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My name is Tim Foster and I am the Chairman of the Yakama Nation Housing Authority. I just returned to Indian Housing a couple of months ago. I was involved in Indian Housing from 1970 to 1994, as the Yakama Housing Authority Chairman—and also as one of the founding members of the NAIHC and its second Chairman. Earlier this year, I agreed to return as Chairman of the Yakama Nation Housing Authority.

Since coming back into Indian Housing, I have been gathering a lot of information about how things have changed in the last 10 years. The old 1937 Act is gone now, the annual contributions contracts are gone, the Congressional mandate is gone, the old federal regulations we operated under are all gone now. In their place is the federal block grant program known as NAHASDA.

Sometimes what we say is less important than the questions we ask. Words have meaning. I would like to know what is meant by Section 503 of NAHASDA, which states that

After ... 1997, any housing developed or operated pursuant to a contract between the Secretary and an Indian housing authority pursuant to the United States Housing Act of 1937 shall not be subject to ... [the 1937] Act or any annual contributions contract or other agreement pursuant to such Act, but shall be considered and maintained as affordable housing for purposes of [NAHASDA].

I would also like to know what is meant by Section 203 of NAHASDA, which states that

Each recipient who owns or operates ... housing developed or operated pursuant to a contract between the Secretary and an Indian housing authority pursuant to the United States Housing Act of 1937 shall, using amounts of any grants ... [under NAHASDA], reserve and use for operating assistance ... such amounts as may be necessary to provide for the continued maintenance and efficient operation of such housing. This subsection may not be construed to prevent any recipient ... from demolishing or disposing of Indian housing [built under the 1937 Act]

It appears to me that NAHASDA, among other things, has acted as a golden parachute for the program that I once knew and of which I was a part. Congress did away entirely with any of the basis for the old program, and did away with all of the contracts and agreements under the old program, but it also provided the flexibility for NAHASDA funds to be used to continue to support the infrastructure we built under the old program. The challenge now will be to put in place a process to make the transition from the old to the new.

I appreciate the fact that NAHASDA exists, and the apparent way that NAHASDA funding is tied to the old program by the number of units our various housing authorities built under the old program. It seems apparent that an effort was made to continue the subsidy and, in doing so, ensure that the housing programs remained intact. I believe now that the challenge will be to recommend changes that will assure that the program completes a transition from the old housing program that I knew and was a part of to the one now in existence, which has new and different demands.

One thing shared by the old and the new is that the need has not changed. It may even be more acute than it was in the past. A recommendation might be to establish a pipeline, where at one end we convey some of our old units and at the other end we have a commitment for funding to establish and build new ones. We need to somehow link structured conveyance of the old mutual help units to an assurance of funds committed to new construction, making one dependent upon the other in a fiscal year, so that the saved revenues from these conveyed units would be a part of funding of investment in new and present stock, and this would allow housing authorities to remain viable and productive. We need to protect our investment in the many people who have been involved in these programs, people who have trained and who have actively participated in these programs for many years. We need to protect the infrastructure in order to move forward.

The old Indian housing program was a program built on commitment to Indian housing. Now there is only an assurance of funding on an annual basis, which makes planning difficult. Housing authorities need a five-year commitment to go along with their five-year plans. I believe that an all out effort must be made by all those concerned to make our program more fiscally and politically palatable.

For this program to work within the constraints of NAHASDA, the 1937 Act houses do need to be retired, but in a way that protects Indian housing authorities. In order for the transition that couples conveyance and construction to be successful, more funds will be needed and the budget will need to expand. This is just a prelude to securing needed funding for Indian housing for the future.