Commission upon matters in which the Commission shall request the assistance of the State Advisory Committee; and attend, as observers, any open hearing or conference which the Commission may hold with the State.

Housing and Utility Rate Issues on
Reservations in North Dakota

North Dakota Advisory Committee
to the United States
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North Dakota Advisory Committee

Bryce Streibel, Chairperson
Fessenden

Modesto del Busto
Grand Forks

James Laducer
Bismarck

Carol Jean Larsen
Bismarck

Claus H. Lembke
Bismarck

Cheryl A. Miller
Bismarck

Betty L. Mills
Bismarck

John M. Olson
Bismarck

Arthur Raymond
Grand Forks

Mark G. Schneider
Fargo

Dean Winkjer
Williston

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UNITED STATES
COMMISSION ON
CIVIL RIGHTS

1121 Vermont Avenue, N.W.
Washington, D.C. 20425

LETTER OF TRANSMITTAL

Members of the Commission

Arthur A. Fletcher, Chairman
William B. Allen
Carl A. Anderson
Mary Francis Berry

Esther G. Buckley
Blandina C. Ramirez
Russell G. Redenbaugh

Wilfredo J. Gonzalez, Staff Director

Attached for your information is a summary report of a community forum held by the North Dakota Advisory Committee on June 9, 1989 in Bismarck. The purpose of the forum was to gather information on housing standards and utility rate issues on Indian reservations and service areas in North Dakota.

At the forum, the Advisory Committee heard from tribal officials, consumers, representatives of the U.S. Department of Housing and Urban Development and the Bureau of Indian Affairs, staff of individual rural electric cooperatives and the general manager of the State Association of Rural Electric Cooperatives. These participants provided the Advisory Committee with a wide overview of housing and utility rate concerns of Indians. Participants agreed that substandard housing conditions were a major factor contributing to high utility bills, and that a lack of financial resources severely handicapped efforts to improve these conditions.

The Advisory Committee approved (11-0) the submission of this summary report and believes it serves to fulfill its mandate to advise the Commission of issues that have civil rights implications in North Dakota and the Nation.

Respectfully,

Bryce Streibel, Chairperson
North Dakota Advisory Committee

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I. INTRODUCTION

The U.S. Commission on Civil Rights has held a long-term interest in housing issues.¹ In its Federal civil rights enforcement effort series,² the Commission reviewed the effectiveness of various Federal departments and agencies with significant civil rights responsibilities including the Department of Housing and Urban Development, Federal Housing Administration, and various Federal financial regulatory agencies. The Commission has also held consultations where experts in the field of housing have presented information on the causes of housing segregation, legal issues in housing discrimination, racial occupancy controls, and Federal enforcement.³

¹See, Understanding Fair Housing, U.S. Commission on Civil Rights, Clearinghouse Publication 42, 1973.

²Among these reports are: Federal Civil Rights Enforcement Effort, A Report of the United States Commission on Civil Rights, 1971; The Federal Fair Housing Enforcement Effort, A Report of the U.S. Commission on Civil Rights, March 1979; Federal Civil Rights Commitments: A Assessment of Enforcement Resources and Performance, U.S. Commission on Civil Rights, Clearinghouse Publication 82, November 1983.

³See, Issues in Housing Discrimination, A Consultation/Hearing of the U.S. Commission on Civil Rights, Washington, D.C., Nov. 12-13, 1985, Volume 1: Papers Presented, and Volume 2: Proceedings; A Sheltered Crisis: The State of Fair Housing in the Eighties, A Consultation of the U.S. Commission on Civil Rights, Washington, D.C., Sept. 26-27, 1983.

Many of the Commission's State Advisory Committees have also conducted open meetings and studies of housing issues.⁴ A special joint committee of members from the Montana, North Dakota, and South Dakota Advisory Committees to the Commission conducted 3 days of open hearings, September 23-25, 1971, in Rapid City, South Dakota, to examine the civil rights concerns of American Indians living in the three States. Information was presented by Federal, State, and local officials and representatives from the many tribes of these States.

Among the issues discussed at these sessions was housing problems on reservations. Allegations were made that disorganization and lack of coordination between the Bureau of Indian Affairs (BIA) and the tribal housing authorities, and between Federal agencies, were major factors for much of the inadequate housing on the reservation. The joint committee

⁴State Advisory Committee reports on housing issues include: A Roof Over Our Heads: Migrant and Seasonal Farmworker Housing in Idaho, 1980; Housing: Chicago Style, 1982; Fair Housing Enforcement in Northwest Indiana, 1983; Fair Housing in Louisville: The Community Block Grant Program, 1982; Fair Housing in America: Vol. 1, Community Development in Louisiana, 1981; Reinvestment and Housing Equality in Michigan: Local Decisions and Federal Funds, 1980; and, Fair Housing Enforcement in St. Louis, Vol. II, 1982.

issued its report in August 1974,⁵ finding that conditions of housing were deplorable for Indians living both on reservations and in nonreservation areas.

North Dakota State Advisory Committee

At its meeting of November 10, 1988, the North Dakota Advisory Committee was provided a memorandum entitled "Current concerns of Indian people of N[orth] D[akota],"⁶ prepared by the North Dakota Indian Affairs Commission (Indian Affairs Commission). Among the issues raised by the Indian Affairs Commission were allegations that substandard housing existed on reservations; rural electric companies who service these homes were negligent in their billing practices; and that Indians received disparate treatment and were discriminated against by these rural electric companies. It was alleged that excessive

⁵Indian Civil Rights Issues in Montana, North Dakota, and South Dakota, A report of the Montana-North Dakota-South Dakota Joint Advisory Committee to the United States Commission on Civil Rights, August 1974. Hereafter cited as Joint Report.

⁶Juanita J. Helphrey, executive director, "Current Concerns of Indian people of ND," memorandum, Nov. 9, 1988. On file in the Western Regional Division. Hereafter cited as Concerns Memorandum.

light and heating bills, particularly during winter months, were symptomatic of the substandard housing and that the rural electric companies did little to remedy the problem. It was alleged that as a consequence of this unequal treatment, Indians have been denied equal protection.

The North Dakota Advisory Committee was concerned about the possibility of discrimination and denial of equal protection due to race and national origin. The Advisory Committee voted to conduct an open meeting on housing and utility rate issues on reservations in the State.

