

**ATTACHMENT 3**

**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)**

**DETAILED MODEL PLAN**

**PUBLIC LAW 97-35, AS AMENDED**

**FISCAL YEAR (FY) 2014**

**GRANTEE** Bishop Paiute Tribe

**EIN:** 95-1905064

**ADDRESS** 50 Tu Su Lane

Bishop, California 93514

**NAME OF LIHEAP COORDINATOR:** Star Narcomey

**EMAIL:** star.narcomey@bishoppaiute.org

**TELEPHONE:** (760) 873-4414 Ext. 3 **FAX** (760) 873-4143

**PLEASE CHECK ONE: TRIBE**  **STATE** \_\_\_\_\_ **INSULAR AREA** \_\_\_\_\_

**Department of Health and Human Services  
Administration for Children and Families  
Office of Community Services  
Washington, DC 20447**

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01

**OMB Approval No. 0970-0075**

**Expiration Date:**

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13)

Use of this model plan is optional. However, the information requested is required in order to receive a Low Income Home Energy Assistance Program (LIHEAP) grant in years in which the grantee is not permitted to file an abbreviated plan. Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Assurances

The Bishop Paiute Tribe agrees to:  
(Grantee Name)

(1) use the funds available under this title to--

(A) conduct outreach activities and provide assistance to low income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);

(B) intervene in energy crisis situations;

(C) provide low-cost residential weatherization and other cost-effective energy-related home repair; and

(D) plan, develop, and administer the Tribe's program under this title including leveraging programs,

and the State agrees not to use such funds for any purposes other than those specified in this title;

(2) make payments under this title only with respect to--

(A) households in which one or more individuals are receiving--

(i) assistance under the Tribe program funded under part A of title IV of the Social Security Act;

(ii) supplemental security income payments under title XVI of the Social Security Act;

(iii) food stamps under the Food Stamp Act of 1977; or

(iv) payments under section 415, 521, 541, or 542 of title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978; or

(B) households with incomes which do not exceed the greater of—

(i) an amount equal to 150 percent of the poverty level for California; or

(ii) an amount equal to 60 percent of the State median income;

except that a Tribe may not exclude a household from eligibility in a fiscal year solely on the basis of household income if such income is less than 110 percent of the poverty level for California, but the Tribe may give priority to those households with the highest home energy costs or needs in relation to household income.

(3) conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available under this title, and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(4) coordinate its activities under this title with similar and related programs administered by the Federal Government and such State, particularly low-income energy-related programs under subtitle B of title VI (relating to community services block grant program), under the supplemental security income program, under part A of title IV of the Social Security Act, under title XX of the Social Security Act, under the low-income weatherization assistance program under title IV of the Energy Conservation and Production Act, or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the Tribe may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;

(6) to the extent it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency which was receiving Federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that—

(A) the Tribe shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the Tribe; and

(B) if there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, then the Tribe shall give special consideration in the designation of local administrative agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds for the fiscal year preceding the fiscal year for which the determination is made;

(7) if the Tribe chooses to pay home energy suppliers directly, establish procedures to --

(A) notify each participating household of the amount of assistance paid on its behalf;

(B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the Tribe under this title;

(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and

(D) ensure that the provision of vendor payments remains at the option of the Tribe in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs;

(8) provide assurances that,

(A) the Tribe will not exclude households described in clause (2)(B) of this subsection from receiving home energy assistance benefits under clause (2), and

(B) the Tribe will treat owners and renters equitably under the program assisted under this title;

(9) provide that--

(A) the Tribe may use for planning and administering the use of funds under this title an amount not to exceed 10 percent of the funds payable to such Tribe under this title for a fiscal year; and

(B) the Tribe will pay from non-Federal sources the remaining costs of planning and administering the program assisted under this title and will not use Federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));

(10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursement of and accounting for Federal funds paid to the Tribe under this title, including procedures for monitoring the assistance provided under this title, and provide that the Tribe will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");

(11) permit and cooperate with Federal investigations undertaken in accordance with section 2608;

(12) provide for timely and meaningful public participation in the development of the plan described in subsection (c);

(13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and

(14) cooperate with the Secretary with respect to data collecting and reporting under section 2610.

