



**Prepared Testimony of Gary Cooper, Chairman of the Board of Directors  
National American Indian Housing Council  
to the  
U.S. House Committee on Veterans' Affairs, Subcommittee on Economic Opportunity  
Oversight Hearing on  
Making HUD-VASH Work for all Veteran Communities**

**January 14, 2020**

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Good Afternoon. My name is Gary Cooper, and I am the Chairman of the Board of Directors of the National American Indian Housing Council. I am a citizen of the Cherokee Nation, and I currently serve as the Executive Director of the Housing Authority of the Cherokee Nation. I would like to thank Chairman Levin, Ranking Member Bilirakis and all committee members for having this hearing today and for including tribes in this discussion regarding the HUD-Veteran Affairs Supportive Housing (HUD-VASH) program.

The NAIHC is comprised of 289 voting members that represent 496 tribes and tribally-designated housing entities across the United States. The NAIHC was established in 1974 to advocate on behalf of tribal housing programs and now NAIHC also provides vital training and technical assistance to increase the managerial and administrative capacity of tribal housing programs.

**Background on the National American Indian Housing Council**

The NAIHC was founded in 1974 and for over four decades has provided invaluable Training and Technical Assistance (T&TA) to all tribes and tribal housing entities; provided information to Congress regarding the issues and challenges that tribes face in their housing, infrastructure, and community development efforts; and worked with key federal agencies to ensure their programs' effectiveness in native communities. Overall, NAIHC's primary mission is to promote and support American Indians, Alaska Natives and Native Hawaiians in their self-determined goal to provide culturally relevant and quality affordable housing for Native people.

The membership of NAIHC is comprised of 289 members representing 496<sup>1</sup> tribes and tribal housing organizations. NAIHC's membership includes tribes and tribally-designated housing entities throughout the United States, including Alaska and Hawaii. Every member of this Committee serves constituents that are members of NAIHC, either directly through tribes located in your Districts, or generally through the United States government-to-government relationship with all tribes within the United States. NAIHC's members are deeply appreciative of your work to improve the lives of veterans throughout the Country. As many of you know, Native Americans have historically served in the United States Armed Forces at the highest rate of any other demographic.

### **Profile of Indian Country**

There are 573 federally-recognized Indian tribes in the United States. Despite progress over the last few decades, many tribal communities continue to suffer from some of the highest unemployment and poverty rates in the United States. Historically, Native Americans in the United States have also experienced higher rates of substandard housing and overcrowded homes than other demographics.

The U.S. Census Bureau reported in the 2017 American Community Survey that American Indians and Alaska Natives were almost twice as likely to live in poverty as the rest of the population—25.4 percent compared with 13.4 percent. The median income for an American Indian Alaska Native household is 30% less than the national average (\$40,315 versus \$57,652).

In addition, overcrowding, substandard housing, and homelessness are far more common in Native American communities. In January 2017, the Department of Housing and Urban Development (HUD) published an updated housing needs assessment for tribal communities. According to the assessment, 5.6 percent of homes on Native American lands lacked complete plumbing and 6.6 percent lacked complete kitchens. These are nearly four times than the national average, which saw rates of 1.3 percent and 1.7 percent, respectively. The assessment found that 12 percent of tribal homes lacked sufficient heating.

The assessment also highlighted the issue of overcrowded homes in Indian Country, finding that 15.9 percent of tribal homes were overcrowded, compared to only 2.2 percent of homes nationally. The assessment concluded that to alleviate the substandard and overcrowded homes in Indian Country, 68,000 new units need to be built.