A forum was held June 9, 1989, in Bismarck. The Advisory Committee received information from tribal officials, officials of the Bureau of Indian Affairs and U.S. Department of Housing and Urban Development, State and county officials, an official of the rural electric cooperative association, and representatives of individual cooperatives and interested individuals.⁷

⁷Participants included: Jackie Broadshaug, Office of the Governor; Juanita Helphrey, executive director, North Dakota Indian Affairs Commission; Shelly Hoganson, staff assistant, North Dakota Indian Affairs Commission; Paul McCloud, executive director, Turtle Mountain Housing Authority; Phyllis Young, Board Secretary, Standing Rock Housing Authority; Michael Boyd, Chief, Housing Branch, Office for Indian Programs, U.S. Department of Housing and Urban Development; Jim Mossett, Tribal Business Council, Fort Berthold; Barb Baker, Mutual Self Help Specialist, Fort Berthold Housing

From the information collected at the forum and additional data gathered by Advisory Committee members, the Committee prepared this summary report of what it learned from participants concerning housing and utility rate issues on reservations in North Dakota.

7Cont.

Authority; Dennis Hill, executive director and general manager, North Dakota Association of Rural Electric Cooperatives; Larry Bear, attorney, Baker Electric Cooperative; Bruce Carlson, manager, Sheyenne Valley Electric Cooperative; Cedric Jacobson, manager, North Central Electric Cooperative, Bob Dipple, manager, McClean Electric Cooperative; John Simms, manager, Mor-Gran-Sou Electric Cooperative; Shirley Dykeshoorn, director, Office of Intergovernmental Assistance; Steve Hillesland, grants administrator, Lewis and Clark Regional Council for development; Dale Sandstrom, president, North Dakota Public Service Commission; Wannetta Bennett, consumer, Turtle Mountain Reservation; Tim Johnson, energy division, Baker Electric Cooperative; Charles LaFloe, member, Public Utility Commission, Turtle Mountain Indian Reservation; Reginald Brien, director, Turtle Mountain Housing Authority; Carris LaRock, Weatherization Assistance Program, Turtle Mountain Indian Reservation; Thomas Brewer, Housing Unit, Aberdeen Area Office, Bureau of Indian Affairs (BIA); Angus Fox, facility manager, Fort Berthold Agency, BIA; Gilbert Cadotte, employment assistance officer, Standing Rock Agency, BIA; Edward Lone Fight, chairman, Three Affiliated Tribal Business Council; and Wayne Retzloff, manager, McKenzie Rural Electric Cooperative.

Background

Perhaps no other social issue characterizes the 1980s as much as housing, including the lack of affordable accommodations. Concomitant with affordable is livable. It is essential that housing stock provide adequate shelter. The adequateness of housing is of particular importance in States such as North Dakota where winter temperatures become arctic at times. Mr. Angus Fox, facility manager, Fort Berthold, Bureau of Indian Affairs (BIA), told the Advisory Committee that severe cold and long winters in North Dakota create economic hardships for all North Dakotans, including high utility bills for lights and heat. He believed that it is difficult to plan ahead for these costs because the weather is unpredictable.⁸

According to the National Weather Service, for the Bismarck

⁸This quote is taken from the transcript of the Advisory Committee's June 9, 1989, proceedings in Bismarck. Unless otherwise noted, all quotes and statements in this summary report are from this transcript, which is on file in the Commission's Western Regional Division, Los Angeles, California.

area,⁹ the 30-year mean average low was 29.1 degrees and the mean average high was 53.5 degrees. For the period January 1, 1989, through September 30, 1989, the average high was 59.2 degrees and the average low was 33.1 degrees. The coldest recorded low in 1989 was minus 31 degrees on January 10, 1989, and there were 5 days where the temperature did not get above zero degrees.¹⁰

According to the 1970 population census, there were 14,369 American Indians in North Dakota. By 1980 that figure had grown to 20,158 or 3.0 percent of the State's 652,717 residents.¹¹ In 1988 the Indian Affairs Commission estimated

⁹There are over 160 weather recording stations throughout the State, however, the averages for the Bismarck area would be fairly representative of the statewide climatic data. All degrees reported are fahrenheit. National Oceanographic and Atmospheric Administration, National Weather Service, Bismarck, North Dakota.

¹⁰Richard LeBlang, lead forecaster, National Weather Service, Bismarck, told Commission staff that a better measure is the annual number of heating degree days utilizing the daily temperature. Whenever the daily temperature falls below 65 degrees, a heating degree day occurs. The 30-year mean average number of heating degree days is 9,075; for the period, July 1, 1988, through June 30, 1989, 8,863 heating degree days were required. LeBlang noted that this is one of the highest in the Nation and only the Grand Forks area of North Dakota would be higher.

¹¹U.S. Department of Commerce, Bureau of the Census, General Population Characteristics: North Dakota, 1980 Census of Population, PC80-1-B36, 1982.

a population of 26,000 to 30,000 American Indians in the State.¹² The Sioux or Dakotas (Santee, Wieiyela, and Teton Divisions) predominate, but the State is also the home of the Turtle Mountain Band of Chippewas and the Three Affiliated Tribes (Mandan, Arikara, and Hidatsa). According to the Indian Affairs Commission, there are five major Native American residential areas in the State: Reservations at Fort Berthold, Fort Totten, Standing Rock, and Turtle Mountain; and, the Trenton Indian Service Area.¹³

According to the 1980 census, 11,287 American Indians were living on reservations in North Dakota, 1,753 were living on tribal trust lands, and 7,080 were living off reservation.¹⁴ Total occupied housing units in 1980, by reservation, included 1,658 at Fort Berthold; 1,030 at Fort Totten; 4,046 at Sisseton;¹⁵ 2,369 at Standing Rock;¹⁶ 1,095 at Turtle

¹²The Indian Affairs Commission estimates that 46,164 American Indians are on tribal enrollment rosters in North Dakota.

¹³According to the BIA, the Trenton Indian Service area includes Montana.

¹⁴U.S. Department of Commerce, Bureau of the Census, American Indian Areas and Alaska Native Villages: 1980, Supplementary Report, PC80-S1-13, Washington, D.C., August 1984. Hereafter cited as American Indian Areas.

¹⁵Although the Sisseton Reservation is located in North and South Dakota, only a small portion is in North Dakota.