(15) \* beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.

**\* This assurance is applicable only to States, and to territories whose annual regular LIHEAP allotments exceed \$200,000. Neither territories with annual allotments of \$200,000 or less nor Indian tribes/tribal organizations are subject to Assurance 15.**

(16) use up to 5 percent of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors, and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households, and the number of households that remain unserved.

Certification to the Assurances: As Chief Executive Officer, I agree to comply with the sixteen assurances contained in Title XXVI of the Omnibus Budget Reconciliation Act of 1981, as amended.\* By signing these assurances, I also agree to abide by the standard assurances on lobbying, debarment and suspension, and a drug-free workplace.

Signature of the Tribal or Board Chairperson or Chief Executive Officer.\*\*

Signature: \_\_\_\_\_



Title: Tribal Chairman

Date: August 29, 2013

**\* Indian tribes/tribal organizations, and territories with annual regular LIHEAP allotments of \$200,000 or less, are not subject to assurance 15, and thus must only certify to 15 assurances.**

**\*\* If a person other than the Chief Executive Officer of the State or territory, or Tribal Chairperson or Board Chairperson of a tribal organization, is signing the certification to the assurances, a letter must be submitted delegating such authority. (PLEASE ATTACH DELEGATION of AUTHORITY.) The delegation must include authority to sign the assurances, not just to administer the program.**

**\*\*\* HHS needs the EIN (Entity Identification Number) of the State, territory or Tribal agency that is to receive the grant funds before it can issue the grant.**

In the above assurances which are quoted from the law, "State" means the 50 States, the District of Columbia, an Indian Tribe or Tribal Organization, or a Territory; "title" of the Act refers to Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (OBRA), as amended, the "Low Income Home Energy Assistance Act"; "section" means Section 2605 of OBRA; and, "subsection" refers to Section 2605(b) of OBRA.

statutory  
references

2605(a)

2605(b)(1) → Please check which components you will operate under the LIHEAP program.  
(Note: You must provide information for each component designated here as requested elsewhere in this plan.)

Dates of Operation

(use of  
funds)

X heating assistance

November through April 2014

X cooling assistance

April through October 2014

     crisis assistance

\_\_\_\_\_

     weatherization assistance

\_\_\_\_\_

2605(c)(1)(C) → Please estimate what amount of available LIHEAP funds will be used for each component that you will operate: **The total of all percentages must add up to 100%.**

(use of  
funds)

  70   % heating assistance

  18   % cooling assistance

       % crisis assistance

2605(k)(1)        % weatherization assistance

       % carryover to the following fiscal year

2605(b)(9)   10   % administrative and planning costs

2605(b)(16)        % services to reduce home energy needs  
including needs assessment (assurance 16)

    2   % used to develop and implement leveraging activities (limited to the greater of 0.08% or \$35,000 for States, the greater of 2% or \$100 for territories, tribes and tribal organizations).

100% **TOTAL**

statutory  
references

2605(c)(1)(C)

→ The funds reserved for winter crisis assistance that have not been expended by March 15 will be reprogrammed to:

(alternate use  
of crisis assistance  
funds)

heating assistance

cooling assistance

weatherization assistance

Other(specify):

→ Do you accept applications for energy crisis assistance at sites that are geographically accessible to all households in the area to be served? (This is required by the statute.)

Yes  No

2605(b)(2)  
2605(c)(1)(A)

→ What are your maximum eligibility limits?  
(Please check the components to which they apply.)  
**Current year guidelines must be used.**

(eligibility)

150% of the poverty guidelines:  
heating  cooling  crisis  wx

125% of the poverty guidelines:  
heating  cooling  crisis  wx

110% of the poverty guidelines:  
heating  cooling  crisis  wx

60% of the State's median income:  
heating  cooling  crisis  wx

Other (specify for each component)

---

Households automatically eligible if one person is receiving  
 TANF,  SSI,  Food Stamps,  Certain means-  
tested veterans programs (heating  cooling  crisis  wx )

statutory  
references

2605(c)(1)(A)  
2605(b)(2)  
(eligibility)

