

COALITION FOR INDIAN HOUSING AND DEVELOPMENT
Statement of Kristy McCarthy, Executive Director

Before the Senate Democratic Caucus
July 25, 2002

Thank you to Senator Kerry, Senator Johnson, and Senator Daschle for holding this important meeting today. It is my pleasure to talk to you today about housing for Native Americans and Alaska Natives.

As you know, the United States Government has a unique relationship with American Indian governments as set forth in the Constitution of the United States, treaties, statutes, court decisions, and executive orders and memorandums. These legal instruments establish an ethical foundation and create a trust responsibility by the federal government for Indian Tribes in the exercise of their inalienable right to self-government. In fact, Indian Nations have practiced self-governance and self-determination since time immemorial.

The United States Constitution recognizes Indian sovereignty by classifying Indian treaties among the "supreme Law of the land," and establishes Indian affairs as a unique area of federal concern. The United States has laid out its obligation to provide housing for Native Americans in various treaties. This is consistent with the Congressional Findings enumerated in Section 2 of the Native American Housing Assistance and Self-Determination Act of 1996 (P.L. 104-330) and with the principles of Indian Law and tribal sovereignty.

This is the basis for the Native American Housing Assistance and Self-Determination Act (NAHASDA). NAHASDA is up for reauthorization this year, having expired in 2001. Under NAHASDA, tribes are free to create the housing program that best suites their needs. Across the country tribes firmly support the continuation of this program that has produced as many new housing units since implementation as were produced in all the years leading up to it. We hope that the Congress will agree it is imperative to pass this reauthorization before the end of the 107th.

Coupled with reauthorization, however, are amendments to refine NAHASDA that also complement the values of tribal sovereignty and self-determination. Most important to our members is an expansion of the use of negotiated rule making as a method for promulgating NAHASDA regulations. This is something the tribes have been fighting for over the past several years and remains the first priority after reauthorization.

NAHSADA is a great program, but without adequate funding, it will not have the impact on dire housing situations that we think was intended by the Congress when the program was created. We feel a minimum of \$1 billion is needed for NAHADSA each year to help tribes provide housing for their members. Appropriations have hovered around \$650 million for nearly four years. Flat-lined funding hurts a population that is one of the fastest growing in the country.

I am sure you agree that housing is a fundamental right for every American citizen, so I hope you will support us in our effort to reauthorize NAHASDA and to seek full funding of \$1 billion. Thank you.