

U.S. House of Representatives

COMMITTEE ON FINANCIAL SERVICES

SUBCOMMITTEE ON HOUSING AND  
COMMUNITY DEVELOPMENT

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Testimony of:

Mark R. Chino, President  
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“Reauthorization of the Native American  
Housing Assistance and Self-  
Determination Act”

June 6, 2007

Good afternoon Chairwoman Waters and Ranking Member Biggert. My name is Mark R. Chino and I am the President of the Mescalero Apache Tribe. I am also the Chairman of the Board of Commissioners of the Mescalero Apache Housing Authority. Thank you for inviting me to testify about the reauthorization of NAHASDA and the housing needs of American Indian people.

Few programs provide such a rich return on investment as does NAHASDA. Every dollar invested by Congress in Indian housing yields great benefits. The system that Congress set up in 1996 has made a real difference in the lives of many Indian families. Yet, the program remains significantly underfunded. Adjusted for inflation, Congress is spending less on Indian housing needs than it did in 1996. The program needs more money.

Indian housing has come a long way in the last 50 years. When I was born on the Mescalero Apache Reservation, many tribal members were still living in wickiups and other traditional types of housing. The long tenure of my late father Wendell Chino saw many modern houses built on the Reservation and a general improvement in the housing situation.

The housing needs of our people are still great, however. We have a waiting list of almost 400 families for homes. Many homes built for three or four people house ten or more extended family members. Even with these great needs, Mescalero is still a "fortunate" Tribe.

On the Navajo Nation, for example, tens of thousands of people do not have running water or electricity. In fact, statistics show that almost 14% of Indian homes nationwide do not have adequate plumbing. This is staggering. This is a situation that only can be remedied by the dedication of significant financial resources.

I am not here today to speak about funding levels. I am here to urge you to reauthorize NAHASDA. Apart from dedicating more financial resources to meet Indian housing needs, reauthorizing NAHASDA is the single most important thing that Congress can do for Indian housing this session. Time has shown that the legislation works.

The discussion draft contains several amendments, many of which are positive. I am very pleased to see the inclusion of not only a generalized Indian preference in contracting, but a more specific Tribal preference as well. This will hopefully lead to economic development throughout Indian country. Several large, tribally owned contractors have benefited from the Indian preference language of the 1996 statute. Hopefully, this Tribal preference will more directly benefit small, locally owned businesses.

The broadening of the “essential families exception” is also a positive change. Being able to offer housing services to more non-low income families who are needed on the Reservation should help attract more talented people to Indian country. Lack of housing options really does deter people like doctors and teachers from coming to Indian country, and this amendment should make it easier to attract these types of people. In the same vein, allowing all law enforcement officers to be considered “eligible families” will hopefully make it easier to recruit much needed police officers.

Procurement should also be made easier through the “de minimus” exemption. Under the proposed legislation, procurement of items worth less than \$5,000.00 will not require the often time-consuming task of competitive bidding. This will free administrative talents to accomplish more worthwhile things.

There are several things which are not included in the draft which I believe are important. Among these is a fix for the dispute that is raging regarding which set of Census numbers should be used when calculating a tribe’s funding. Others will testify in depth about the “Compromise Solution” that permits tribes to select the appropriate data set to use and allows HUD to challenge the tribe’s selection if it feels that it is inappropriate. I would strongly urge Congress to adopt this Compromise Solution.

Additionally, NAHASDA needs to be amended to allow tribes to better utilize NAHASDA dollars for community infrastructure. Houses can’t exist in isolation from roads, sewers, utilities and other types of community support structures. As a retired BIA law enforcement officer, I can tell you that a community needs an adequate public safety system to thrive. NAHASDA should focus more broadly on the community and not confine itself to bricks and mortar for houses.

Thank you again for inviting me to testify today. Reauthorization of NAHASDA is the first step toward insuring the federal government fulfills its responsibility to the housing needs of Indian people.