



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #TUL-05-076

### TITLE: Support Changes to the BIA Trust Land Lease Approval Process

**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**, the Bureau of Indian Affairs (BIA) requires excessive paperwork burdens and unnecessary and costly safeguards in the process of approving land leases for housing development; and

**WHEREAS**, there exists numerous obstacles to housing development on Trust land, including substantial delays in obtaining necessary documentation and approvals from the Bureau of Indian Affairs; and

**WHEREAS**, there exists burdensome and duplicative environmental review requirements from the BIA, that are inconsistent with other Federal agencies who support Tribes in the development of residential housing projects.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI does hereby support changes to the BIA Trust Land Lease approval process, namely:

- a. That the BIA eliminate their internal additional 21 day notification period beyond the HUD mandated 30 day comment period when a Finding of No Significant Impact (FONSI) exists, in order to approve a lease on property already owned and designated for such usage by the requesting Tribe; and
- b. That the BIA environmental requirements process be restructured to utilize a format acceptable by both Housing and Urban Development (HUD) and the BIA for environmental assessment purposes; and
- c. That the BIA take the necessary steps to expedite their response time in providing title status reports, trust land lease approvals and related additional confirmations by Tribes, for the protection of the BIA, not the Tribes; and

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- d. That BIA and HUD actively work together to execute and implement a Memorandum of Agreement (MOA) to coordinate duplicative environmental review requirements; and
- e. That the BIA cease to require expensive trust land assessment surveys, and redundant Tribal Council resolutions in order to approve Trust Land Lease requests from Tribes to their respective TDHEs; and
- f. That the BIA actively engage in conversations with HUD's Office of Native American Programs to devise a single Environmental document suitable for both agencies purposes; and

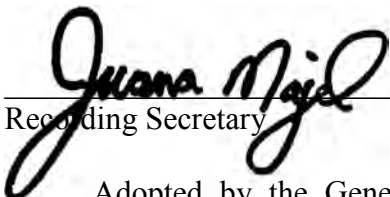
**BE IT FURTHER RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

**CERTIFICATION**

The foregoing resolution was adopted at the 2005 Annual Session of the National Congress of American Indians, held at the 62<sup>nd</sup> Annual Convention in Tulsa, Oklahoma on November 4, 2005 with a quorum present.

  
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President

**ATTEST:**

  
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Recording Secretary

Adopted by the General Assembly during the 2005 Annual Session of the National Congress of American Indians held from October 30, 2005 to November 4, 2005 at the Convention Center in Tulsa, Oklahoma.