¹⁶The Standing Rock Sioux Reservation is located in North and South Dakota. Forty-seven percent of the reservation is located in North Dakota.

Mountain; and 573 on tribal trust lands.¹⁷ The Indian Affairs Commission reported that by 1988 the off-reservation Indian population had grown to about 10,000 and were living mainly in the urban areas of Bismarck, Fargo, Grand Forks, Minot, and Wahpeton.

¹⁷American Indian Areas, pp. 16-20.

II. HOUSING STANDARDS

The Aberdeen Area Office of the Bureau of Indian Affairs (BIA) reported a total of 5,948 existing housing units as of September 30, 1988, on all reservations and trust lands in North Dakota. The BIA estimated that 3,897 of the units were in standard condition; 2,051 were in substandard condition; 1,386 needed renovation; and 665 needed replacement.¹⁸ The BIA also reported that 3,500 new homes were constructed on the reservations in the State between fiscal years 1963 and 1988.¹⁹

In its Concerns Memorandum, the Indian Affairs Commission wrote the Advisory Committee, "the Housing and Urban Development office needs to look at the substandard housing that exists on all reservations." At the Advisory Committee's forum, Juanita Helphrey, executive director, Indian Affairs

¹⁸U.S. Department of the Interior, Bureau of Indian Affairs, Aberdeen Area Office, "Consolidated Housing Inventory, Fiscal Year 1988," Sept. 30, 1988. In addition, the BIA estimated that 567 families need housing and 1,232 total new housing units are required. There may be overlap in the BIA's assessment of housing conditions.

¹⁹U.S. Department of the Interior, Bureau of Indian Affairs Aberdeen Area Office, "New Homes Aberdeen Area, Constructed Fiscal Years 1963 through 1988," Sept. 30, 1988

Commission said, "there has been a problem among native people regarding high utility rates on reservation housing." She alleged that the housing and utility rate problem is multifaceted, adding:

Reservation housing authorities have stated that much of the problem lies with inadequate insulation, caulking the windows and doors, and poor construction of older housing units. Twenty years ago these homes met Federal weatherization standards, but today they no longer are sufficient. Many of these homes have electric heating and, along with poor weatherization, they are less than efficient to heat economically.

The overall responsibility to maintain reservation housing has been delegated to tribal housing authorities. According to Mike Boyd, Chief, Housing Branch, Office for Indian Programs, U.S. Department of Housing and Urban Development (HUD), Denver Regional Office,²⁰ of the 28 housing authorities in the region, five are in North Dakota: Turtle Mountain, Trenton, Standing Rock, Fort Totten, and Fort Berthold. These five

²⁰The Denver Regional Office is Federal Region VIII, and consists of North and South Dakota, Montana, Wyoming, Colorado, and Utah, and, for the purpose of Indian programs, Nebraska.

housing authorities are responsible for 3,433 units. Mr. Boyd said:

Turtle Mountain is the largest with approximately 1,265 units; Standing Rock has 755; Fort Berthold has 721 units; Fort Totten, 436; and, Trenton, 132. For the region, these housing authorities account for 24 percent of all units.²¹

HUD has contracts with the individual housing authorities and has no direct relationship with the tribe. According to Mr. Boyd, HUD enters into an annual contributions contract with the housing authority and is not directly associated with the units or the tenants. HUD is charged by Congress with the responsibility of monitoring the housing authorities to ensure that there is no violation of laws and regulations.

Thomas Brewer, Housing Unit, Aberdeen Area Office, Bureau of Indian Affairs (BIA), said that, through its realty section, the BIA only provides assistance with leasing and roads to housing authorities. In the past, he continued, the BIA housing grant section provided management

²¹The five housing authorities have 24.3 percent of the low rent units; 11.9 percent of the old mutual self help; 28.5 percent of the new mutual self help; and 44 percent of all turnkey units.

support services, but this is no longer necessary because the housing authorities have developed well-run programs.

Paul McCloud, executive director, Turtle Mountain Housing Authority, said their agency oversees 1,300 units of which 700 are rental. Of the rental units, 560 are individually metered and those tenants are responsible for their own utility bills. The Turtle Mountain Housing Authority represents about half of all the housing on the reservation, and Mr. McCloud estimates that between 200 and 300 are substandard. He believes that a high percentage of houses not under his agency's jurisdiction are substandard because of the number of requests for housing his office receives.

There are two major components of a housing authority: rental and mutual self-help. According to Barb Baker, mutual self-help specialist, Fort Berthold Housing Authority, HUD believes their first priority is rental units because the housing authorities and HUD are directly responsible for maintaining those units. She believes that the mutual self-help or home ownership units have a lower priority.

Ms. Baker said that the substandard housing at Fort Berthold was initially built under the old mutual self-help program and

the units were targeted for very low-income families, which led to maintenance problems. She noted:

In order to be a homeowner, you needed to be able to maintain the unit and make payments for the mortgage and utilities. Since they were low income families, the first problem they faced was maintenance. They cannot caulk every year because they have to put food on the table.

She alleged that the units were not well constructed. Fort Berthold is embarking on the construction of 105 new mutual units and the motto will be quality before quantity and size. The housing authority does not want to repeat some of the errors that were made in the past, she added.

Mr. LaFloe said:

If I allowed shoddy construction on Turtle Mountain, I would not be there very long. We monitor the construction of these houses regardless of who the contractors are [and] we have inspectors at the job sites.

He believed that in the years he had been there, the housing

authority had made great strides in the quality of construction of houses, including wall insulation of R-Factor²² 18 and 19, and an R-Factor of 38 in the ceilings. Mr. LaFloe continued:

In the last 7, 8 years, I would say that the houses might be a little small, but they are not substandard. They are well-built two-bedroom homes from 740 square feet to four-bedroom houses up to 1,000 square feet of living space.

Ms. Baker said, "reservationwide in our rental and mutual program we have about 600 units. We have in our files over 400 applications for mutual self help housing, and the need for housing is there. There is always a lack of funds."

Mr. Boyd stated that in fiscal year 1988 HUD could only fund 98 percent of eligibility. In fiscal year 1989, HUD funded 97.3 percent of eligibility.

