

**NORTHWEST INDIAN HOUSING ASSOCIATION (NWIHA)  
2007 Resolution #2007-1**

RE: A Resolution to Exclude Applicability of Section 504 Requirements to New Residential Construction Development in Indian Country under 24 CFR 8.22(b).

**WHEREAS,** The Northwest Indian Housing Association (NWIHA) represents thirty-four Indian Housing Authorities and Tribally Designated Housing Entities in Idaho, Oregon and Washington, and Annette Island, Alaska; and

**WHEREAS,** The Mission of NWIHA is to promote safe, sanitary, decent and affordable housing for Tribal members in the Pacific Northwest, which it accomplishes by providing training and education opportunities; providing a forum for the discussion and resolution of issues; advocating for the collective benefit of all members; effectively linking members to information and financial resources; and working collaboratively with its industry partners; and

**WHEREAS,** One of the main goals of the Native American Housing Assistance and Self-Determination Act (NAHASDA) was to "recognize the right of Indian self-determination and tribal self-governance" in the provision of housing services to Indian people (NAHASDA, Section 2(7)); and,

**WHEREAS,** Indian communities have long carried out their responsibility to take care of the needs of tribal members with accessibility issues in a culturally sensitive and appropriate manner; and,

**WHEREAS,** NWIHA has reviewed regulation 24 CFR 1000.12(b) which reads, "*Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and HUD's regulations at 24 CFR part 8 apply.*", and the corresponding regulation at 24 CFR 8.22(b) which reads, "*Subject to paragraph (c) of this section, a minimum of five percent of the total dwelling units or at least one unit in a multifamily housing project, whichever is greater, shall be made accessible for persons with mobility impairments. A unit that is on an accessible route and is adaptable and otherwise in compliance with the standards set forth in §8.32 is accessible for purposes of this section. An additional two percent of the units (but not less than one unit) in such a project shall be accessible for persons with hearing or vision impairments.*", and,

**WHEREAS,** the Northwest Indian Housing Association has determined that imposing the requirement of 24 CFR 8.22(b) on tribes and TDHEs is inconsistent with the goal of NAHASDA to recognize tribal self-determination and self-governance, because it restricts each tribe's flexibility to respond to the needs of its members in a culturally sensitive and appropriate manner.

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*NWIHA Resolution 2007-1, Continued.*

**NOW THEREFORE BE IT RESOLVED**, the Northwest Indian Housing Association recommends that 24 CFR 1000.12(b) be revised to read as follows:

(b) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and HUD's regulations at 24 CFR part 8 apply, *except that 24 CFR Part 8 shall not apply where tribal ordinances which address accessibility issues are in place which are consistent with accessibility requirements that are determined by the Tribe.*

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Northwest Indian Housing Association requests the assistance of the National American Indian Housing Council in this endeavor.

### **CERTIFICATION**

This is to certify that the foregoing Resolution #2007-1 was duly enacted, pursuant to Article X of the Northwest Indian Housing Association, at a regular meeting of the Northwest Indian Housing Association, held on May 9, 2007, a quorum being present, with a vote of 21 FOR; 0 AGAINST, and 0 ABSTAIN.

BY: \_\_\_\_\_  
Brook B. Kristovich, Chair

ATTEST:

BY: \_\_\_\_\_  
Carina Kistler Ginter, Secretary

**NORTHWEST INDIAN HOUSING ASSOCIATION (NWIHA)  
2007 Resolution #2007-2**

RE: In Support of Increasing Program Funding Levels for the Indian Housing Block Grant Program.

**WHEREAS,** The Northwest Indian Housing Association (NWIHA) represents thirty-four Indian Housing Authorities and Tribally Designated Housing Entities in Idaho, Oregon and Washington, and Annette Island, Alaska; and

**WHEREAS,** The Mission of NWIHA is to promote safe, sanitary, decent and affordable housing for Tribal members in the Pacific Northwest, which it accomplishes by providing training and education opportunities; providing a forum for the discussion and resolution of issues; advocating for the collective benefit of all members; effectively linking members to information and financial resources; and working collaboratively with its industry partners; and

**WHEREAS,** The Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA), P.L.104-330, was passed by the United States Congress to provide low-income housing for Indian families and recognized the right of tribal self-determination; and

**WHEREAS,** The Indian Housing Block Grant (IHBG) Program is a key element for funding tribal housing programs under NAHASDA, with funding under HUD Appropriations reduced for the past several years to approximately the \$625 million level; and

**WHEREAS,** HUD reports that many of the nation's worst-case housing needs continue to be experienced among Native Americans; and

**WHEREAS,** Current IHBG funding levels are insufficient to make any worthwhile progress in solving the housing needs of Native Americans and in fact, needs are increasing rather than decreasing at current funding levels; and

**WHEREAS,** A study several years ago by the National American Indian Housing Council (NAIHC) concluded that the minimum funding necessary in order for Indian country to make progress in housing its people has risen to over \$1 billion per year.

