Resolutions Committee Recommendation
Resolution #: ATL-14-071
Title: A Resolution to Support the Reauthorization of Title VIII as Part of the Overall Reauthorization of NAHASDA Programs

Comments:
This resolution is asking NCAI to support the inclusion of the Title VIII-Housing Assistance for Native Hawaiians, which authorizes the Native Hawaiian housing program and the Native Hawaiian Housing Block Grant in the reauthorization of the Native American Housing and Self-Determination Act. Title VIII created in the Native American Housing Assistance and Self-Determination Act of 2000 but was not included in the Native American Housing Assistance and Self-Determination Act of 2008.

NCAI has already considered and passed the same resolution at NCAI Mid-Year Conference in Reno, #REN-13-071, A RESOLUTION TO SUPPORT REAUTHORIZATION OF TITLE VIII PART OF THE OVERALL REAUTHORIZATION OF NAHASDA PROGRAMS. (See #REN-13-071)

Recommendations:
This resolution should be tabled in the Subcommittee as it is duplicative of resolution #REN-13-071, A RESOLUTION TO SUPPORT REAUTHORIZATION OF TITLE VIII PART OF THE OVERALL REAUTHORIZATION OF NAHASDA PROGRAMS.

Sponsor a member in good standing (yes/no)?: _____
The National Congress of American Indians
Resolution #ATL-14-071

TITLE: A Resolution to Support the Reauthorization of Title VIII as Part of the Overall Reauthorization of NAHASDA Programs

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 Native American Assistance and Self-Determination Act (NAHASDA) authorizes housing programs for Indian tribal communities, Alaska Native villages and the native Hawaiian Home Lands communities; and

WHEREAS, NAHASDA expands tribal capacity to address substandard housing and infrastructure in Indian country by encouraging greater self-management of housing programs and encourages increased leveraging of scarce Indian Housing Block Grant (IHBG) dollars; and

WHEREAS, NAHASDA was amended in 2000 to create Title VIII to address the housing needs of native Hawaiians and created the Native Hawaiian Housing Block Grant (NHHBG); and

WHEREAS, the President of the United States, on October 14, 2008, signed H.R. 2786 into law, an Act of Congress to amend and reauthorize NAHASDA through 2013, but this Act did not include the native Hawaiian provisions; and

WHEREAS, efforts on the part of native Hawaiians to pass a free-standing reauthorization bill for Title VIII of NAHASDA have been unsuccessful due largely to the efforts of opponents to Native Hawaiian sovereignty and self-determination, not for any concerns with the operation or success of Title VIII of NAHASDA; and

WHEREAS, native Hawaiian housing programs through NAHASDA receive funding in annual appropriations bills that is separate from the IHBG and other funding sources allocated for Indian country; and
WHEREAS, solidarity among Native communities is a source of strength and has long been a goal of NCAI; and

WHEREAS, the Supreme Court consistently holds that a program whose authorization has expired, but which continues to receive federal appropriations such as Title VIII of NAHASDA and countless other HUD programs has been provided a one-year "de facto" reauthorization, meaning that a delay in the reauthorization of all of NAHASDA would not jeopardize the funding or programs of other recipients of the benefits and programs of NAHASDA.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians does hereby support the reauthorization of Title VIII of NAHASDA as part of the overall reauthorization of NAHASDA Programs; and

BE IT FINALLY RESOLVED that the National Congress of American Indians will advocate for the inclusion of reauthorization of Title VIII along with its efforts and in the same legislation as the reauthorization of other NAHASDA titles.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2014 Annual Session of the National Congress of American Indians, held at the Hyatt Regency Atlanta, October 26-31, 2014 in Atlanta, Georgia, with a quorum present.

President

ATTEST:

Recording Secretary

(Delete the following text when submitting the completed resolution. The tips below will assist in drafting resolutions to be considered at NCAI conventions.)

Tips For Drafting Resolutions to be Considered at NCAI Conventions

Purpose and Scope of Resolutions: Resolutions are an important reflection of NCAI as tribal leaders and staff advocate for Indian Country with Congress and the Administration and other decision-makers. Resolutions represent the voice of Indian Country and convey our collective message, even when we are not physically present to do so. Resolutions should stand on their own. Adopted resolutions set the policy direction for NCAI and should be powerful documents that reflect the consensus of NCAI member tribes.

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According to the NCAI Standing Rules of Order, Section XII, “Resolutions must be of a general nature to advocate the best interests of all American Indians and Alaska Natives. Resolutions that take one side between two conflicting Tribes are not in order.”

**Content:** Resolutions should not duplicate the NCAI Policy Statement and are not required in order for NCAI to take positions on issues that are consistent with it. Instead of a resolution, NCAI may take other action on a particular issue if it is included in the Policy Statement. For example, many appropriations requests do not require resolutions but the request may be sent to the NCAI Budget Taskforce to be included in NCAI’s annual appropriations advocacy positions throughout the year. Committees may also instruct NCAI to take certain actions, such as writing letters, setting up meetings with policy makers, etc.

