



"A Tradition of Native American Housing"

**NATIONAL AMERICAN INDIAN HOUSING COUNCIL
RESOLUTION #2009-01**

RESTORE AND PROTECT THE INDIAN HOUSING BLOCK GRANT FUNDING

WHEREAS, the National American Indian Housing Council (NAIHC) is comprised of 273 voting members representing the housing interests of American Indian tribes, Alaska Natives, and native Hawaiians; and

WHEREAS, the stated purpose of the organization is to promote advocacy for policy and legislative changes that will favorably impact our primary goals of providing culturally relevant and quality affordable housing for Native people in a manner recognizing the unique government-to-government relationship of tribes and the federal government; and

WHEREAS, the Native American Housing Assistance and Self-Determination Act (NAHASDA) is comprised of housing programs for Indian tribes, Alaska Native villages and native Hawaiian communities; and

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

WHEREAS, NAHASDA establishes a formula for the IHBG based on Formula Current Assisted Stock (FCAS) and need; and

WHEREAS, federal lawsuits against the U.S. Department of Housing and Urban Development (HUD) have been filed by tribes and tribal housing authorities related to FCAS claims ("Claims"); and

WHEREAS, in FY 2008, HUD retained nearly \$20 million of the IHBG as a means to pay Claims and, in FY 2009, may continue to retain IHBG funding for Claims; and

WHEREAS, the U.S. Department of Treasury has existing resources for pending settlements established pursuant to 31 USC 1304, or other non-tribal Federal resources could be accessed for pending claims; and

WHEREAS, so long as HUD holds back IHBG funding for Claims, funding for Native American housing programs is diminished, causing national harm to all tribal housing programs; and

WHEREAS, the number of FCAS lawsuits has not been made available to the tribes, the total dollar amount in Claims has also not been made available to tribes, and the number and dollar amounts of Claims paid by HUD (if any) has not been made available to tribes; now

THEREFORE BE IT RESOLVED, the National American Indian Housing Council urges the U.S. Department of Housing and Urban Development (HUD) to immediately disclose the number of unsettled Formula Current Assisted Stock lawsuits, the total dollar amount in claims for such lawsuits, and number and dollar amounts of claims paid by HUD (if any); and

THEREFORE BE IT RESOLVED, that the National American Indian Housing Council call for HUD to immediately disburse all Indian Housing Block Grant (IHBG) funds previously withheld in FY 2008 and HUD should not be allowed to hold back any IHBG funds in subsequent Fiscal Years for any Formula Current Assisted Stock claims; and

THEREFORE BE IT RESOLVED, that no appropriations made for IHBG or the American Recovery and Reinvestment Act of 2009 shall be used to pay Formula Current Assisted Stock claims; and

BE IT FINALLY RESOLVED, that HUD either pursue funding from the U.S. Department of Treasury settlement fund, or pursue a separate and specific appropriation from Congress for that purpose.

CERTIFICATION

As the duly appointed Secretary for the National American Indian Housing Council, I hereby certify that Resolution #2009-01, was adopted at NAIHC's 35th Annual Business Meeting in New Orleans, Louisiana on May 14, 2009, with a quorum present.



Marty Shuravloff, Chairman



Jason Adams, Secretary