22"R" is resistance. R-Value [commonly referred to as R-Factor] is a measure of resistance to heat flow by conduction. A higher R-value means greater resistance and, therefore, better insulation. Letter to Tom Pilla, Western Regional Division, USCCR, from Robert W. Hughey, Director, Conservation and Renewable Energy Division, Department of Energy, San Francisco Operations Office, Dec. 4, 1989.

One of the problems, according to Ms. Baker, is that Indian housing is separate from public housing and the present national administration cut new development in Indian housing to zero. Mr. Boyd noted that in fiscal year 1989, the 28 housing authorities in Federal Regional VIII were allowed a total of 150 units in the development program for building new units. It is likely that the demand for housing will remain.

HUD provides subsidies to the housing authorities for their low rent programs.²³ In fiscal year 1989 HUD provided \$4,072,985 in North Dakota. According to Mr. Boyd, Turtle Mountain received \$1.7 million; Standing Rock, \$983,000; Fort Totten, \$763,000; Fort Berthold, \$598,000; and Trenton, \$55,000. The mutual self-help program is less than a million dollars for the whole State.

Phyllis Young, secretary and 10 year member of the Board of Standing Rock Housing Authority stated that during the period 1978 through 1985, the reservation did not receive new home monies from HUD. Mr. Boyd said:

²³According to Mr. Boyd, in the low rent program, tenants are basically charged 30 percent of their adjusted gross income for rent.

In the early 1980s there was a HUD moratorium on housing regionwide, which affected most of the housing authorities in the region. HUD administration was questioning the management capabilities of housing authorities.

He added that the housing authority staffs in North Dakota now are probably the best in the region, but problems such as deteriorating housing stock and lack of funds handicap programs. The HUD subsidy is combined with tenant payments to run the programs of the housing authority. Mr. Boyd said that unless there is 100 percent collected, there will be problems and, unfortunately, a lot of times, maintenance is overlooked.

The responsibility to maintain reservation housing depends upon the form of ownership. Mr. McCloud said that the home ownership units are the property of the housing authority until they are paid, then the title is transferred to the home buyer under a lease-purchase agreement. About 50 of the 600 home ownership units at Turtle Mountain have been paid off and the titles have been transferred. He added that the home buyer is responsible for maintaining the unit, painting,

repairing leaky faucets, broken windows, and for all utilities. If the housing authority owns the unit, it has the responsibility to maintain it.

Ms. Baker noted that only so much money is available and annual inspections have identified problems in insulation, quality of materials used, etc., that the housing authority wants to correct. She added:

We have applied year after year for Community Development Block Grant and Comprehensive Improvement Assistance Program²⁴ funding. We are forced to compete within region 8 and also nationally for the number of dollars the region will receive.

Mr. McCloud said that the housing authority has the responsibility of inspecting the units once each year and notifying the home buyer of any repairs that need to be made. He added that if they do not follow up on housing authority recommendations, "we can evict the person or use any equity to get those repairs made." In the past 10 years, Mr. McCloud noted, the housing authority has only evicted two or three. He did not believe that any of

²⁴In this program, HUD provides funds to housing authorities to rehabilitate units.

Turtle Mountain's units were in such bad condition that eviction would be required.

Jim Mossett, Tribal Business Council, Fort Berthold Indian Reservation, added that even though the housing authority at Fort Berthold is taking steps to ensure that the houses come up to standard, he is aware of Native American families living under extreme, inhumane conditions due to housing, no employment, large families, and limited funding.

Larry Bear, attorney, Baker Rural Electric Cooperation, said that the Turtle Mountain Housing Authority is a very well-run organization, but was up against defective engineering and defects in product design on the houses provided them.

Cedric Jacobson, manager of North Central Rural Electric Cooperative, which serves the west half of the Turtle Mountain Indian Reservation, believed the housing standards there are probably better than the other reservations in the State, but he believed the housing authority needs more money.

Bruce Carlson, manager, Sheyenne Valley Electric Cooperative, which serves the southern portion of Fort Totten Reservation,

said that there is definitely substandard housing on the reservation, adding:

We serve 90 housing units and 25 percent of those are grossly in need. Although there is a higher percentage of substandard housing on rather than off the reservation, it is grossly obvious in the [reservation] housing cluster where the main problem was faulty construction.

Mr. Boyd said that HUD does not have enough money to address the needs.

III. RURAL ELECTRIC COOPERATIVES

Shelley Hoganson, staff, Indian Affairs Commission, noted that a rural electric cooperative is a company that is owned or run by members as a nonprofit organization and is virtually self-governed. Rural electric cooperatives provide the bulk of the electric service to the members of the Indian reservations in the State. In its Concerns Memorandum, the Indian Affairs Commission alleged that the rural electric companies who service the reservations benefitted from substandard housing.

Edward Lone Fight, chairman, Tribal Business Council, Three Affiliated Tribes, suggested that inconsistent policies of rural electric cooperatives have led to several problems including inconsistent energy rates, adding:

As a result of various utility companies operating on our reservation, tribal members are subject to varying and excessive energy rates. Although some electric cooperatives do inform, they fall short of addressing the policy and rate application to the Fort Berthold Indian residents.

He believed that the electric cooperatives overlooked the fact

that the reservation experiences a 70 percent unemployment rate. Mr. Lone Fight alleged that since many homes are totally electric, the elderly and handicapped on set incomes cannot meet the high cost of energy needed for North Dakota's climate.

Ms. Helphrey added:

All four reservations in North Dakota along with the Trenton community receive their utilities from rural cooperatives. These rates vary from 1.7 cents, 2.7 cents, or 5 cents per kilowatt hour for the first 100 kilowatts. Odd peak use of electricity is quite high. Many utility companies are trying to work with Indian people, but problems are still occurring.

Dennis Hill, executive director and general manager, North Dakota Association of Rural Electric Cooperatives,²⁵ a

²⁵According to Mr. Hill, the cooperative structures are member owned and controlled, nonprofit business enterprises where all benefits of the service provided go directly to the members and any margin (money left over at the end of the year) is distributed directly back to the [customer] members of the cooperative.

membership organization of 20 local distribution cooperatives and 6 generation and transmission cooperatives, said the association's member cooperatives provide electric service to about 76,000 North Dakotans, including Indians on reservations.

Mr. McCloud stated to the Advisory Committee that the Turtle Mountain Indian Reservation is served by three electric cooperatives: Baker Electric, North Central Electric, and Ottertail Electric. Ms. Young said the Standing Rock Indian Reservation is served by two utility companies: Mor-Gran Sioux Electric on the North Dakota portion and Mor-Gran on the South Dakota portion.