→Do you have additional eligibility requirements for:  
**HEATING ASSISTANCE**  X  Yes   No)

→Do you use:

	<u>Yes</u>	<u>No</u>
Assets test?	<u> </u>	<u> X </u>

→Do you give priority in eligibility to:

Elderly?  X

Disabled?  X

Young children?  X

Other:  X     
(If Yes, please describe)

Priority eligibility provided to all necessary aspects involved in addressing crisis intervention. Priority may be given to households with life threatening emergencies.

statutory  
references

2605(c)(1)(A)  
2605(b)(2)

→Do you have additional eligibility requirements for:  
**COOLING ASSISTANCE** ( X Yes \_\_\_ No)

(eligibility)

→Do you use:	<u>Yes</u>	<u>No</u>
Assets test?	___	<u>X</u>
→Do you give priority in eligibility to:		
Elderly?	<u>X</u>	___
Disabled?	<u>X</u>	___
Young children?	<u>X</u>	___
Other: (If Yes, please describe)	<u>X</u>	___

With crisis intervention, when necessary priority eligibility is provided to all aspects involved in addressing the crisis. Priority may be given to households with life threatening emergencies.

statutory  
references

2604(c)  
2605(c)(1)(A)

→Do you have additional eligibility requirements for:  
**CRISIS ASSISTANCE** ( X Yes \_\_\_ No)

(eligibility)

	<u>Yes</u>	<u>No</u>
→Do you use:		
Assets test?	___	<u>X</u>
Must the household have received a shut-off notice or have an empty tank?	___	<u>X</u>
Must the household have exhausted regular benefit?	<u>X</u>	___
Must the household have received a rent eviction notice?	___	<u>X</u>
Must heating/cooling be medically necessary?	___	<u>X</u>
Other (Please explain):	<u>X</u>	___

→What constitutes a crisis? (Please describe)

The Bishop Paiute Tribe uses the federal definition of a crisis: "weather-related and supply shortage emergencies and other household energy related emergencies."

statutory  
references2605(b)(3)  
2605(c)(3)(A)  
  
(outreach)

→ Please check the outreach activities that you conduct that are designed to assure that eligible households are made aware of all LIHEAP assistance available:

provide intake service through home visits or by telephone for the physically infirm (i.e. elderly or disabled).

place posters/flyers in local and county social service offices, offices of aging, Social Security offices, VA, etc.

publish articles in local newspapers or broadcast media announcements.

include inserts in energy vendor billings to inform individuals of the availability of all types of LIHEAP assistance.

make mass mailing to past recipients of LIHEAP.

inform low income applicants of the availability of all types of LIHEAP assistance at application intake for other low-income programs.

execute interagency agreements with other low-income program offices to perform outreach to target groups.

other (Please specify):

Participate in other outreach activities held by local entities.

statutory  
references

2605(b)(4)

(coordination)

→ Please describe how you will assure that LIHEAP is coordinated with similar and related programs. The description provided applies to all components unless specifically noted.

The Tribe and other local entities such as the Community Development Department (CDD), TANF, the Elders Program and similar programs, will coordinate activities, particularly low-income, energy conservation programs.

The local entities will refer potentially eligible applicants for the heating, and cooling programs. This referral is accomplished through a memorandum of understanding. Local entities will provide assistance in coordinating the payment of client's energy/utility bill with the appropriate energy vendor or utility company.

2605(b)(5)

2605(b)(2)

2605(b)(8A)

(benefit  
levels)

→ The statute requires that there be no difference in the treatment of households eligible because of their income and those eligible because they receive benefits under TANF, Food Stamps, SSI, or certain means-tested veterans programs ("categorically eligible"). How do you ensure there is no difference when determining eligibility and benefit amounts? This applies to all components unless specifically noted below.

Participation in the LIHEAP program is based on the household's income meeting 60% of the State's median income level. Benefits will be provided on a first-come-first serve basis. However, in case of inadequate supplies, household with the lowest income as a percentage of the poverty level have precedence.