Since the Native American Housing Assistance and Self-Determination Act (NAHASDA) was enacted in 1996, tribes have built over 37,000 new units according to HUD. However, as the IHBG appropriations have remained level for a number of years, inflation has diminished the purchasing power of those dollars, and new unit construction has diminished as tribes focus their efforts on unit rehabilitation. While averaging over 2,400 new unit construction

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<sup>1</sup> There are 573 federally recognized Indian tribes and Alaska Native villages in the United States, all of which are eligible for membership in NAIHC. Other NAIHC members include state-recognized tribes eligible for housing assistance under the 1937 Housing Act and that were subsequently grandfathered in under the Native American Housing Assistance and Self-Determination Act of 1996, and the Department of Hawaiian Home Lands, the state agency that administers the Native Hawaiian Housing Block Grant program.

between FY2007 and 2010, new unit construction has dropped in recent years with only 2,000 new units between 2011 and 2014, and HUD estimating less than 1,000 new units in future years as tribes maintain existing housing stock.

### **Tribal HUD-VASH**

HUD-VASH was first established in 2008 to better help homeless veterans by combining HUD rental assistance to homeless veterans with case management and supportive clinical services provided through the VA. While Native American veterans were generally eligible for the HUD-VASH program, they could only receive HUD-VASH assistance through public housing agencies (PHA), as tribes and tribally-designated housing entities (TDHE) were not eligible to receive HUD-VASH funding or vouchers directly. This left a gap in service to many Native American veterans, as many Native Americans often look first to their tribe for needed services and would not necessarily be aware to, or may be reluctant to, request services from PHAs. An additional gap existed as many PHAs do not necessarily serve individuals living within a tribe's reservation or service area, as those individuals would primarily be served by the tribe or its tribally designated housing entity (TDHE).

To address this gap, tribal leaders and tribal housing professionals advocated for an expansion of the HUD-VASH program to include funding to tribes. Congress eventually responded by creating a demonstration Tribal HUD-VASH program with a \$4 million set aside from FY 2015 appropriations. HUD and the VA announced the establishment of the demonstration program in January of 2015. After some consultation with tribes, HUD invited 30 tribes to participate in the demonstration program, and in March 2016, 26 tribes were awarded initial tribal HUD-VASH grants.

The participating tribes have had varying levels of success with their implementation of the HUD-VASH program. End of Fiscal Year reports from 2018 and 2019 show that the 26 tribes in the demonstration have held steady at serving approximately 350 veterans each year. Measuring success has often included looking at the percentage of housed veterans against the total level of funding appropriated. When the total number of veterans expected to be served is shown as 500, that level of success seems low at 69%. However, in 2018, HUD and the VA were measuring the number of housed veterans against the lower number of "active allocations" based on the decreased appropriation for that year, and the percentage shows a better success rate of 92%.

Further, any attempt to reduce funding to Tribal HUD-VASH or deem the program unsuccessful based on these year end numbers overlooks two important facts. First, there are over 550 other federally- and state-recognized tribes that could serve veterans in their communities if given access to the program. Second, many, if not all, of the 350 veterans served annually by the participating tribes would not have received these services if not for the Tribal HUD-VASH program.

Success can also be seen in the number of veterans housed upon exit from the program. While data seems to differ, one report provided by the VA at the February 2019 NAIHC Legislative Conference showed that 45 of 56 veterans (80%) who exited the program prior to

2/11/2019 were housed on exit, either with permanent, temporary, or in a treatment setting. Finally, while the year-end reports show tribes holding steady with the total number of veterans housed through the Program, it does not necessarily capture the full total number of veterans that program has served over time. For instance, the Cherokee Nation has served over 40 veterans in total since the demonstration program began, while the year-end reports only ever show the number of veterans actively being served at the time of the report.

One of the initial barriers was the lack of case managers from the VA that were able to serve individuals in tribal communities. Many of the tribal communities participating in the demonstration program are rural and do not have nearby access to VA hospitals or clinics. This has improved, through a combination of relaxing the qualifications required to be a case manager within the tribal HUD-VASH program and including tribes in the process to identify and hire qualified case managers.

