

# House OKs Hawaiian housing

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WASHINGTON — The House yesterday voted to reauthorize funding for Native Hawaiian housing programs for five years, despite opposition from a large segment of Republican lawmakers.

"This is good news for eligible families who want to buy or refinance homes located in the Hawaiian Home Lands," said Rep. Neil Abercrombie, D-Hawai'i, sponsor of the bill.

The programs would ensure that the Department of Hawaiian Home Lands continues to receive \$8 million to \$9 million annually for roads, water lines, sewer systems and other infrastructure needed for housing projects for residents with 50 percent Hawaiian blood or more.

The House vote was 272-150. Only 45 Republicans joined 227 Democrats supporting the bill, which still must be approved by the Senate.

Sen. Daniel Inouye, D-Hawai'i, is expected to introduce the bill there with Sen. Daniel Akaka, D-Hawai'i, as a co-sponsor.

Akaka said he was pleased the House voted to pass the bill. "I along with my good friend and partner, Senator Inouye, will work to enact this important measure in the Senate," he said.

Earlier yesterday, Abercrombie pleaded with opponents to not block the bill because they believed programs targeting help for certain segments of the population are unconstitutional, such as the original 1921 law that set aside land in Hawai'i for Hawaiians.

"On the contrary, that issue has been raised and it, perhaps, should be raised in another context, namely if someone wants to change the underlying law," Abercrombie said on the House floor.

"But we shouldn't punish my constituents or anybody's constituents" because the law requires Congress to approve changes so that Native Hawaiians can have their home mortgages refinanced, he said.

The legislation would reauthorize through 2012 the Native Hawaiian Housing Block Grant and Native Housing Loan Guarantee programs, administered by the Department of Housing and Urban Development.

The Native Hawaiian housing program's authorization expired in 2005, but funding has been kept alive on a year-to-year basis.

Hawaiian Home Lands Chairman Micah Kane has said if the federal program is not renewed, it could affect his agency's ability to provide homes for an estimated 80 families each year.

No Republicans spoke on the House floor yesterday in opposition to the bill.

But Rep. Spencer Bachus, R-Ala., who voted "present" on the bill, said late Tuesday some Republicans believe the Rice v. Cayetano court decision — which declared Native Hawaiians could not have different voting rights than other Hawai'i citizens — suggested special privileges for Native Hawaiians are unconstitutional.

Bachus said many Republicans would support the bill if language were added clarifying that the federal program could not be construed as conferring "a constitutionally special political or legal relationship based on Native Hawaiian ancestry between the United States and the Native Hawaiian people."

Abercrombie said a federal appeals court ruled in February that funding programs that benefit Native Hawaiians were not unconstitutional discrimination.

The House rejected the same bill last week, falling 28 votes short of the two-thirds needed under a special parliamentary procedure, after House Minority Leader John Boehner, R-Ohio, urged Republicans to vote against the measure. He used the *Rice v. Cayetano* decision to argue against passage.