When those requesting assistance throughout the heating months have been served, household will be eligible to apply again for the cooling months. However, applicants have the opportunity to apply twice throughout the grant period, if needed. The Tribe will provide benefits to individuals who are enrolled members of a federally recognized tribe. The Tribe operates a straightforward mechanism for determining eligibility, so that the majority of funding and efforts can go to outreach and direct services.

statutory  
references

**HEATING COMPONENT**

2605(b)(5) → Please check the variables you use to determine your benefit levels (check all that apply):

(determination  
of benefits)

- income
- family (household) size
- home energy cost or need
  - fuel type
  - climate/region
  - individual bill
  - dwelling type
  - energy burden  
(% of income spent on home energy)
  - energy need
  - other (describe)

2605(b)(5)  
2605(c)(1)(B)

(benefit

→ Describe how you will assure that the highest benefits go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size.  
Please describe benefit levels or attach a copy of your payment matrix.

levels)

The Tribe and local entities consider several factors to assure the highest benefits are provided to households with the lowest income and the highest energy costs or need, based on family size.

Who receives a payment is based on: 1) Poverty Level 2) Recipient of TANF, SSI and/or Food Stamps 3) enrolled members of a federally recognized tribe 4) Resident of the Bishop Paiute Reservation.

What level a payment will be is determined by: 1) the number of household members, 2) the total gross monthly income in a household, 3) energy cost or need.

Household Size	Heating Assistance	Cooling Assistance
1-2	Max \$305	Max \$305
3-4	Max \$315	Max \$315
5+	Max \$325	Max \$325

→ Do you provide in-kind (e.g., blankets, space heaters) and/or other forms of benefits?

Yes  No If Yes, please describe.

GRANTEE Bishop Paiute Tribe  
 statutory references

FFY 2014

2605(b)(5)  
 2605(c)(1)(B)

**COOLING COMPONENT**

→ Please check the variables you use to determine your benefit levels (check all that apply):

(determination of benefits)

- income
- family (household) size
- home energy cost or need
  - fuel type
  - climate/region
  - individual bill
  - dwelling type
  - energy burden  
(% of income spent on home energy)
  - energy need
  - other (describe)

2605(b)(5)  
 2605(c)(1)(B)

(benefit levels)

→ Describe how you will assure that the highest benefits will go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size. Please describe benefit levels or attach a copy of your payment matrix.

Please refer to attached matrix on page 15.

The Tribe and local entities consider several factors to assure the highest benefits are provided to households with the lowest income and the highest energy costs or need, based on family size.

Who receives a payment is based on: 1) Poverty Level 2) Recipient of TANF, SSI and/or Food Stamps 3) enrolled members of a federally recognized tribe 4) Resident of the Bishop Paiute Reservation.

What level a payment will be is determined by: 1) the number of household members, 2) the total gross monthly income in a household, 3) energy cost or need.

→ Do you provide in-kind (e.g. fans) and/or other forms of benefits?

Yes  No If Yes, please describe.

GRANTEE Bishop Paiute Tribe

FFY 2014

statutory  
references

2605(b)(5)  
2605(c)(1)(B)

**CRISIS COMPONENT**

(determination  
of benefits)

→ How do you handle crisis situations?

separate component  other (please explain)

The Tribe responds to crisis situations in which household have expended benefits by weighing each case separately based on need, degree of hardship, and environmental conditions, such as weather, a complicating factor, as well as the cost of energy. Members are invited to make a crisis request, which will be reviewed by the LIHEAP Coordinator. The Coordinator will weigh available resources, the presence of the requests, and/or the likelihood that other requests will be forthcoming, and released funds accordingly.

→ If you have a separate component, how do you determine crisis assistance benefits?

amount to resolve crisis, up to maximum

other (please describe)

(benefit levels)

→ Please indicate the maximum benefit for each type of crisis assistance offered.

heating \$ 325 maximum benefit

cooling \$ 325 maximum benefit

year-round \$ 650 maximum benefit

→ Do you provide in-kind (e.g. blankets, space heaters, fans) and/or other forms of benefits?

