



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #ABQ-03-109

Title: Opposition to the Anticipated Amendment to NAHASDA Through the FY 2004 Senate Appropriations Process

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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, United South and Eastern Tribes, Incorporated (USET) is an intertribal organization comprised of twenty-four (24) federally recognized tribes; and

WHEREAS, the actions taken by the USET Board of Directors officially represent the intentions of each member tribe, as the Board of Directors comprises delegates from the member tribes' leadership; and

WHEREAS, the Native American Housing Assistance and Self-Determination Act (NAHASDA) of 1996 affirmed the government-to-government relationship of the federal government, individual tribes and Alaskan Native villages; and

WHEREAS, NAHASDA further affirmed the sovereignty of the individual tribes and Alaskan Native villages and their rights to self-determination; and

WHEREAS, NAHASDA provided for the funding formula developed through the negotiated rulemaking process, to determine the allocation of housing appropriations funds to the tribes and Alaskan Native villages; and

WHEREAS, any effort to amend NAHASDA through the appropriations process would circumvent the regular legislative process and would deny tribal leaders the opportunity for consultation in the process; and

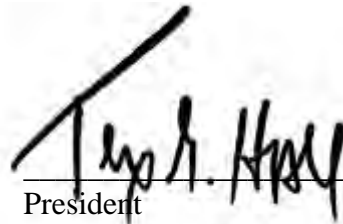
WHEREAS, any effort to amend NAHASDA that will affect the funding formula should receive consideration by the appropriate negotiated rulemaking committee holding jurisdiction.

NOW THEREFORE BE IT RESOLVED, that the NCAI strongly opposes any effort to amend NAHASDA through the appropriations process and further, strongly recommends that any and all efforts to amend NAHASDA be done through the regular legislative process with the opportunity for full tribal participation and any attempt to amend NAHASDA should be conducted by the proper Legislative process; and

BE IT FURTHER RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

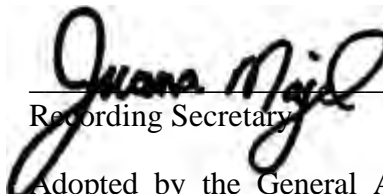
CERTIFICATION

The foregoing resolution was adopted at the 60th Annual Session of the National Congress of American Indians, held at the Albuquerque Convention Center, Albuquerque, New Mexico, on November 21, 2003 with a quorum present.



President

ATTEST:



Recording Secretary

Adopted by the General Assembly during 60th Annual Session of the National Congress of American Indians, held in Albuquerque, New Mexico, from November 17-21, 2003.