Requests that create a financial burden on the organization or that obligate resources will be forwarded to the NCAI Executive Committee for consideration after the overall resolution is considered by the appropriate committee and subcommittee of jurisdiction.

When considering whether to introduce a resolution for consideration, research previously adopted resolutions on the NCAI website to ensure the position or issue is not already covered by an existing resolution or the NCAI Policy Statement. Sponsors should also ensure that their resolution does not conflict with existing resolutions.

**Tone:** Resolutions should convey a tone that is forward-looking, proactive, and solution-oriented.

**Length:** Resolutions should not be longer than two pages. Supporting documentation may be attached as an appendix if necessary.

**Authorization to Submit Proposed Resolutions**

Only NCAI Individual Indian members in good standing are authorized to submit a resolution. Good standing means that the sponsor’s membership dues are paid and current. The Resolutions Committee will verify membership and standing for sponsors of all resolutions submitted.

**Excerpts from the NCAI Standing Rules of Order on Resolutions (Section XIII)**


The Resolutions Committee will review submitted resolutions in advance to determine whether each resolution is in order and to make suggestions, in consultation with the sponsor, to improve resolutions so that they advance the best interests of all Indian tribes.

During consideration of resolutions, the committee or subcommittee will work to achieve consensus. If an objection arises an effort will be made to redraft the resolution to accommodate the objection. However, a vote may be taken if consensus cannot be reached on a policy question. When such votes occur, the tribal delegates must show that they are properly credentialed to represent their tribe. The voting procedure is one vote for each tribe.

A resolution that supports the federal acknowledgement or recognition of an unrecognized tribe shall require one co-sponsoring NCAI member tribe and must be presented at a prior NCAI Annual, Mid-Year or Executive Council Session.
Resolutions will be considered at the Annual Convention. Resolutions will not be considered at the Mid-Year Convention or the Executive Council unless they are emergency in nature and national in scope, as determined by the Resolutions Committee. At Executive Council Winter Session, the NCAI Executive Committee can take action on resolutions or refer them for consideration by the full Executive Council.

All resolutions must be turned in to the NCAI headquarters not later than three weeks prior to the Annual Convention, Mid-Year or Executive Council Session. No resolutions produced after such deadline will be considered unless they are emergency in nature and national in scope, as determined by the Resolution Committee. If determined to be emergency in nature and national in scope, the resolution must be turned in to the convention Resolutions Office by 12:00 noon on the second day of the Convention.

Submit resolutions along with a submission form in Word (not PDF) to aebarb@ncai.org by October 3, 2014.
TITLE: Support Reauthorization of Title VIII Part of the Overall Reauthorization of NAHASDA Programs

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 Native American Housing Assistance and Self-Determination Act (NAHASDA) authorizes housing programs for Indian tribal communities, Alaska Native villages and the native Hawaiian Home Lands communities; and

WHEREAS, NAHASDA expands tribal capacity to address substandard housing and infrastructure in Indian country by encouraging greater self-management of housing programs and encourages increased leveraging of scarce Indian Housing Block Grant (IHBG) dollars; and

WHEREAS, NAHASDA was amended in 2000 to create Title VIII to address the housing needs of native Hawaiians and created the Native Hawaiian Housing Block Grant (NHHBG); and

WHEREAS, the President of the United States, on October 14, 2008, signed H.R. 2786 into law, an Act of Congress to amend and reauthorize NAHASDA through 2013, but this Act did not include the native Hawaiian provisions; and

WHEREAS, efforts on the part of native Hawaiians to pass a free-standing reauthorization bill for Title VIII of NAHASDA have been unsuccessful due largely to the efforts of opponents to Native Hawaiian sovereignty and self-determination, not for any concerns with the operation or success of Title VIII of NAHASDA; and

WHEREAS, native Hawaiian housing programs through NAHASDA receive funding in annual appropriations bills that is separate from the IHBG and other funding sources allocated for Indian country; and
WHEREAS, the Supreme Court consistently holds that a program whose authorization has expired, but which continues to receive federal appropriations such as Title VIII of NAHASDA and countless other HUD programs has been provided a one-year "de facto" reauthorization, meaning that a delay in the reauthorization of all of NAHASDA would not jeopardize the funding or programs of other recipients of the benefits and programs of NAHASDA.

NOW THEREFORE BE IT RESOLVED, that does hereby support the reauthorization of Title VIII of NAHASDA as part of the overall reauthorization of NAHASDA Programs; 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 2013 Midyear Session of the National Congress of American Indians, held at the Atlantis Casino from June 24 - 27, 2013 in Reno, Nevada with a quorum present.

ATTEST:

President

Recording Secretary