Yes  No If Yes, please describe.

GRANTEE Bishop Paiute Tribe

FFY 2014

2605(b)(6) The state or tribe administers LIHEAP through the following local agencies:

(agency designation)

- county welfare offices
- community action agencies (weatherization component only)
- community action agencies (heating, cooling or crisis)
- charitable organizations
- not applicable (i.e. state energy office)
- tribal office
- other, describe:

→ Have you changed local administering agencies from last year?

Yes  No

If Yes, please describe how you selected them.

→ What components are affected by the change?

2605(c)(1)(E) → Please describe any additional steps (other than those described elsewhere in this plan) that will be taken to target assistance to households with high home energy burdens. **(This applies to all components. If all steps to target households with high home energy burdens are described elsewhere in the plan, no further information is required here.)**

(targeting of  
assistance)

statutory  
references2605(b)(7)  
(energy  
suppliers)

→Do you make payments directly to home energy suppliers?

Heating  Yes  NoCooling  Yes  NoCrisis  Yes  NoIf Yes, are there exceptions?  Yes  No

If Yes, please describe.

2605(b)(7)(A)

→If you make payments directly to home energy suppliers, how do you notify the client of the amount of assistance paid? (Please describe)

Upon payment to a home energy supplier, the program will generate a statement and mail notification to participating households for the amount of assistance paid on their behalf.

2605(b)(7)  
(B) & (C)

→How do you make sure the home energy supplier performs what is required in this assurance? If vendor agreements are used, they may be attached. Indicate each component for which this description applies.

The Tribe has established a process with each of the utilities providers. The process requires suppliers to assure that eligible households are charged, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made under this title. To confirm this, the Coordinator will make random checks of accounts, with not fewer than 10 per month.

The billing process described provides assurance from the utilities to the Tribe and auditors. Specifically, the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance.

statutory  
references

2605(b)(8)(B)

➔ Is there any difference in the way owners and renters are treated? If Yes, please describe.

(owners  
and  
renters)

**HEATING ASSISTANCE**

Yes  No

**COOLING ASSISTANCE**

Yes  No

**CRISIS ASSISTANCE**

Yes  No

statutory  
references  
2605(b)(10)

→How do you ensure good fiscal accounting and tracking of LIHEAP funds? (Please describe. Include a description of how you monitor fiscal activities.)

The accounting system used by the Tribe is Kintera FundWare. Some of the features this software offers are automated due to/from recording, comparisons between actual and budget amounts and multiple-year budget reporting. This project will be administered according to uniform administrative requirements and cost principles of agreements with sup-recipients; program income; use of real property; records to be maintained; reports; grant closeout procedures; Indian preference requirements; citizen participation; environment; conflict of interest; and debarment and suspension.

The tribal budget currently totals over \$14 million. The Tribe administers grants and contracts from the US Department of health and Human Services; US Department of Housing and Urban Development; US Environmental Protection Agency; US Department of Justice; US Department of Interior; Bureau of Indian Affairs; Bureau of Reclamation; US Department of Agriculture, Natural Resources Conservation Service; US Department of Labor; and the State of California. The Tribe's Controller, under the direction of the chief Financial Officer, will carry out the financial responsibilities for this project in accordance with the Tribe's fiscal policies and procedures as detailed in the latest amendments to the Financial Manual.

The Tribe has its fiscal records audited on an annual basis. The Tribe's latest audit report letter indicates that "the Tribe's financial statement present fairly, in all material respects, the financial position of the Bishop Paiute Indian Reservation," and that "the results of its operations for the year then ended, is in conformity with generally accepted accounting principles."

(program,  
fiscal  
monitoring,  
and audit)

→How do you monitor program activities? (Please be sure to include a description of how you monitor eligibility and benefit determination.)

A five-member board of trustees, the Bishop Paiute Tribal Council, with its chairperson elected by other council members, governs the Bishop Paiute Tribe, including the Bishop Paiute Reservation. Tribal government functions by means of Tribal ordinances and resolutions. Tribal government's administrative functions operate in accordance with established personnel policies. A Tribal

Administrator conducts tribal business and day-to-day operations. The Administrator and staff are responsible for planning, grant management and contract compliance, including supervision of project staffing, reporting requirements, and evaluation.

