



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #SD-15-012

**TITLE: Support for Removal of “Alaska NAHASDA Rider” to FY 2016  
Appropriation Bill Affecting Alaska’s Federally Recognized Tribes and  
Their “Self-Determination” Rights To Be Direct Recipients of Native  
American Housing Block Grant Funding**

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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**, the United States of America enacted the Native American Housing and Self Determination Act of 1996 (NAHASDA) and subsequent reauthorizations for Indian tribes under the Department of Housing and Urban Development (HUD) to provide housing for Native Americans & Alaska Natives under the Federal government’s trust responsibility to Indian tribes and its tribal citizens; and

**WHEREAS**, based on the cornerstone of “Indian Self-Determination”, authorization was given to all federally recognized Indian tribes under the NAHASDA Act to be recipients of the Native American Housing Block Grant funds appropriated pursuant to NAHASDA; and

**WHEREAS**, after the early years of NAHASDA operations throughout all of the United States, the Alaska NAHASDA rider” states, “*The funds made available for Native Alaskans under the heading “Native American Housing Block Grants” in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.*” was added during the appropriation rider process beginning in FY 2006 without consultation with tribes or notice of such action; and

**WHEREAS**, the “Alaska NAHASDA rider” unilaterally deprived Tribes in Alaska of their self-determination rights to be the direct recipients of federally-appropriated Native American Housing Block Grant funds as intended by NAHASDA, if they had not been the direct recipients of such funding in FY 2005; and

**WHEREAS**, the same restrictive language has been included in the FY 2016 appropriations bill for the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, at Section 214 of H.R. 2577; and

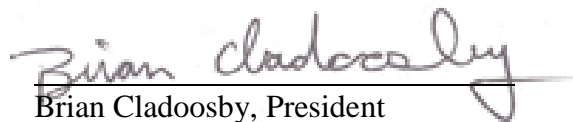
**WHEREAS**, if Tribal Self-Determination was once again allowed to Tribes in Alaska for NAHASDA, as intended by the Act and enjoyed by tribes in the “lower-48”, many tribes in Alaska have the necessary capacity and would seek to be the direct recipients of NAHASDA Native American Housing Block Grant funding under NAHASDA so that they could provide services directly to their communities.

**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians (NCAI) offers its support and assistance to the 229 Federally Recognized Indian Tribes in Alaska for immediate action from Congress and the Federal Government to remove the “Alaska NAHASDA rider” at Section 214 of HR 2577, which prohibits federally recognized Indian Tribes in Alaska from being the direct recipients of Native American Housing Block Grant funding under NAHASDA if they had not been direct recipients of such funding in FY 2005, so that tribal Governments with established fiscal & compliance capacity can fully benefit their tribes and tribal communities with the efficiencies of local onsite service delivery as contemplated by and authorized under NAHASDA; 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 by the General Assembly at the 2015 Annual Session of the National Congress of American Indians, held at the Town and Country Resort, San Diego, CA, October 18-23, 2015, with a quorum present.

  
Brian Cladoosby, President

**ATTEST:**

  
Aaron Payment, Recording Secretary