



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #PDX-20-022

EXECUTIVE COMMITTEE

PRESIDENT
Fawn R. Sharp
Quinalt Indian Nation

1ST VICE PRESIDENT
Aaron Payment
Sault Ste. Marie Tribe of Chippewa Indians

RECORDING SECRETARY
Juana Majel-Dixon
Pauma Band of Luiseño Indians

TREASURER
Shannon Holsey
Stockbridge-Munsee Band of Mohican Indians

REGIONAL VICE PRESIDENTS

ALASKA
Rob Sanderson, Jr.
Tlingit & Haida Indian Tribes of Alaska

EASTERN OKLAHOMA
Norman Hildebrand
Wyandotte Nation

GREAT PLAINS
Larry Wright, Jr.
Ponca Tribe of Nebraska

MIDWEST
Rebecca Crooks-Stratton
Shakopee Mdewakanton Sioux Community

NORTHEAST
Tina Abrams
Seneca Nation of Indians

NORTHWEST
Leonard Forsman
Suquamish Tribe

PACIFIC
Erica Rae Macias
Cahuilla Band of Indians

ROCKY MOUNTAIN
Mark Pollock
Blackfeet Nation

SOUTHEAST
Nancy Carnley
Ma-Chis Lower Creek Indian Tribe of Alabama

SOUTHERN PLAINS
Robert Tippeconnie
Comanche Nation

SOUTHWEST
Vacant

WESTERN
Vacant

CHIEF EXECUTIVE OFFICER
Kevin Allis
FOREST COUNTY POTAWATOMI COMMUNITY

NCAI HEADQUARTERS
1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

TITLE: Support for Indian Self-Determination and Education Assistance Act Section 105(l) Leasing Program and for Indefinite Discretionary Appropriations to Fund the Program

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 and the United Nations Declaration on the Rights of Indigenous Peoples, 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 Indian Self-Determination and Education Assistance Act of 1975, created self-determination for tribal governments by allowing contracting and compacting of federal programs that were otherwise performed by the federal government; and

WHEREAS, the Indian Self-Determination and Education Assistance Act requires the provision of adequate facilities in which to provide those services, and

WHEREAS, Section 105(l) of the Indian Self-Determination and Education Assistance Act requires the Secretary of the Department of the Interior or the Indian Health Service to enter into a lease, if requested by the Indian tribe or tribal government, if the tribe or tribal organization holds title to, or a leasehold interest in, a facility that is used to administer programs and services under the Act; and

WHEREAS, the Act further states that the Secretary shall compensate each Indian tribe or tribal organization for the use of such facility leased under Section 105(l); and

WHEREAS, the 105(l) program is being utilized at the Indian Health Service to enter into leases for hospitals and health clinics, and appropriations have been reprogrammed to fund this program because the program has lacked an adequate, long-term source of funding; and

WHEREAS, the Section 105(l) program is being utilized at the Department of the Interior with leases entered into for public safety buildings and school construction projects; and

WHEREAS, in fiscal year 2021, the House Interior, Environment, and Related Agencies Appropriations bill includes language to ensure that “Payment for Tribal Leases” are provided “such sums as may be necessary, which shall be available for obligation through September 30, 2022[;]” and

WHEREAS, the Section 105(l) program will continue to expand to those tribal nations that are operating under self-determination contracts or compacts; and

WHEREAS, indefinite appropriations are needed to ensure reprogramming from other much-needed tribal programs does not occur; and

WHEREAS, the Section 105(l) lease program is a fundamental function of carrying out the trust obligation to tribal nations; and


NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) calls on the Administration to continue the Section 105(l) program and expand the program to include more tribal facilities and facilities from other eligible BIA programs; and

BE IT FURTHER RESOLVED, that Congress shall establish an indefinite discretionary appropriation to fully fund Section 105(l) Indian Self-Determination and Education Assistance Act lease obligations; 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 2020 Annual Session of the National Congress of American Indians, held Nov 8, 2020 - Nov 13, 2020, with a quorum present.



Fawn Sharp, President

ATTEST:



Juana Majel Dixon, Recording Secretary