➔ How is your LIHEAP program audited?

Under the Single Audit Act?  Yes  No

If not, please describe:

For States and Territories:

➔ Is there an annual audit of local administering agencies?  Yes  No  
If not, please explain.

statutory  
references

2605(b)(12)

(timely and  
meaningful  
public  
partici-  
pation)

→How did you get timely and meaningful public participation in the development of the plan? (Please describe.)

To ensure public participation, the Tribe involved members, including Tribal Council and Tribal Administration staff, and local entities in the creation of this proposal and the discussion regarding how best to utilize LIHEAP funds.

The Tribe includes program notices in its newsletter, announcements regarding LIHEAP are made in community meetings, and LIHEAP is agendaized as necessary for Tribal Council meetings. According to public comments from members, there is a consensus that Tribal control is preferable.

Finally, the Tribe announced the outline of this plan following public input and requested additional input.

2605(a)(2)

(public  
hearings)

→Did you conduct public hearings on the proposed use and distribution of your LIHEAP funds? When and where?

Yes  No

**(Not required for Tribes and tribal organizations)**

statutory  
references

2605(b)(13)

(fair  
hearings)

→ Describe your fair hearing procedures for households whose applications are denied or not acted on in a timely manner. When are applicants informed of these rights?

→ Denials

The Tribe values assurances to its members provided by Tribal sovereignty that ensures them a voice and fair treatment. As with all Tribal programs and initiatives, LIHEAP provides a clear, expedited grievance and complaint process. Provision of fair and prompt hearings is vital because of the importance of home heating.

The LIHEAP coordinator is responsible for the hearing process, informing members, and including it on mailings, flyers, and posters. The Coordinator is also responsible for a one-page form that aggrieved members fill out and return to the Tribal Administrator.

Upon receiving a complaint in writing, the Tribal Administrator convenes a panel, including the Administrator, the Assistant Administrator, and a Tribal Council member to hear the complaint within 72 hours. To receive such consideration, the complaint must allege at least one of the following:

- (1) The Tribe did not act upon the application quickly enough.
- (2) The applicant for assistance was unfairly denied.

If the member remains unsatisfied, he or she can appeal the decision to the Tribal Council, and it will be included as the first item of New Business on the agenda for the next meeting.

→ Applications Not Acted On In a Timely Manner

The Tribe values assurances to its members provided by Tribal sovereignty that ensures them a voice and fair treatment. As with all Tribal programs and initiatives, LIHEAP provides a clear, expedited grievance and complaint process. Provisions of fair and prompt hearings are vital because of the importance of home heating.

The LIHEAP Coordinator is responsible for the hearing process, informing members, and including it on mailings, flyers and posters. The Coordinator is also responsible for a one-page form that aggrieved members can fill out and return to the Administrator.

Upon receiving a complaint in writing, the Tribal Administrator convenes a panel including the Administrator, the Assistant Administrator, and a member of the Tribal Council to hear the complaint within 72 hours in order to provide a determination of resolution. If a crisis situation exists,

every effort will be made to resolve the crisis within 24 hours. To receive consideration, the complaint must allege at least one of the following:

- (1) The Tribe did not act upon the application quickly enough.
- (2) The application for assistance was unfairly denied.

If the member is not satisfied, he or she can appeal the decision to the Tribal Council, and it will be included as the first item of New Business on the agenda for the next meeting.

statutory  
references

2605(b)(15)

**For States and Puerto Rico only** (not applicable to Tribes and tribal organizations, or to territories whose annual regular LIHEAP allotments are \$200,000 or less):

➔ Does the State agency that administers the following LIHEAP component also administer the State's welfare program?

