



2014 Mid-Year Convention Grand Mound, WA

RESOLUTION #14 - 29

“113TH CONGRESS TO ENACT AND EXPAND THE PROVISIONS OF HB 4277 AND 4329 TO REAUTHORIZE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT, PARTICULARLY AS RELATED TO ESTABLISHING TIMELINES FOR HOUSING AND URBAN DEVELOPMENT (HUD) TO ACT AND ESTABLISHING CONSEQUENCES FOR HUD’S FAILURE TO ACT WITHIN THOSE TIMELINES”

PREAMBLE

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and

WHEREAS, the Northwest Indian Housing Association (NWIHA) represents thirty-eight Indian Housing Authorities, Tribally Designated Housing Entities (TDHE's), and Tribal Housing Programs and Departments in Idaho, Oregon and Washington, and Annette Island, Alaska; and

WHEREAS, the Mission of NWIHA is to promote safe, sanitary, decent and affordable housing for Tribal members in the Pacific Northwest, which it accomplishes by providing training and education opportunities; providing a forum for the discussion and resolution of issues; advocating for the collective benefit of all members; effectively linking members to information and financial resources; and working collaboratively with its industry partners; and

WHEREAS, the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) was enacted to further Tribal self-governance and, streamline and simplify the process of providing housing assistance to Tribes and Tribal members; and

WHEREAS, NAHASDA was reauthorized twice, in 2002 and 2008, but expired on September 30, 2013; and

WHEREAS, NWIHA has previously adopted a resolution to support the proposed NAHASDA reauthorization bill drafted and circulated by the National American Indian Housing Council (NAIHC), which would reauthorize NAHASDA, as well as adopt a series of amendments to the existing statute intended to make the NAHASDA statutory and regulatory framework more efficient and effective for tribes and TDHEs; and

WHEREAS, among the amendments in the proposed NAIHC bill are a series of provisions that would establish timelines for HUD to act when presented with requests for action by a tribe or TDHE; and

WHEREAS, the NAIHC bill included the following timelines for HUD, with the consequence that a failure to act within that timeline would mean that the request by the Tribe/TDHE would be "deemed approved" or, with regard to monitoring reports, that the findings would be "deemed closed:"

- Sec. 101 Waiver of Local Cooperation Agreement requirement (30 days);
- Sec. 102 Waiver of certain Indian Housing Plan Submission requirements (45 days);
- Sec. 104 Waiver of certain Environmental Review requirements (45 days);
- Sec. 405 Issue a final monitoring report within 60 days of receiving Tribe's/TDHE's comments on draft monitoring report; and

WHEREAS, in July 2013, S. 1352, the NAHASDA reauthorization bill, was introduced in the Senate, and S. 1352 contained a number of the NAIHC proposed amendments, but it did not include any of the items set out above; and

WHEREAS, in March 2014, NAHASDA reauthorization bills HR 4277 and 4329 were introduced in the House, and both contained a majority of the provisions in the NAIHC proposed bill, including the items set out above, with the following differences:

- The timeline for each item was set at 60 days;
- A new timeline was added for HUD to respond to a request for a waiver of Total Development Cost caps under certain circumstances; and
- Section 405 did not include the “deemed closed” provision and merely set out a 60 day timeline; and

WHEREAS, imposing and enforcing timelines on HUD in all the areas set out above is essential for ensuring efficient and effective operation of the NAHASDA statutory and regulatory framework; and

WHEREAS, both HR 4277 and 4329 cap appropriations for each of the fiscal years from 2014-2019 at \$650 million for each of the fiscal years from 2014 to 2019, despite statistics gathered by HUD that over 25 percent of American Indian housing units have “severe housing needs,” including (among other things), lack of basic plumbing or kitchen facilities, housing more than one person per room, and bearing a cost burden of more than 50 percent of income; and

WHEREAS, the Congressional Budget Office prepared a cost estimate for Senate Bill 1352, which indicated that housing block grants would only be funded at an average of \$650 million per year over the next five year reauthorization period, and was woefully short of the need, estimated at a minimum of \$1 billion per year by the National American Indian Housing Council; and

WHEREAS, under most HUD and other Federal housing programs, tenants are only obligated to pay 30% of their adjusted income as rent (with the remainder subsidized by the Federal Government); and

WHEREAS, the 30% rule has not changed since its inception in the 1937 Housing Act, even though rental markets and housing in America has seen dramatic changes; and

WHEREAS, a 2013 study published by the Joint Center for Housing Studies, Harvard University finds that nearly 50 percent of renters pay more than 30 percent of their income to rent housing - nearly double from the less than 1/4 of renters who paid that much in 1960; and

WHEREAS, after adopting this resolution, the Executive Committee of NWIHA submitted it to its Voting Members to obtain a sense of the membership, a majority of those members having approved it by a vote conducted by electronic means; now

THEREFORE BE IT RESOLVED, that ATNI does hereby join with NWIHA to urge the 113th Congress of the United States to adopt the timeline and enforcement provisions set out in HR 4277 and 4329, with the addition of the provision that the draft findings in a draft monitoring report would be deemed closed if HUD does not respond to the Tribe's/TDHE's comments within 60 days (for Section 405); and

BE IT FURTHER RESOLVED, that ATNI does hereby join with NWIHA to urge the 113th Congress of the United States to reject the provisions of both HR 4277 and 4329 that cap appropriations at \$650 million for each of the fiscal years from 2014-2019 based upon the severe housing needs in Indian country; and

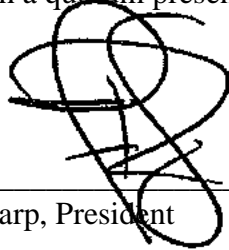
BE IT FURTHER RESOLVED, Congress is urged to remove the 30% rule and allow tribes to determine their own rental rates or rental burden percentage under Tribal Self-Determination; and

BE IT FURTHER RESOLVED, that ATNI does hereby join with NWIHA to strongly support increased Congressional appropriations of at least \$1 billion per year over the 5 year reauthorization period; and

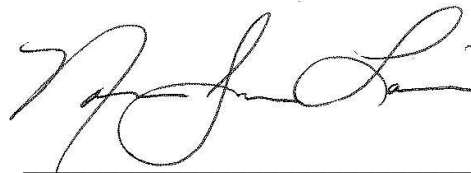
BE IT FINALLY RESOLVED, that ATNI does hereby respectfully request the National American Indian Housing Council, the National Congress of American Indians, and all other regional Native American associations and organizations to join with ATNI in supporting this Resolution.

CERTIFICATION

The foregoing resolution was adopted at the 2014 Mid-Year Convention of the Affiliated Tribes of Northwest Indians, held at Great Wolf Lodge, Grand Mound, Washington, on May 5 – 8, 2014 with a quorum present.



Fawn Sharp, President



Norma Jean Louie, Secretary