



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #REN-19-046

TITLE: Calling upon HUD in its Open Rulemaking to Authorize Tribally Owned Insurance Underwriting Entities to Insure Tribal Housing Financed through the Section 184 Program

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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 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 U.S. Department of Housing and Urban Development (HUD) presently has an open rulemaking process and is engaging in tribal consultations on potential regulatory changes to various rules governing the HUD Section 184 Indian Home Guarantee Loan Program; and

WHEREAS, Native people utilize the Section 184 mortgage loans every day to become homeowners and many Tribal Housing Authorities are planning and beginning to utilize the Section 184 Program to increase and strengthen their tribal housing inventories; and

WHEREAS, risk management and insurance are absolute requirements to: (1) protect federal investments and financing, (2) ensure responsible tribal housing management and homeownership, and (3) ensure community and family stability by protecting property; and

WHEREAS, there presently exists only a single federally chartered and tribally owned risk management and insurance company, AMERIND Risk, which currently underwrites and insures – through a pool that includes hundreds of tribal pool members – the inventories of Tribal Housing Authorities built with HUD funding pursuant to the Native American Housing and Self-Determination Assistance Act (NAHASDA) of 1996, as well as thousands of individual Native homeowners and renters; and

WHEREAS, AMERIND Risk now operates to insure tribal nations pursuant to regulatory approval as an insurance entity and governmental entity risk pool under Section 203(c) of NAHASDA and 24 CFR §1000.139, as opposed to pursuant to state regulatory authority; and

WHEREAS, it is very important for tribal nations to be able to utilize federal funding in the most cost-effective manner.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) calls upon HUD to create rules in the Section 184 rulemaking to authorize tribally owned insurance underwriting companies – in a manner similar to the authorization process provided under the NAHASDA and its regulations – to insure HUD Section 184 financed properties at the tribal nation and individual level; and

BE IT FURTHER RESOLVED, that HUD should authorize tribally owned insurance underwriting companies to insure the properties and interests created through any program provided by HUD's Office of Native American Programs, similar to the authorization provided under the NAHASDA program; and

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

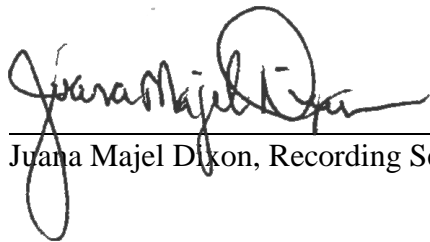
CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2019 Mid-Year Session of the National Congress of American Indians, held at the Nugget Casino Resort, June 24-27, 2019, with a quorum present.



Jefferson Keel, President

ATTEST:



Juana Majel Dixon, Recording Secretary