(alternate  
outreach  
and intake)

**HEATING ASSISTANCE**

\_\_\_\_\_ Yes \_\_\_\_\_ No

If Yes, describe alternate process for outreach and intake:

**COOLING ASSISTANCE**

\_\_\_\_\_ Yes \_\_\_\_\_ No

If Yes, describe alternate process for outreach and intake:

**CRISIS ASSISTANCE**

\_\_\_\_\_ Yes \_\_\_\_\_ No

If Yes, describe alternate process for outreach and intake:

statutory  
references

2605(b)(16)

→ Do you use LIHEAP funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance? (This assurance refers to activities such as needs assessments, counseling, and assistance with energy vendors.)

Yes  No

statutory  
references

2607A

(leveraging)

→ Please describe leveraging activities planned for the fiscal year. **(This entry is optional.)\*** Complete this entry if you plan to apply for LIHEAP leveraging incentive funds and to include in your leveraging report resources/benefits provided to low income households this fiscal year under criterion (iii) in 45 CFR 96.87(d)(2). Provide the following information for each:

- (1) Identify and described each resource/benefit;
- (2) Identify the source(s) of each resource; and
- (3) Describe the integration/coordination of each resource/benefit with the LIHEAP program, consistent with 1 or more of conditions A-H in 45 CFR 96.87(d)(2)(iii).

- (1) For the last several years, the Tribe has provided at no cost, cordwood from its forestry program to Tribal Elders and the disabled, leaving LIHEAP funds for income-qualified Tribal members.
- (2) Previously, cordwood has come from the Tribe's forestry project, a U.S. Forest Service timber sale. Since 2009, cordwood may come from hazardous wild land fuels reduction projects on the Reservation.
- (3) Depending on cordwood availability, wood will continue to be provided to those most in need. LIHEAP funds will also provide wood, processed by vendors, to Tribal members.

\* Leveraged resources/benefits that are counted under criterion (iii) in 45 CFR 96.87(d)(2) must be identified and described in the grantee's LIHEAP plan and distributed as indicated in the plan. In addition, leveraging resources/benefits that are counted under criterion (ii) must be carried out under one or more components of the grantee's regular LIHEAP program.

statutory  
references

2605(b) → Please describe performance goals and measures planned for the fiscal year. **(This entry is optional.)**  
(performance)  
goals and  
measures)

The Bishop Paiute Tribe holds the following expectations for the proposed LIHEAP program:

1. The Tribe's outreach program will ensure that every Bishop Paiute Elder will be contacted directly to inform them of the LIHEAP program and its availability.
2. The Tribe's outreach efforts will target households with children under age five and ensure that staff in all programs serving families with children are aware of the LIHEAP program and its benefits.
3. The Tribe's outreach program will work to ensure that every reasonable effort is made to identify and inform Tribal Elders of the availability of home heating, cooling and weatherization services.
4. To the fullest extent possible, income eligible members of the Tribe will take advantage of the program.
5. The quality of life of the Bishop Reservation's Native American Population should improve, and a survey of services should report that program has made a meaningful difference to them and their ability to heat their homes.

The Tribal newsletter will invite comments, complaints, and suggestions, regarding LIHEAP, as will Tribal officials at meetings. The Tribe regards this project as critical to the future and is intent on ensuring that it is adjusted and amended to be as effective as possible. Ongoing program evaluation is integral to the operation plan.

## ADDITIONAL CERTIFICATIONS AND REQUIREMENTS

Attached are additional certifications required as follows:

- \* **Lobbying certification**, which must be filed by all States and territories. If applicable, Form LLL, which discloses lobbying payments, must be submitted. **(Tribes and tribal organizations are EXEMPT.)**
- \* **Debarment and suspension certification**, which must be filed by all grantees.
- \* **Drug-free workplace requirement certification**, which must be filed by all grantees, unless the grantee has filed a statewide certification with the Department of Health and Human Services. **STATES ONLY:** If you have filed a statewide certification for the drug-free workplace requirement, please check here: \_\_\_\_\_
- \* One of the requirements included in the 1994 reauthorization of the statute is that state grantees must include in their annual application for funds a report on the number and income levels of households applying for and receiving LIHEAP assistance, and on the number of recipient households that have members who are elderly, disabled, or young children.  
  