**NOW, THEREFORE BE IT RESOLVED,** that the Northwest Indian Housing Association does hereby support increasing annual appropriations over the next five years by Congress for the Indian Housing Block Grant Program in order to achieve a level of \$1.1 billion per year. In addition, NWIHA respectfully requests that National Congress of American Indians, the Affiliated Tribes of Northwest Indians, and

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*NWIHA Resolution 2007-2, Continued.*

all other regional Native American associations and organizations join NAIHC to advocate aggressively for this increased level.

**CERTIFICATION**

This is to certify that the foregoing Resolution #2007-2 was duly enacted, pursuant to Article X of the Northwest Indian Housing Association, at a regular meeting of the Northwest Indian Housing Association, held on May 9, 2007, a quorum being present, with a vote of 21 FOR; 0 AGAINST, and 0 ABSTAIN.

BY: \_\_\_\_\_  
Brook B. Kristovich, Chair

ATTEST:

BY: \_\_\_\_\_  
Carina Kistler Ginter, Secretary

**NORTHWEST INDIAN HOUSING ASSOCIATION (NWIHA)  
2007 Resolution #2007-3**

RE: In Support of Utilizing Tribal Enrollment Records for Allocating Appropriations for Federal Grants.

**WHEREAS,** The Northwest Indian Housing Association (NWIHA) represents thirty-four Indian Housing Authorities and Tribally Designated Housing Entities in Idaho, Oregon and Washington, and Annette Island, Alaska; and

**WHEREAS,** The Mission of NWIHA is to promote safe, sanitary, decent and affordable housing for Tribal members in the Pacific Northwest, which it accomplishes by providing training and education opportunities; providing a forum for the discussion and resolution of issues; advocating for the collective benefit of all members; effectively linking members to information and financial resources; and working collaboratively with its industry partners; and

**WHEREAS,** The Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA), P.L.104-330, was passed by the United States Congress to provide low income housing for Indian families and recognized the right of tribal self-determination; and

**WHEREAS,** The Indian Housing Block Grant (IHBG) program is a key element for funding tribal housing programs under NAHASDA, and

**WHEREAS,** the definition of an Indian and an Indian Tribe is clearly defined within NAHASDA at:

Section 4, paragraph (9), "INDIAN- The term 'Indian' means any person who is a member of an Indian tribe."

Section 4, paragraph (12)(A), "IN GENERAL- The term 'Indian Tribe' means a tribe that is a federally recognized tribe or a State recognized tribe."; and

**WHEREAS,** Many persons identifying as "Multi-Race" for the purposes of the Census do not meet the definition of "Indian" under NAHASDA; and

**WHEREAS,** Federal and State recognized tribes maintain enrollment rolls or other records which clearly delineate the blood quantum and enrollment requirements for their membership.

**NOW, THEREFORE BE IT RESOLVED,** that the Northwest Indian Housing Association does hereby demand HUD utilize Tribal Enrollment Records in the formula calculations for Indian Housing Block Grant funding allocation purposes as required under NAHASDA.

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*NWIHA Resolution 2007-3, Continued.*

In addition, the Northwest Indian Housing Association respectfully requests the National Congress of American Indians, the Affiliated Tribes of Northwest Indians, and all other regional Native American associations and organizations join NAIHC to advocate aggressively to require that Federal agencies immediately cease the practice of using Multi-Race data collected for US Census purposes for allocating Appropriations under all Federal programs.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Northwest Indian Housing Association requests the assistance of the National American Indian Housing Council in this endeavor.

**CERTIFICATION**

This is to certify that the foregoing Resolution #2007-3 was duly enacted, pursuant to Article X of the Northwest Indian Housing Association, at a regular meeting of the Northwest Indian Housing Association, held on May 9, 2007, a quorum being present, with a vote of 10 FOR; 8 AGAINST, and 0 ABSTAIN.

