



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #MOH-17-051

### **TITLE: Support for Federal Treaty and Trust Obligations Funded in the Federal FY 2018 Budget**

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**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, 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**, tribes ceded millions of acres of land that made the United States what it is today, and in return tribes have the right of continued self-government and the right to exist as distinct peoples on their own land; for its part, the United States has assumed a trust responsibility to protect these rights and to fulfill its solemn commitments to Indian tribes and their citizens; and

**WHEREAS**, part of this trust responsibility includes basic governmental services in Indian Country, funding for which is appropriated in the discretionary portion of the federal budget; as governments, tribes must deliver a wide range of critical services, such as education, workforce development, and first-responder and public safety services, to their citizens; and

**WHEREAS**, on May 23, 2017, the Administration released its FY 2018 budget request, which would reduce spending for non-defense programs by \$54 billion below the sequestration level for FY 2018 and by \$1.6 trillion over the next decade, taking this spending category to its lowest level as a percent of GDP in sixty years; and

**WHEREAS**, with the release of the President's FY 2018 budget, Congress faces a choice on how to fund appropriations bills: (1) continue to provide partial relief from the 2011 Budget Control Act's (BCA) sequester, (2) allow sequestration to take full effect for the first time, or (3) significantly deepen sequester cuts to non-defense programs while eliminating it for defense as proposed in the President's budget; and

**WHEREAS**, numerous federal programs that meet treaty and trust obligations would be reduced in the FY 2018 budget request and some would be eliminated; and

**WHEREAS**, the FY 2018 proposed budget includes a decrease in funding for the Indian Housing Block Grant Program from \$670 million to \$600 million, and a complete elimination of the Indian Community Development Block Grant Program; Native Americans face a severe shortage of affordable, quality, housing across the United States and a reduction in funding for housing construction and the elimination of successful competitive grant programs such as the Indian Community Development Block Grant will only generate more unmet housing needs; and

**WHEREAS**, the FY 2018 budget request calls for the elimination of all funding to assist low income households in meeting their home heating and cooling needs through the Low Income Home Energy Assistance Program (LIHEAP); moreover, climactic extremes in certain regions of the country can be especially challenging to the health and safety of low income households; market demands, location and distribution challenges many times can, and do, further drive up the cost for home heating fuels and disproportionately increases the financial burden for low income households; and

**WHEREAS**, American Indians/Alaska Natives (AI/ANs) rely on funding, programs and services through the Department of Health and Human Services (DHHS) and funding cuts will have a negative impact on the health and well-being of AI/ANs; and

**WHEREAS**, the President's FY 2018 budget proposes a 17.9% cut to DHHS and proposes elimination of the discretionary programs within the Office of Community Services, including the Community Service Block Grant program in addition to LIHEAP, mentioned above; and

**WHEREAS**, the Indian Health Service (IHS) serves as the primary health care provider for 2.2 million AI/ANs, the IHS is funded by Congress at less than half of expected need leading to rationed care and worse health outcomes for AI/ANs, and per capita spending for IHS is only \$2,834 per person and it is \$9,990 for health care spending nationally; and

**WHEREAS**, the FY 2018 budget request contains \$300 million in cuts to the IHS with reductions in almost every category which, will mean less services and poorer health for AI/ANs; the Centers for Disease Control and Prevention would be cut by \$1.3 billion and the Substance Abuse and Mental Health Services Administration would be cut by \$400 million; and Medicaid spending would be cut by \$610 billion, which is also a significant source of the IHS budget and tribal health program spending; and

**WHEREAS**, if these cuts were enacted, the health services provided to AI/ANs would be greatly diminished and would result in loss of life for AI/ANs; and

**WHEREAS**, the FY 2018 budget for Indian Affairs would be \$2.48 billion, a decrease of \$371.7 million below the FY2017 Omnibus level, a decrease of about 13%; the BIA budget would eliminate a number of programs, including:

- **Housing Improvement Program**
- **Tribal Climate Resilience**
- **Alaska Native Programs**
- **Small and Needy Tribes**
- **Special Higher Ed. Scholarships**
- **Science Post Graduate Scholarship Fund, \$2.4 million**

- **Juvenile Detention Center Education program**, \$499,000
- **Replacement School Construction**, \$45.4 million
- **Replacement Facility Construction**, \$11.9 million

Significant reductions (compared to the FY17 CR level) include:

- **Social Services**, a 22.4% cut
- **Rights Protection**, but by 24%
- **Endangered Species Act**, cut 51.4%
- **Trust Services**, a cut of 44.5%
- **Scholarships & Adult Ed.**, cut 19.8%
- **ISEP Program Adjustments**, cut 45%
- **Education Program Enhancements**, a cut of \$5.8 million, or 48%
- **Tribal Education Dep.**, a cut of 50%
- **Early Childhood and Family Development**, cut 50%
- **Johnson O'Malley**, a cut of 31%; and

**WHEREAS**, if the proposed budget were enacted for BIA, the overall funding would be lower than any level in the last 15 years, when adjusted for inflation; already, the enacted 2017 BIA funding level is 6% below the comparable 2010 level after adjusting for inflation, and in 2018, those cuts would grow to 20% under the proposed budget.

**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians (NCAI) stands in support of honorable fulfillment of the federal trust responsibility and treaty obligations across the federal government and urges Congress to reverse the proposed reductions included in the FY 2018 Budget Request that would affect the Bureau of Indian Affairs, Indian Health Service, Health and Human Services, Housing and Urban Development, and other agencies; and

**BE IT FURTHER RESOLVED**, that the NCAI calls on Congress to fund the IHS at \$7.1 billion in FY 2018 which is consistent with the request of the Indian Health Service Tribal Budget Formulation Workgroup; and

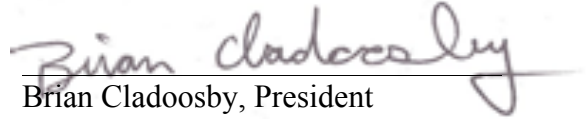
**BE IT FURTHER RESOLVED**, that NCAI requests that the Administration engage in Nation-to-Nation Tribal Consultation on any proposed cuts to funding that affect American Indians and Alaska Natives; and

**BE IT FURTHER RESOLVED**, that NCAI stands ready to work with the Administration to achieve a budget proposal that honors the Trust relationship between the President of the United States and the Administration and the nation's 567 federally recognized American Indian and Alaska Native tribes; 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 by the General Assembly at the 2017 Midyear Session of the National Congress of American Indians, held at the Mohegan Sun Convention Center, June 12 to June 15, 2017, with a quorum present.

  
Brian Cladoosby, President

**ATTEST:**

  
Aaron Payment, Recording Secretary