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WATER, OCEANS AND WILDLIFE

INDIGENOUS PEOPLES OF THE UNITED STATES

**Congressman Ed Case Testimony to the Subcommittee on Transportation, Housing and
Urban Development and Related Agencies**

May 13, 2021

Chairman Price, Ranking Member Diaz-Balart and Members of the Subcommittee,

Aloha and mahalo for the opportunity to update the Committee on key transportation and housing needs for my home state of Hawai'i, specifically, the Native Hawaiian Housing Block Grant Program, and accelerating safety and community disruption concerns arising from commercial tour helicopter and small aircraft operations.

The Native Hawaiian Housing Block Grant Program is modeled after the Indian Housing Block Grant program, with modifications to address the specific housing needs and circumstances of Native Hawaiians, the indigenous peoples of our country whose homeland is Hawai'i. These funds provide critical financial assistance for Native Hawaiian families to obtain new homes; make renovations; build community facilities; and receive housing services, including counseling, financial literacy and other critical resources to address housing disparities.

Your support for this program is needed now more than ever. Native Hawaiian households in Hawai'i are more likely to be low-income than non-native households, and homeownership rates for Native Hawaiians in the State of Hawai'i are even lower. For example, in Honolulu 38 percent of Native Hawaiians own their homes compared with 48 percent for non-native peoples. This disparity also exists in other areas of the state, where 51 percent of Native Hawaiians own their homes compared with 60 percent for non-native peoples.

Your continued support for the Native Hawaiian Housing Block Grant Program is needed to ensure our nation can reverse long-standing housing inequalities and build stronger communities for generations to come.

I also ask for the Committee's support to address the rapidly increasing safety and community disruption concerns from commercial tour helicopters and small aircraft operations. In many parts of the country, but particularly in my Hawai'i, these operations have accelerated rapidly in recent years. Yet regulatory capacity and commitment by the Federal Aviation Administration (FAA) have been seriously deficient, with widespread negative consequences.

Like many other highly-trafficked locations across the country, communities across Hawai'i have experienced a significant increase in ground disruption from noise and other effects of constant commercial aviation operations, especially tour helicopter and small aircraft operations. These include our precious national parks, which are disturbed and destroyed by thousands upon thousands of tour overflights a year. In their case, the National Parks Air Tour Management Act requires the FAA and the National Park Service to create Air Tour Management Plans or achieve

voluntary agreements for mitigating these disruptions. But such disruptions are equal if not greater to communities and other locations beyond national park boundaries. In some cases, the FAA and the operators have adopted Air Tour Common Procedures Manuals, which have had some limited effect on mitigating such disruptions, but these are voluntary and in Hawai'i have been abandoned by the FAA and operators.

The FAA appears to be unclear as to whether its statutory and regulatory jurisdiction beyond national park boundaries encompasses a responsibility to mitigate noise and other community disruptions, or whether it has the authority to pursue Air Tour Management Plans, Common Procedure Manuals or other means toward time, place and manner restrictions, or to impose such restrictions absent such agreements.

My requested report language would acknowledge and support worsening community concerns in this area. It would remind the FAA that its responsibilities encompass such concerns by directing the FAA to formally respond on its efforts to date and position as to its statutory and regulatory authority. If the FAA does not think it has authority to address these concerns, the FAA would help identify the regulatory and legal barriers and legislative solutions

In closing, I want to extend my warmest mahalo for your leadership for our nation's transportation, housing and urban development and for your consideration of Hawaii's critical needs in the upcoming fiscal year.