BY: \_\_\_\_\_  
Brook B. Kristovich, Chair

ATTEST:

BY: \_\_\_\_\_  
Carina Kistler Ginter, Secretary

**NORTHWEST INDIAN HOUSING ASSOCIATION (NWIHA)  
2007 Resolution #2007-4**

RE: In Support of Reinstating the NAIHC Technical Assistance and Training Program Funding.

**WHEREAS,** The Northwest Indian Housing Association (NWIHA) represents thirty-four Indian Housing Authorities and Tribally Designated Housing Entities in Idaho, Oregon and Washington, and Annette Island, Alaska; and

**WHEREAS,** The Mission of the NWIHA is to promote safe, sanitary, decent and affordable housing for Tribal members in the Pacific Northwest, which it accomplishes by providing training and education opportunities; providing a forum for the discussion and resolution of issues; advocating for the collective benefit of all members; effectively linking members to information and financial resources; and working collaboratively with its industry partners; and

**WHEREAS,** The Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA), P.L.104-330, was passed by the United States Congress to provide low income housing for Indian families and recognized the right of tribal self-determination; and

**WHEREAS,** Tribes and Tribal entities are in need of ongoing Technical Assistance and Training (TA & T), much of which were previously provided through NAIHC in order to successfully administer NAHASDA programs; and

**WHEREAS,** the NAIHC TA & T programs provide crucial training for the beneficiaries of NAHASDA funding; and

**WHEREAS,** A recent study conducted regionally by NAIHC, completed in March 2006 highlighted the urgent and expanding need to continue the TA & T program in Indian Country; and

**WHEREAS,** Federal appropriations for the TA & T program, historically funded at \$5 million per year, has been eliminated in Fiscal Year 2007 which resulted in discontinuing of all free training and substantially reducing technical assistance that tribal housing entities rely upon.

**NOW, THEREFORE BE IT RESOLVED,** that the Northwest Indian Housing Association does hereby ask Congress to immediately reinstate funding to NAIHC for its Technical Assistance and Training program at the Fiscal Year 2006 level of \$4 million. In addition, the Northwest Indian Housing Association respectfully requests that National Congress of American Indians, the Affiliated Tribes of Northwest Indians, and all other regional Native American associations and organizations join NAIHC to advocate aggressively for the reinstatement of Technical Assistance and Training program funding in this and future fiscal years.

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*NWIHA Resolution 2007-4, Continued.*

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Northwest Indian Housing Association requests the assistance of the National American Indian Housing Council in this endeavor.

**CERTIFICATION**

This is to certify that the foregoing Resolution #2007-4 was duly enacted, pursuant to Article X of the Northwest Indian Housing Association, at a regular meeting of the Northwest Indian Housing Association, held on May 9, 2007, a quorum being present, with a vote of 21 FOR; 0 AGAINST, and 0 ABSTAIN.

BY: /s/ Brook B. Kristovich  
Brook B. Kristovich, Chair

ATTEST:

BY: /s/ Carina Kistler Ginter  
Carina Kistler Ginter, Secretary

**NORTHWEST INDIAN HOUSING ASSOCIATION (NWIHA)  
2007 Resolution #2007-5**

RE: A Resolution to Revising "Useful Life" interpretation by DHUD/ONAP of Section 205(a)(2) of the NAHASDA Statue.

**WHEREAS,** The Northwest Indian Housing Association (NWIHA) represents thirty-four Indian Housing Authorities and Tribally Designated Housing Entities in Idaho, Oregon and Washington, and Annette Island, Alaska; and

**WHEREAS,** The Mission of NWIHA is to promote safe, sanitary, decent and affordable housing for Tribal members in the Pacific Northwest, which it accomplishes by providing training and education opportunities; providing a forum for the discussion and resolution of issues; advocating for the collective benefit of all members; effectively linking members to information and financial resources; and working collaboratively with its industry partners; and

**WHEREAS,** One of the main goals of the Native American Housing Assistance and Self-Determination Act (NAHASDA) was to "recognize the right of Indian self-determination and tribal self-governance" in the provision of housing services to Indian people (NAHASDA, Section 2(7)); and,

**WHEREAS,** NWIHA has reviewed Section 202(a)(2) of the NAHASDA Statue and NAHASDA Notice 2005-10 regarding useful life and binding commitments; and,