Bob Dipple, of McClean Rural Electric Cooperative, said that his cooperative serves 230 members in the Queens County portion of the Fort Berthold Indian Reservation, adding:

We serve homes that are well kept, well insulated and have average or low energy bills, and other housing which needs repair. The average home in our service area uses 15,000 kilowatt hours annually for electric heat.

Mr. Carlson noted that the new housing units served by the Sheyenne Valley Electric Cooperative on the Fort Totten

reservation are using 3,500 kilowatt hours per month in the coldest weather, while the oldest housing units are using 8,000 kilowatt hours. He attributes that usage primarily to construction practices. All these units are paying exactly the same rate as everyone else in the service area, he added.

Wannetta Bennett, consumer, Turtle Mountain Reservation, questioned the rate, asking, if the rate is right, why are 8,000 kilowatt hours used in the reservation house and the same size household two towns away is only using 500 kilowatt hours?

Mr. Johnson stated that consumption is high in some of the homes, but believed that if you put three people in a comparable sized home off or on the reservation versus eight or nine, there is a tremendous difference in the kilowatt hour usage.

Mr. McCloud said that he was not aware of any electrical rate differential between Indian and non-Indian in the Turtle Mountain area. Ms. Hoganson stated that her review of rates on reservations statewide indicated no variation in the areas served by specific electric cooperatives. However, there was variation between cooperatives.

Mr. Hill added:

Within each cooperative, there are rate classes that do not vary from type of consumer. If it is a residential rate, it applies to Indian as well as non-Indian members. If it is a commercial rate, it applies to that commercial load whether the business is owned by an Indian or non-Indian. There is no discrimination in rate setting. The difference is that each cooperative serves different areas and therefore has to have different kinds of rate structures to serve those loads.

The Public Service Commission (PSC) sets the rates for revenue requirements for individual companies except rural electric cooperatives. Dale Sandstrom, president, North Dakota PSC stated that the PSC is mandated to regulate investor-owned public utilities and the authority does not extend to rural electric cooperatives.

Mr. Hill said that the membership of the association is as good or better a regulator than any elected body such as the PSC. He added:

There is no incentive for us as an electric cooperative membership to do anything rather than provide the most dependable, affordable electric service.

Ms. Young stated the Standing Rock Housing Authority had HUD do a utility review about 5 years ago, and costs on the North Dakota portion of the reservation were found to be exorbitant compared to the South Dakota portion. She added:

We believe the rate structure on the South Dakota portion of the reservation is more positive, more beneficial and the rates are better and we are looking at the option of going reservationwide with one company.

Mr. Hill suggested that some of the high rates are driven by the substandard housing, but suggested that other factors affect the rate structure, adding:

Each board of directors has a number of factors to consider in setting rates, i.e., the amount of debt, the number of consumers they serve, the

amount of commercial load that they are able to blend into their system, population density, etc. Density is one of the biggest criteria. We have an average of 1.6 consumers per mile of line in North Dakota. It is extremely difficult to bring that service out to rural places at levels that are as competitive as areas where the population densities are higher. The boards factor all of these into their rate decisions.

He believed that the cooperatives were trying to be responsive to the needs of their memberships through a wide array of marketing programs such as offpeak [rate differentials]. He added:

Many cooperative offpeak heating programs are 2.7 cents per kilowatt hour and some rates are as low as 1.7 cents. The range is different in North Dakota for each cooperative because each is a distinct operating entity.

Mr. McCloud said that all the rental units on his reservation are individually metered and have been converted to offpeak heating with the installation of storage heaters. He noted:

It is electric heat and it is all offpeak where rates are around 3 cents a kilowatt hour for heating. It is a good system, and in May we issued 20 refund checks to families that have saved on their electric bills. Averaging of bills for rental units is discouraged by the utilities because people move in and out. They will average for home ownership units.

Mr. Mossett said:

Our rates are lowest in the State and we still have high bills. High use plus substandard housing adds up to \$500 a month. The tribe calls and people from the electric cooperative come out, look at the units, and try to figure out why the bills are so high, but you still have to pay the bill. The utility company does not have the responsibility except for trying to alleviate the problem. The housing authority is taking steps to ensure that the houses come up to standard.

Ms. Bennett alleged that the people on the reservation residing in comparable size, electrically heated homes were

paying 30 to 50 percent higher bills than those off the reservation. She said:

On our reservation, the bill comes in approximately the first or a little before and you have 10 days to pay. If not, and if you do not call for an extension, the Baker Electric man is there to shut it off.

Mr. Hill noted that in the last decade, the rural electric cooperatives have not been strangers to high bill complaints:

If someone calls and says I think my bill is unusually high this month, the member service department or energy service department will typically go out and audit that residence or business. Maybe they have not read the meter the last month and it is actually a bill for 2 months, or they find that the insulation is insufficient or the housing is substandard. We need to identify how much of the bill is for home heating. The rates have come down extremely far.

Mr. Jacobson added:

We went through a period of very high electric rates. We did not have alternatives to regular electric rates for electric home heating until a few years ago. Back in the early seventies when the price of electricity was about 2 cents a kilowatt hour that was fine, but when it jumped up 6, 7 cents a kilowatt hour we were not competitive.

Mr. LaFloe noted that everybody at one time or another complains about the higher utility rates. The Turtle Mountain Housing Authority has over 1,200 units and Mr. LaFloe said "we always complain about our rates."

Ms. Hoganson added that "some people believed that they were getting socked with large bills because they were Indian."

Mr. Carlson said that everyone is paying exactly the same rate whether they live on a reservation or on the plain, and there just is not any discrimination in rates.

Mr. Bear noted that 70 percent of Baker Electric's Native American members pay their bill on that first month's billing

and it is not a problem, adding:

Fort Totten has 6.1 percent of the members of the cooperative and represents 25 percent of the total collection problem. We have an average bad debt per member of \$2.10, but on Fort Totten, it is \$74.92 per member. Of the percent of members on the reservation, only 16.7 percent create the problem. Over 75 percent pay their bill every month, 5 to 10 percent occasionally fall behind, and 15 to 16 percent represent a really high disproportionate percentage of our bad debts.