A second common obstacle is the severe shortage of housing options available within the tribal communities. This issue is not specific to HUD-VASH housing needs, as a 2017 HUD report found that tribal communities together require 68,000 new units to replace substandard and/or overcrowded homes. Tribes that have been the most successful in utilizing the HUD-VASH funding have found housing options outside the reservation or away from tribal communities. Nearly all tribes own and manage their own housing stock, but often these are fully utilized through a tribe's regular low-income rental assistance program with many having extensive wait-lists.

Additionally, many tribally-owned housing units that could be used for HUD-VASH recipients also contribute to the formula that determines the tribe's level of assistance through the Indian Housing Block Grant. HUD has made the determination that a tribe must remove the unit from its formula count if it applies the HUD-VASH subsidy to that unit. This creates a disincentive to the Tribe on both an administrative and funding level. While HUD has maintained that a tribe could place the unit back into its formula count once the HUD-VASH subsidy is removed from the unit, many tribes are reluctant to go through the administrative steps to do so. HUD-VASH funding was also seen as a mechanism to provide additional resources to tribes to specifically help a subset of their members but doing so using existing tribally-owned units essentially negates the HUD-VASH funding as a net positive resource.

Other barriers reported by tribes include finding eligible veterans (particularly those able to travel distances needed for case management), changes in TDHE staff and expertise, lack of privately-owned rental stock available to tribal veterans, and a lack of resources for ancillary housing needs, such as transportation, furniture, supplies etc.

One key difference that may need to be addressed moving forward is how funding for veterans in the program is treated year to year. In the larger HUD-VASH program, veterans added to the program each year are often re-characterized or added in the next year to a PHA's allocation of funding for normal tenant-based vouchers. In essence, each fiscal year Congress is adding appropriations for new HUD-VASH vouchers that can serve newly identified veterans in need. In the tribal context, annual appropriations for tribal HUD-VASH must continue to serve

the same veterans in the program each year, as new funds are not added to a tribe or TDHE's overall funding level similar to a PHAs increased voucher funding.

### **S. 257 & H.R. 2999 , the Tribal HUD-VASH Act of 2019**

NAIHC supports the bills that have been introduced this Congress to improve and expand the Tribal HUD-VASH program. S. 257 has already passed the Senate this Congress, and we urge all members of the House to support and pass the bill so it can be enacted. H.R. 2999 is a bipartisan companion bill, and currently both are pending with the House Financial Services Committee.

The bill would codify and make permanent the Tribal HUD-VASH program within the larger HUD-VASH program and ensure funding for the program. The bill would make all tribes and their tribal housing programs eligible for the HUD-VASH program, which to date has remained limited to the original 26 recipients. The bill would also call on the Indian Health Service to assist the program as requested by the HUD or VA. Primarily, the bill is intended to give the Secretaries of HUD and the VA the flexibility to make further improvements to the program to overcome the obstacles the tribes and agencies have identified.

The flexibility provided to the agencies by the bill would allow the VA and HUD to address the two primary concerns that NAIHC has heard regarding HUD-VASH implementation: the lack of case managers the VA can identify willing or able to work in tribal areas, and the restrictions placed on certain tribal housing units by HUD that make them ineligible for VASH vouchers. Many communities have housing shortages and limiting the housing stock that can be used in the tribal HUD-VASH program forces some of the participating tribes to house their tribal veterans in nearby urban areas, rather than the tribal community as intended by the program.

NAIHC wants to thank the members of Congress who have introduced, sponsored and supported the HUD-VASH program and legislation. After passing the Senate in the 115<sup>th</sup> Congress, the Tribal HUD-VASH Act was nearly passed by the House but was pulled from the suspension calendar just prior to the end of the year. Being passed by the Senate and initially placed on the suspension calendar shows the level of bipartisan support the Tribal HUD-VASH program and bill enjoy. NAIHC is hopeful that the bill, having been passed by the Senate again, can finally be passed by the full House this Congress and enacted into law.