



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #SAC-12-032

### **TITLE: In Support of Swift Implementation of HEARTH Act Legislation to Spur Housing Development in Native American Communities**

**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 Indian Long Term Leasing Act of 1955 (“ILTLA”) as currently written requires the Secretary of the Interior to review and approve leases for residential, commercial and other purposes for parcels of land on Indian reservations; and

**WHEREAS**, the current ILTLA can become lengthy, taking many months and in some cases many years, which often hinders the development of housing and related infrastructure development; and

**WHEREAS**, the Helping Expedite and Advance Responsible Tribal Homeownership Act of 2012 (“HEARTH Act”) H.R. 205 was introduced by Representative Martin Heinrich in January of 2011; and

**WHEREAS**, HEARTH Act H.R. 205, if enacted would amend the Long-Term Leasing Act of 1955 to enhance tribal control over surface site leasing for residential, business, including land, and is key to tribal self-determination and self-governance and other purposes in Indian Country; and

**WHEREAS**, HEARTH Act H.R. 205 was approved on May 16, 2012 by the House of Representatives on a vote of 400 yea votes and zero nays; and

**WHEREAS**, HEARTH Act, H.R. 205 was approved in the United States Senate on July 17, 2012 by Unanimous Consent; and

**WHEREAS**, HEARTH Act, H.R. 205 became Public Law 112-151 when President Obama signed the bill into law on July 30, 2012.

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**NOW THEREFORE BE IT RESOLVED**, that the NCAI does hereby urge the Administration to begin consulting with tribes to swiftly develop and implement necessary regulations to fully implement Public Law 112-151; and

**BE IT FURTHER RESOLVED**, that the NCAI urges federal agencies to set consultation dates on proposed regulations before the end of calendar year 2012; 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 2012 Annual Session of the National Congress of American Indians, held at the Sacramento Convention Center from October 21-26, 2012 in Sacramento, California, with a quorum present.

  
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President

**ATTEST:**

  
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Recording Secretary