He noted that Belcourt, a town on the Turtle Mountain Reservation, represents 15.5 percent of Baker Electric's membership and 21 percent of the bad debts, but only 7 percent of those members constitute the problem. Over 90 percent pay their bill on time, he added.

Steve Hillesland, grants administrator, Lewis and Clark Regional Council for Development, said Federal programs cannot pay overdue electric bills. The biggest concern of his agency was the lack of resources available to assist because he believed tribal resources were stretched to the breaking point.

Ms. Bennett believed the electric companies to be right, noting that they are paying the same rate. However, she questioned the outrageously high kilowatt hours used by the people on the reservation. According to Ms. Bennett, "you begin to wonder if there is something wrong with the meters, it cannot all be poor housing."

Deposits

The Advisory Committee heard allegations that Indians residing on the reservations were required to pay higher deposits for their electric service than those homes off the reservations served by cooperatives. Ms. Helphrey said that deposits can be as high as \$400, but generally range from \$100 to \$150. Ms. Bennett added:

People on the reservation are required to pay a substantial amount more in higher deposit for their electricity than the people off the reservation.

She alleged that people who left the reservation were not required to make deposits, but when they returned to the

reservation they were required to put down a deposit.

Mr. Hill said that since each of the cooperatives²⁶ is a distinct operating entity, there would likely be 21 different policies on deposits, ranging from none at all to some high numbers.

Mr. Carlson noted that his cooperative charges a \$75 deposit for nonelectrical heat and \$150 for electric heat. The deposit is the same for everybody unless they can provide a previous utility reference.

Mr. Sandstrom said that for companies under its jurisdiction, the PSC restricts deposit requirements for new or reestablished service and requires the payment of interest to customers on utility deposits.

Mr. Bear said that for about 12 months, Baker Electric was involved in an ongoing review of its deposit policy. As a result of the review, he noted, deposit policies were changed three times during the period, adding:

²⁶There are 20 distribution cooperative members of the association, and there are 21 distribution cooperatives in the State.

We evolved from a system of straight deposits, no interest, uniformly applied to all members, to allowing a deposit [to be made over] the first 2 months of service.

At its spring 1989 board meeting, Baker Electric reduced the amount of deposit required from members on both reservations it serves. Mr. Bear said that the all-electric heat deposits at Fort Totten were reduced from \$400 to \$250. He noted:

We update our policy to respond to needs. All deposits made prior to the new policy were refunded including 9 percent interest on the money Baker Electric had held. At the end of the first 12 months of service, if the member has paid their bill every month, we refund the deposit with interest.

Mr. Bear added that the only way members are required to make a deposit is in the event that they cannot show a prior good credit rating with a prior utility. He said that they waive that requirement in instances where their prior utility supplier was paid through the tribe or housing authority.

Gilbert Cadotte, employment assistance officer, BIA, Standing Rock Agency at Fort Yates, alleged that the deposit that Mor-Gran-Sioux requires is excessively high. Steve Hillesland, staff, regional council, noted that it is difficult to come up with a deposit when you are living on \$195 a month.

Mr. Bear said Baker Electric has been sensitive to these problems and have been very aggressive in dealing with reservations to respond to needs.

Service Shutoff

Edward Lone Fight, chairman, Business Council, Three Affiliated Tribes, reported that many elderly and handicapped Indians are on set incomes and are unable to meet the high cost of energy needed for this climate. He alleged that an approximate 70 percent unemployment rate and families on fixed incomes cannot afford a monthly energy rate of approximately \$200 to \$300 a month.

Ms. Bennett added that at Turtle Mountain there are a number of cases where the assistance check is for \$200 and the utility bill is higher than that. She said:

I complain to the utility and call the Public Service Commission. They say we have no jurisdiction.

Mr. McCloud believed that, since there are disconnect and reconnect fees, the rural electric cooperative should come under some kind of regulation.

Mr. Sandstrom said the PSC restricts companies under its jurisdiction in disconnecting electric or gas services. Mr. Hill pointed out that the Rural Electric Cooperative Association has no regulatory power over any of the local distribution cooperatives. He believed each board would have to meet and perhaps with other boards build some consistency into addressing the issue of cutoff dates that conflict with dates when assistance checks are normally received.

Mr. LaFloe said the tribe assists in subsidizing utility bills for people who are in housing authority rental units, but in the home ownership program, the homeowners are responsible for their own utilities. Mr. McCloud said:

Under the agreement we have with the Electric Cooperatives that serve the reservation, we do not interfere with their policy and they do come in and pull meters. The housing authority will contact the cooperative and ask if they can wait until checks arrive. It costs an extra \$20 to \$40 dollars to get the meter reconnected.

Reginald Brien, director, Low Income Home Energy Assistance Program (LIHEAP), Turtle Mountain, alleged that the cooperative shutoff dates do not coincide with Aid to Families with Dependent Children (AFDC) check arrivals because the billing date is the 25th and the assistance checks arrive on the 27th. He said:

We call Baker, the \$20 dollar company, because if people do not pay on the billing date, Baker disconnects and charges a \$20 reconnect fee. A simple telephone call to our office would verify that the customer is on our program; however, Baker requires that we telephone them individually for each member.

The cutoff dates always seem to be 2 to 4 days ahead of the time the assistance checks come in. In North Central Electric's case they handle their other accounts before they come to those units that are occupied by Indians. It gives them a chance to get the check and prevent the added cost of pulling the meter and getting it reinstalled.

Mr. Hill believed that any cooperative that was involved in a situation such as that would be happy to look at the policy and be responsive to the needs of the members, adding, "that is the way the cooperative structure is supposed to work."

Mr. Bear said that Baker Electric's billing cycle was changed in October or November 1988, and bills are now sent 5 days later. He did not know if the billing cycle modification was designed to reach the majority of Native Americans, but was sure the problem was one of communication and could be easily rectified. Mr. Hill added:

Boards of directors are extremely sensitive to member requests and it would be a local board decision whether dates for cutoffs can be changed.

The members who sit on these boards of directors are elected every 3 years and if you are not responsible to your constituency, you do not serve any longer.

Ms. Helphrey noted that tribes have long-range plans to eventually develop all areas of need for their reservations and she assumed it would include utilities. However, she believed sources of funding for this were nonexistent at this time.

