

OVERSIGHT HEARING ON THE IMPLEMENTATION OF THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT

MS. CANTWELL. Mr. Chairman, thank you for the opportunity to meet today to discuss the Native American Housing Assistance and Self-Determination Act.

Congress passed the Native American Housing Assistance and Self-Determination Act (NAHASDA) in 1996 in order to strengthen federal housing assistance for tribal communities. Unfortunately, tribal communities suffer disproportionately from substandard housing conditions, such as overcrowding, lack of plumbing and electricity, or lack of any housing at all. Indeed, the success of NAHASDA is critical to many low-income Native Americans. As we reauthorize this legislation for another five-year period, it is important that we assess the implementation of NAHASDA to identify what has worked well for tribes and what aspects need to be improved upon.

HUD's Office of the Inspector General has examined the first three years of the implementation of NAHASDA and reported its findings in August 2001. This study found that, overall, tribes have successfully implemented NAHASDA. However, the report also identified several concerns about the workings of NAHASDA on both the federal and tribal levels.

I am also aware that many tribes have expressed serious concern that HUD has not adequately consulted tribes when making regulatory changes to NAHASDA. While tribes believe that a negotiated rulemaking process should be used anytime changes are made to NAHASDA regulations, it is my understanding that HUD has taken the position that the requirements of NAHASDA were met when HUD included tribes in the original adoption of regulations.

NAHASDA was designed to help tribes with their housing needs while also promoting tribal self-determination. Indian Housing Block Grants are awarded directly to tribes to allow tribes to maintain authority over both the design and implementation of housing programs for members of their communities in need of housing assistance. I believe that it is important to address how we can promote negotiation between HUD and tribes in order to respect the government-to-government relationship between tribes and the United States.

Mr. Chairman, 29 tribes in Washington state rely on Indian Housing Block Grants through NAHASDA to provide for low-income tribal members. I am eager to participate in a forum where we can discuss both the strengths and weaknesses of the implementation of NAHASDA to help tribes effectively meet the housing needs of their communities while respecting tribal self-governance.