**WHEREAS,** the Northwest Indian Housing Association has determined that imposing of the interpretation by DHUD/ONAP of NAHASDA Notice 2005-10 is inconsistent with the goal of NAHASDA to recognize tribal self-determination and self-governance, because it restricts each tribe's flexibility to respond to the needs of its members in a culturally sensitive and appropriate manner; and,

**WHEREAS,** this effects many tribal members and tribes in developing a housing market and restricts the assisting of TRIBAL ELDERS; and,

**WHEREAS,** the interpretation change by DHUD/ONAP following eight years (8) of NAHASDA is not being consistent; and,

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*NWIHA Resolution 2007-5 Continued.*

**NOW THEREFORE BE IT RESOLVED**, the Northwest Indian Housing Association recommends that Notice 2005-10 be rescinded pending consultation with Indian Tribes regarding what the definition of useful means and requirements of binding commitments.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Northwest Indian Housing Association requests the assistance of the National American Indian Housing Council in this endeavor.

### **CERTIFICATION**

This is to certify that the foregoing Resolution #2007-5 was duly enacted, pursuant to Article X of the Northwest Indian Housing Association, at a regular meeting of the Northwest Indian Housing Association, held on May 9, 2007, a quorum being present, with a vote of 21 FOR; 0 AGAINST, and 0 ABSTAIN.

BY: /s/ Brook B. Kristovich  
Brook B. Kristovich, Chair

ATTEST:

BY: /s/ Carina Kistler Ginter  
Carina Kistler Ginter, Secretary

**NORTHWEST INDIAN HOUSING ASSOCIATION (NWIHA)  
2007 Resolution #2007-6**

RE: In Support of a Bylaws Amendment Requiring Officers of AMERIND Risk Management Corporation to be Enrolled Members of a Recognized Tribe.

**WHEREAS,** The Northwest Indian Housing Association (NWIHA) represents thirty-six Indian Housing Authorities and Tribally Designated Housing Entities in Idaho, Oregon and Washington, and Annette Island, Alaska;

**WHEREAS,** The Mission of the NWIHA is to promote safe, sanitary, decent and affordable housing for Tribal members in the Pacific Northwest, which it accomplishes by providing training and education opportunities; providing a forum for the discussion and resolution of issues; advocating for the collective benefit of all members; effectively linking members to information and financial resources; and working collaboratively with its industry partners;

**WHEREAS,** AMERIND Risk Management Corporation is a Tribally Sovereign Federal Corporation and is a Federally approved plan of self-insurance for Tribes;

**WHEREAS,** The majority of members of NWIHA are owners of AMERIND Risk Management Corporation and therefore, NWIHA has a vested interest in the success of that organization on behalf of its members;

**WHEREAS,** AMERIND's mission is to identify, create and manage affordable and sustainable self-insurance programs, products or services that protect housing, government infrastructure, economic enterprises and people within Indian communities using financially responsible business practices that are culturally sensitive and flexible in meeting customer needs.

**WHEREAS,** Being owned exclusively by Tribal organizations, AMERIND's leadership should reflect a strong representation of Tribally-Enrolled Native Americans;

**WHEREAS,** There are no existing requirements that AMERIND officers to be enrolled in a recognized Tribe; and

**NOW, THEREFORE BE IT RESOLVED,** that the Northwest Indian Housing Association does hereby ask the Board of Directors of AMERIND Risk Management Corporation to amend its Bylaws to require that the officers leading the organization as Chairman, Vice Chairman, Secretary and Treasurer be enrolled members of a Federally recognized tribe, or a member of one of the five state recognized tribes, acknowledged under NAHASDA. In addition, the Northwest Indian Housing Association respectfully requests that the other members of AMERIND in other regions join NWIHA to advocate for the implementation of this policy.

**RESOLUTION 2007-6, Continued**

**CERTIFICATION**

This is to certify that the foregoing Resolution #2007-6 was duly enacted, pursuant to Article X of the Northwest Indian Housing Association, at a regular meeting of the Northwest Indian Housing Association, held on September 13, 2007, a quorum being present, with a vote of 19 FOR; 0 AGAINST, and 0 ABSTAIN.

BY: /s/ Brook B. Kristovich  
Brook B. Kristovich, Chair

ATTEST:

BY: /s/ Carina Kistler Ginter  
Carina Kistler Ginter, Secretary