



**THE NATIONAL CONGRESS OF  
AMERICAN INDIANS**

**RESOLUTION #SD-02-026**

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**Title: Funding Options for Small Programs and Negotiated Rule Making  
as the Decision Making Forum**

**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people and their way of life, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, there are legitimate issues regarding special NAHASDA Indian Housing Block Grant funding for small programs; and

**WHEREAS**, based upon the decision of a previous Negotiated Rule Making Committee, HUD's Secretary in 1997 established in NAHASDA regulations that in the first year provided \$50,000 minimum NAHASDA Block Grant and for the following four years a \$25,000 minimum Block Grant; and

**WHEREAS**, the correct forum to again address this formula funding issue is a Tribal Negotiated Rule Making Committee where tribes of all sizes have to reach by consensus agreement on small programs funding; and

**WHEREAS**, small programs funding should not be a decision for the United States Congress to make statutorily; and

**WHEREAS**, one of several methods that might be used to provide small programs funding is a supplemental Indian Housing Block Grant; and

**WHEREAS**, because there are a multitude of very complex issues (including but certainly not limited to: who should get such funding, how much should they receive, where is the money going to come from, how to determine need, what other resources are available to small programs, what should be done to avoid wasteful spending, what is the funding impact on non-small programs, and how are regional housing authorities to be factored in) that need to be considered in designing special NAHASDA Block Grant funding for small programs, a Tribal Negotiated Rule Making Committee is the only way tribes and HUD can properly, fairly and effectively analyze, debate and reach consensus on small programs funding.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI does hereby assert that a HUD NAHASDA Negotiated Rule Making Committee (and not the United States Congress) is the only appropriate forum to formulate, and then recommend to the Secretary of HUD, a small programs formula component; and

**BE IT FURTHER RESOLVED**, that the NCAI recommends that the new Negotiated Rule Making Committee readdress the small programs funding issue; and

**BE IT FURTHER RESOLVED**, that the NCAI recommends that NAHASDA formula issues should be the first items on the Negotiated Rule Making Committee agenda, and the first formula issue be baseline, minimum, and other small program funding; and

**BE IT FURTHER RESOLVED**, the NCAI calls upon HUD Secretary Martinez to continue the current annual minimum funding formula component until a new Negotiated Rule Making Committee can make its recommendation to the Secretary on this issue; and

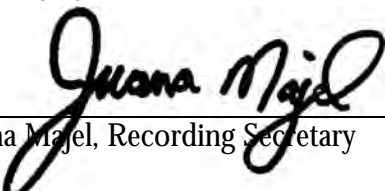
**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

#### CERTIFICATION

The foregoing resolution was adopted at the 2002 Annual Session of the National Congress of American Indians, held at the Town and Country Convention Center, in San Diego, California on November 10-15, 2002 with a quorum present.

  
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Tex Hall, President

**ATTEST:**

  
\_\_\_\_\_  
Juana Majel, Recording Secretary

Adopted by the General Assembly during the 2002 Annual Session of the National Congress of American Indians, held at the Town and Country Convention Center, in San Diego, California on November 10-15, 2002.