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Senate Committee on Indian Affairs Passes Two Tribal Housing Bills

WASHINGTON—June 30, 2010—During a business meeting today, the Senate Committee on Indian Affairs (SCIA) unanimously approved two bills of paramount importance to Indian veterans, tribal housing agencies and tribal communities: H.R. 3553 - the Indian Veterans Housing Opportunity Act of 2010 (the Veterans' Act), and S. 3235 - the Helping Expedite and Advance Responsible Tribal Homeownership Act (HEARTH Act).

“On behalf of tribal housing programs across Indian Country, I thank Chairman Dorgan, Vice-Chair Barrasso and each of their staff for recognizing that these two housing bills are vital to tribal communities and will benefit Indian veterans greatly,” said National American Indian Housing Council (NAIHC) Chairperson Cheryl A. Causley. “Our veterans are important to our communities. They need to be rewarded and not punished for their dedication and service to this country.”

The Veterans' Act (H.R. 3553) would amend NAHASDA to be consistent with the IRS Tax Code and other federal statutes and regulations by excluding income received by a veteran, or his or her family, for service-related disability, dependency, or indemnity, from the definition of "income" under NAHASDA. On April 20, the Veterans' Act passed with overwhelming support on the House floor. After being considered and approved by the SCIA, the bill is now awaiting passage from the full Senate prior to being sent to President Obama for final consideration.

The HEARTH Act was originally introduced by Representative Martin Heinrich (D-NM) in May 2009. It is designed to amend the Indian Long-Term Leasing Act of 1955 (25 U.S.C. § 415), reforming federal leasing requirements and encouraging housing and community development in Native American communities by allowing tribes to enter into certain leases without prior expressed approval of the Secretary of the Interior.

A Senate companion bill to the HEARTH Act (S. 3235) was introduced by Senator Byron Dorgan (D-ND) in April 2010. It differs from the House version in that it incorporates changes made after receiving feedback from the Bureau of Indian Affairs (BIA). The changes address the following: (i) standards to be included in a tribal environmental review process; (ii) clarification on the definition of "Indian tribe" to be utilized under HEARTH; and (iii) the process that the Secretary of Interior must follow prior to disapproval of a tribal lease.

“The HEARTH Act will provide tribes an opportunity and the authority to create regulations that are approved by the Secretary of Interior and subsequently allow tribes to operate their own surface site leasing. We know the time frame for individual tribal members to receive a home-site lease is arduous and can be as long as three years under the current Bureau of Indian Affairs process, but we anticipate that these improvements in leasing and enhanced tribal control over surface leasing will help more tribal members get into homes quickly,” Chairperson Causley said. “The housing need in Indian Country is great. Many of our tribal people are homeless or living in over-crowded conditions. These two bills will help remedy those disparities. NAIHC encourages Congress to act swiftly on both bills.”

The House companion bill of HEARTH (H.R. 2523) is awaiting markup from the House Natural Resources Committee. The House and Senate floor must consider both versions of the HEARTH Act. Both HEARTH bills and the Veterans’ Act are fully supported by the NAIHC.

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The National American Indian Housing Council (NAIHC) was founded in 1974 as a 501(c)(3) corporation. NAIHC is the only national organization representing housing interests of Native people who reside in Indian communities, Alaska Native Villages, and on native Hawaiian Home Lands.