IV. ASSISTANCE PROGRAMS

To cope with the problems caused by substandard housing and high energy consumption, which result in high utility bills, the tribal, State, and Federal governments have instituted programs to assist Indian consumers. The rural electric cooperatives have also implemented cost saving measures.

Ms. Baker said:

A lot of the electric cooperatives have developed energy programs for which low-income people are eligible. McKinsey Electric offers some of the lowest electric rates in the State and they are able to do that because 90 percent of their income is generated from oil and gas activity. Only 10 percent is residential and so they can pass on that savings.

Mr. Brien reported that the purpose of his LIHEAP program is to assist those who are low income by allotting monies. Mr. LaRock added that the weatherization assistance program at Turtle Mountain was established to assist low-income households, the elderly, and the handicapped to better

insulate their homes for the purpose of less fuel consumption. However, there is not enough money to meet the demand. Mr. Mossett said:

We have home improvement programs and comprehensive improvement assistance programs, but the competition is always great for these monies and the funding is limited. The funding for renovation is limited. We do about seven houses a year.

The Office of Intergovernmental Assistance (OIA), a State agency, administers the Department of Energy's weatherization program. Shirley Dykeshoorn, director, OIA noted:

During 1988 approximately \$260,000 out of \$1.8 million was spent on weatherization on the reservations. With these funds, 213 tribal units were weatherized. We project spending \$240,000 in 1989 to weatherize the same number of units, 213. This program is designed to assist people who are least able to afford high utility costs [by introducing] conservation measures in the home.

Ms. Bennett said that there are large numbers of people who need to be served with weatherization services, adding:

There is a weatherization program, and I have applied in the past. I was never able to get any funds, but I keep applying.

Mr. LaRock claimed that the weatherization assistance program at Turtle Mountain was reduced by 50 percent for the 1987 fiscal year by DOE's Weatherization Assistance Program (WAP) [and funds have been limited since]. In 1987 the DOE's WAP advised the Turtle Mountain Tribal Office²⁷ of its proposal to eliminate all direct grants to Indian tribes and of its request that the State of North Dakota provide services to reservations residents through the local community action agencies funded by the Exxon overcharge settlement.²⁸ The DOE suggested that States would provide weatherization funds from their shares of these monies.

²⁷Letter to Richard LaFramboise, chairman, Turtle Mountain Tribal Office, from A.E. Hymer, director, Denver Support Office, Department of Energy, Weatherization Assistance Program, Feb. 5, 1987. A copy of this letter is on file in the Western Regional Division, Los Angeles, California.

²⁸The Exxon oil overcharge settlement fund was established as a result of successful litigation by the DOE against major oil companies for the return of consumer overcharges for petroleum products such as gasoline and fuel oil in the 1970s. Court orders govern the use of funds that have been returned in a pro-rata basis to the States for disbursement.

Although Ms. Dykeshoorn wrote Turtle Mountain in a letter dated April 28, 1987, that all reservations would receive their proportionate and equitable share of any weatherization benefits paid by the Exxon overcharge settlement,²⁹ Mr. LaRock alleged that the reservation has not to date³⁰ received any funding or services from this fund. He added:

The State of North Dakota received \$7.7 million under the overcharge settlement. The total amount of funds has increased to \$8,460,000 as interest has accumulated. The weatherization assistance program allocation amounts to \$1,325,018. The Governor's office and the legislature made the final decision to allow the weatherization money to go through the community action agencies rather than to the tribe, but the local agency at Devil's Lake is not serving the tribe.

Mr. LaRock believed that the diversion of the Exxon monies from the tribe over to the Devil's Lake Community Action

²⁹According to Mr. LaRock, the Exxon fund was divided into five areas and weatherization was one of them.

³⁰The forum was held June 9, 1989.

Agency was a violation of the tribe's civil rights. He said:

Native American reservations were funded for weatherization assistance as direct grantees by the Department of Energy because reservations have high unemployment rates, jobs are scarce, and many homes are substandard.

Mr. McCloud suggested that the substandard housing does have an effect on high electric bills. Mr. Boyd added that HUD cannot provide funds to pay utility bills, but under CIAP, HUD provides funds to housing authorities and under the special purpose comprehensive assistance program monies can be provided to address construction deficiencies, handicapped accessibility or energy-related concerns. There is also emergency assistance, he continued, if there is a threat to tenant health or safety.

One of the major programs is fuel assistance, a Federal program that can help defray the costs of a bill for welfare recipients. Ms. Helphrey stated that since there is a high incidence of nonemployment and unemployment on the reservations, there is a high percentage of welfare and all such recipients qualify for fuel assistance. She added:

Fuel assistance is like any other Federal program where a tribe anticipates their need and applies for a grant. Once the grant is provided to the tribe, they distribute it in a pro-rated share among the eligible tribal members.

There were allegations that rural cooperatives labelled fuel assistance families by a code number and that this increased the bill. Ms. Bennett believed that since being on fuel assistance, she had been labelled, noting:

I received fuel assistance and [from] the point [when] I started receiving fuel assistance, about 3 months later, my bills started going very high. I did not do anything differently. I have lived in the same house for 10 years and the bill only went up after I went on fuel assistance. This has been a similar occurrence with other members of the reservation [to whom] I have been talking.

Mr. Johnson said that during the collection process, the fact that a household is on fuel assistance may be discovered, but "we work with them to try to help get money to pay their

bills." We have never disconnected anybody prior to the involvement of county and tribal energy assistance programs, he noted. Mr. Bear added, "we have never sent anybody, white or Indian, around as a bill collector." Coding bills to label specific users as the recipients of fuel assistance was said to be prohibited. Mr. Bear noted:

[Baker Electric] has contractual obligations to Rural Electrification Administration (REA) in Washington, D.C., that specifically requires all aspects of our business to be nondiscriminatory. If cooperatives were labelling bills as fuel assistance housing and the rates were different, it would need to be corrected immediately.

Since energy consumption is very high in some of these homes, Mr. Johnson added, "we go out and do energy audits." Mr. McCloud noted that on Turtle Mountain there have been a couple of houses inspected by the infrared system. Ms. Bennett said:

I did not request an audit because when you do the people who come out and do it are the same people you are having trouble with. One woman who had an energy check was told, "Why don't you move out of

your house if you can't afford to live there?" The majority of people would feel more confident if there was an independent audit done.

