

**The INTER-TRIBAL COUNCIL
of the FIVE CIVILIZED TRIBES**

NUMBER 97-17

**A Resolution Regarding a Non-Consensus Issue of the Proposed Final Rules for the
Native American Housing Assistance and Self Determination Act of 1996.**

WHEREAS,

the Inter-Tribal Council of the Five Civilized Tribes is an organization which unites the tribal governments of the Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole Nations, representing over 300,000 Indian people throughout the United States, and

WHEREAS,

Tribal leaders of the negotiated rule making committee express the views that grant amounts should be distributed in lump sum up-front distributions so that recipients can invest the grant amounts and earn and retain interest on the funds as tribes do in public law 93-638 Self-Determination Contracts and Self-Governance Compacts; and

WHEREAS,

Lump sum distributions are also consistent with the congressional findings in the Native American Housing Assistance and Self-Determination Act (NAHASDA);

WHEREAS,

The United States Department of Housing and Urban Development (HUD) has determined that the Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA) does not authorize the recipient to draw down grant funds in a lump sum or retain interest income.

NOW, THEREFORE, BE IT RESOLVED,

That the Inter-Tribal Council of the Five Civilized Tribes supports the tribal position which interprets Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA) as allowing lump sum up front draw-downs of grant amounts and interest earned on these amounts to be retained by the recipient as program income.

Adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting held at Fountainhead Resort in Eufaula, Oklahoma on July 11, 1997, by a vote of 25 for, 0 against, and 0 abstentions.

J. Garland Eagle Signed for
Joe Byrd, Principal Chief
Cherokee Nation

Greg E. Pyle Signed
Gregory E. Pyle, Chief
Choctaw Nation

Perry Beaver Signed
Perry Beaver, Principal Chief
Muscogee (Creek) Nation

Jerry Haney Signed
Jerry Haney, Principal Chief
Seminole Nation

Bill Anoatubby Signed
Bill Anoatubby, Governor
Chickasaw Nation