

EXECUTIVE OFFICE OF THE PRESIDENT
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HUD's Native American Programs: Current Issues

I. The Native American Housing Assistance and Self-Determination Act of 1996 (H.R. 3219)

Description of H.R. 3219.

H.R. 3219 would block grant all federal housing assistance to Indian tribes or their tribally designated housing entities (TDHE) beginning in FY 1998. H.R. 3219 was added as an amendment to H.R. 2406, a public housing reform bill currently in Conference and is now referred to as Title VII of H.R. 2406.

The following are some of the major elements of Title VII:

- The Native American programs would be administered by Tribes who would have the flexibility to designate a "housing entity" (which may or may not be part of a tribal government), to receive grant amounts and provide housing assistance.
- Funds would be distributed on a formula basis. Specific performance standards and measures would be developed and Tribes would have a great deal of flexibility providing they meet the objectives and goals of the programs.
- In order to receive formula funding, an Indian Tribe would be required to submit a local housing management plan which will describe the mission of the Indian Tribe and the goals, objectives, and policies of the Tribe to meet the housing needs of low-income families in the Tribe's jurisdiction.

Administration's Position.

The Administration fully supports the concepts and direction of this legislation.

Since its inception, the Indian housing program has been based on policies, rules and laws formulated for the public housing program but which do not necessarily reflect the concerns of Native Americans. The consolidation of affordable housing programs under a block grant fund for Native Americans would promote self-governance and self-determination by honoring the right of each individual Tribe to make its own decisions and to set an individual course which befits its own unique situation and traditions.

While the Administration supports this legislation, we are concerned that this bill does not address rent protections for the poor. The House bill completely removes rent protections for poor households assisted under the Native American housing programs. Neither the existing Brooke Amendment (which sets tenant's rental payment at 30 percent of monthly adjusted income), nor a modified version, is included in Title VII of the House bill. The result of this

omission would be to remove the floor and the ceiling in Indian Housing, allowing the tribally designated housing entities (TDHE) to charge any amount for rent, regardless of whether the charge would be affordable to poor families. The Administration instead supports a provision that parallels our position for public housing residents: permitting a TDHE to charge up to 30 percent of monthly adjusted income.

Status of Public Housing Reform Bills.

The first meeting of the conferees to the Public Housing Reform bills (H.R. 2406 and S. 1260) is expected soon after Congress reconvenes on September 4th. In the interim, House and Committee staff are continuing to meet to resolve issues between the two bills. There remains substantial disagreement between the House and Senate on several key public housing provisions. The Administration is hopeful that a bill can still be passed.