Tim Johnson, energy division, Baker Electric, noted that his company does not have an infrared scanning camera because of the prohibitive cost of such equipment. He added:

We have a small infrared scanning gun that we check heat loss calculations around doors and windows. We give information regarding wall insulation, single pane glass to triple glazed, attic insulation, basement insulation, water heater covered, appliance usage, and tell people where their energy is being used. We do not open walls.

His company audits are done according to indexes about the house (i.e., its insulation, type of heat, etc.) provided by the consumer.

If the high energy costs are attributed to substandard situations, other problems develop. Ms. Dykeshoorn said that in some cases the housing conditions were so bad that the crews did not know where to start in terms of weatherization.

These crews believed the condition of the homes was beyond repair and required new construction rather than weatherization.

Ms. Bennett added that the electric cooperative told her the high bill may be due to the wiring in the house. Mr. Simms, manager, Mor-Gran-Sioux Electric Cooperative, said:

We find quite a few problems with heating units and electric furnaces, such as burnt elements which require the heater to use more energy. On Standing Rock, [Mor-Gran-Sioux] will be going in and installing meters reservationwide.

Wayne Retzloff noted:

Cooperatives are power suppliers; we bring the power up to and including the meter. But we have some limitations by law. Licensed electricians are the ones that deal with the power on the members side of the meter and often times, members feel a little bit at a loss to know what to do. It is very difficult for [tribal officials] to get an electrician to come to the reservations to investigate.

Ms. Dykeshoorn agreed that communication with contractors was a problem, adding, "if you do not have people willing to bid on furnace replacements, for example, that adds to the cost of the [assistance] programs."

Under the Tribal Demand Program begun in 1988, aid is provided to people who qualify for low-income energy assistance because they live in electrically heated dwellings. An offpeak rate is established at one-half of the domestic electrical rate. According to Ms. Dykeshoorn, the greatest obstacle encountered in implementing the demand program has been the communication between the various entities at the tribal level, the rural electric companies, contractors, and State agencies and just trying to put all of the pieces in place. Despite the obstacles, in 1988, demand control devices were installed in 225 houses on reservations at a cost of \$650 per household. Ms. Dykeshoorn anticipated that over 400 households would receive this assistance in 1989 at a total cost of \$260,000.

In addition to offpeak programs, conversions to other forms of energy usage also help to minimize costs. Mr. Johnson said in the last 3 to 4 years, Baker Electric has converted approximately 200 homes. Ms. Helphrey noted that the Trenton

Housing Authority converted several older electric homes into gas units which cut those utility bill by two-thirds. Ms. Bennett added that she had just partially switched to propane gas because her electricity bills were \$400 to \$600 a month. She alleged that even with the partial conversion, her electricity bill is still \$200 to \$250 a month.

Ms. Young alleged that in 1979, HUD and the two utility companies serving the Standing Rock Reservation agreed that a 60 unit project would utilize all electric systems, but the housing authority was excluded from that decision. She added:

The housing authority has vigorously opposed all electric units and on June 8, 1989 was informed that we would be considered favorably for conversion to propane gas at these 60 units.

Mr. Boyd said that, normally, house plans are reviewed by HUD, but they are designed by the housing authority's architects. If Standing Rock had no input, that would be very unusual, he alleged. HUD has been able to convert some units to more economical fuels.

Jackie Broadshaug, representative, Office of the Governor,

said that Governor Sinner is pleased with the many cooperative efforts between Native American communities and State and local governments and continues to express his concern with some devastating problems such as substandard housing on Indian reservations.

Ms. Helphrey said many utility companies are trying to work with the tribes, but problems still occur, and funding is a major need. It would be easier to answer yes than no, she said, to the question whether there was discrimination in utility rates and housing for Native Americans in North Dakota.

V. SUMMARY

Participant allegations that substandard housing exists on reservations in North Dakota were not refuted. Tribal officials, representatives of rural electric cooperatives, State officials and representatives of Federal agencies agreed on that concern. Although attempts are being made to bring such housing up to standard, the lack of financial resources for new construction and weatherization has handicapped the efforts of HUD, BIA, and tribal housing authorities.

The major source of heat for the reservation housing is electric power. Since many of the housing units are substandard and they are utilizing electric power as their supply, bills are high. Representatives of the rural electric cooperatives claimed that their per-kilowatt hour rates were competitive, nondiscriminatory, and applied equally to all consumer members. Although there were allegations of racial discrimination in rate setting and billing practices, the Advisory Committee did not receive data to support such claims. Staff of the Indian Affairs Commission determined that such rates were applied equitably, but still questioned the high bills received by reservation consumers.

Participants alleged that the substandard nature of many housing units led to significant kilowatt usage, particularly in winter months. As a consequence, bills were high. Programs have been developed to mitigate the effects of substandard housing on electric bills. According to rural electric cooperative representatives, the use of offpeak rate structures has helped to decrease bills. The implementation by the State of an energy demand program has been of some benefit, but the program needs to be expanded.

It was alleged that consumers on reservations still had trouble paying high electric bills because of the level of unemployment and numbers of elderly and handicapped on fixed incomes. Federal programs do not provide subsidies for the payment of utility bills, and it was suggested that tribal resources were stretched to the limit. Although subsidy checks such as social security and AFDC are received by reservation consumer members, participants claimed their receipt often followed electric cooperative bill due dates, which led to disconnection of service and the imposition of reconnection fees. Representatives of rural electric cooperatives believed this problem could be easily handled through communication, and one company indicated it had rearranged its billing schedule to overcome this problem.

Participants pointed out that there are at least three layers of bureaucracy, including tribal housing authorities, that have specific responsibility to prevent substandard housing on reservations. The Advisory Committee does not believe that an additional layer of bureaucracy is required to resolve remaining problems.

The Advisory Committee believes that excessive light and heating bills, particularly during winter months, were symptomatic of substandard housing and it is encouraged by the various efforts to improve such housing.

The Advisory Committee hopes that additional sources of funding can be found to handle the demand for such improvements. Such funds, the Advisory Committee suggests, should be distributed to those agencies that best serve Native Americans and others living in substandard housing.

While aware of the cooperative efforts between tribal officials and electric cooperatives, the Advisory Committee believes solutions to the problems raised by participants can be achieved through increased communication. In the words of one participant, all have the responsibility to bring low income and disadvantaged people to more equal standards, including consumers of utilities and housing.