**All Tribes and those territories with allotments of less than \$200,000** need only submit data on the number of households served by each component (heating, cooling, weatherization and crisis). The approval for the collection of information contained in the **LIHEAP Household Report** is covered by OMB approval number 0970-0060.
- \* Though not a part of this application, the report on funds to be carried over or available for reallocation as required by section 2607(a) for the preceding year must be submitted by August 1 of each year. A grant award for the current fiscal year may not be made until the carryover/reallocation report is received. The approval for the collection of information contained in the **LIHEAP Carryover and Reallocation Report** is covered by OMB approval number 0970-0106.

## Low Income Home Energy Assistance Program Bishop Paiute Tribe

2014 Payment Matrix			
LIHEAP			
Size of Household	Monthly	Annual	Heating & Cooling Maximum
1	\$2,019.65	\$24,236	\$ 305.00
2	\$2,641.09	\$31,693	\$ 305.00
3	\$3,262.50	\$39,150	\$ 315.00
4	\$3,883.92	\$46,607	\$ 315.00
5	\$4,505.34	\$54,064	\$ 325.00
6	\$5,126.75	\$61,521	\$ 325.00
7	\$5,243.33	\$62,920	\$ 325.00
8	\$5,359.83	\$64,318	\$ 325.00
9	\$5,476.35	\$65,716	\$ 325.00
10	\$5,592.83	\$67,114	\$ 325.00
<p><b>The above chart reflects income limitations and payment levels based on household size and income in relation to 60% of the State Median Income.</b></p>			

The Low Income Home Energy Assistance Program (LIHEAP) is a federally-funded program which has three components: weatherization for residences of income-qualified tribal members and assistance to meet home heating and cooling costs. All three programs on the Bishop Paiute Reservation require participants to earn 60 percent of the state median income level, or approximately \$47,822 for a family of four. By federal law, federal funds cannot be used for assistance for those with incomes beyond this threshold. The Community Development Department assists with the weatherization program to cover the Reservation by improving the weatherization of the qualified homes. The assistance program provides payments directly to utility vendors for all, or a portion, of a qualified participant's primary heating, cooling and weatherization costs.

## **CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS**

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

### **Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)**

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

#### Certification Regarding Drug-Free Workplace Requirements

##### Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about --

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted --

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code check if there are workplaces on file that are not identified here.

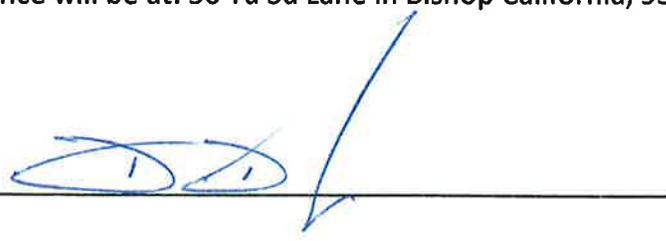
#### Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.[55 FR 21690, 21702, May 25, 1990]

Place of Performance will be at: 50 Tu Su Lane in Bishop California, 93514, County of Inyo.

Signature \_\_\_\_\_

A handwritten signature in blue ink, consisting of two stylized, overlapping loops followed by a long, sweeping vertical stroke that extends upwards and to the right.

Title \_\_\_\_\_

*Bishop Tribal Chairman*

Organization - Bishop Paiute Tribe

## **Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions**

### Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

#### Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

#### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

##### Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

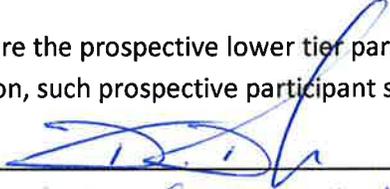
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--Lower Tier Covered Transactions**

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Signature  \_\_\_\_\_

Title Bishop Tribal Chairman

Organization- Bishop Paiute Tribe

## **CERTIFICATION REGARDING LOBBYING**

### **Certification for Contracts, Grants, Loans, and Cooperative Agreements**

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### **Statement for Loan Guarantees and Loan Insurance**

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature  \_\_\_\_\_

Title Tribal Chairman

Organization- Bishop Paiute Tribe