



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #SAC-21-037

### Additional Tribal Disaster Resilience and Climate Change Common Principles

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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 Bureau of Indian Affairs (BIA) published a May 2020 informational report entitled: “The Unmet Infrastructure Needs of Tribal Communities and Alaska Native Villages in Process of Relocating to Higher Ground as a Result of Climate Change”; and

**WHEREAS**, in the 2020 report BIA states that \$4.8 billion dollars in funding is needed over the next 50 years to protect, and relocate existing Tribal infrastructure; and

**WHEREAS**, the Federal Emergency Management Administration (FEMA) has no funding designated to assist Tribal Nations with relocating their communities and Tribal infrastructure in the face of climate change and “slow occurring disasters”; and

**WHEREAS**, in 2016 and 2017 several Alaska Native Villages submitted disaster declarations to FEMA to address coastal and riverine erosion, often referred to as a slow occurring disaster; and

**WHEREAS**, FEMA denied all of the Alaska Native Village slow occurring disaster declarations, prohibiting the Tribal Nations from accessing essential federal funding and resources necessary to save lives and communities; and

**WHEREAS**, FEMA administers an annual competitive [Building Resilient Infrastructure and Communities program](#) (BRIC) that requires a minimum of 10 percent non-federal cost share match for all applicants including Tribal Nations; and

**WHEREAS**, NCAI in Resolution #AK-21-029 called on the Department of Homeland security (DHS) and FEMA to eliminate all agency imposed non-federal match requirements for Tribal Nations to receive federal assistance in regulations, policies, grant applications and other guiding documents and called on Congress to waive all non-federal match requirements for Tribal Nations; and

**WHEREAS**, FEMA, through the Stafford Act, administers a pre-hazard mitigation competitive grant program and Tribal governments are eligible to compete for pre-hazard mitigation funding including the BRIC program; and

**WHEREAS**, the Stafford Act definition of Local Governments includes an Indian tribe or authorized tribal organization, or Alaska Native village or organization, that is not an Indian tribal government; and

**WHEREAS**, FEMA's pre-hazard mitigation program, presently, allows Tribal Nations to compete, directly, for FEMA tribal pre-hazard mitigation funding, but does not allow a Tribal Nation or Tribal Nations to designate a Tribal organizations to apply for the funding on behalf of the Tribal Nations or Tribal Nations; and

**WHEREAS**, several federal agencies including the U.S. Department of Housing and Urban Development, the Indian Health Service, and the Bureau of Indian Affairs, allow Tribal organizations that directly serve one or more Tribal Nation to apply for federal funding and deliver the federal programming or services to the designated Tribal Nations.

**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians (NCAI) amends NCAI Resolution #SD-15-024 to add the following three principles, to the list of eight principles identified in the previous resolution:

**9. Funding to Protect and Relocate Existing Tribal Infrastructure**: A fair and equitable set-aside of direct funding must be made available to all Tribal Nations through legislation, administrative actions, and existing and future federal natural resource funding programs, which meaningfully addresses the \$4.8 billion needed to protect, and relocate existing Tribal infrastructure. Such funding should be provided with no non-federal cost share through the BIA Tribal Resilience Program, the FEMA tribal pre-hazard mitigation program, and other federal programs.

**10. Slow Occurring Disasters** such as riverine and coastal erosion should be codified in the federal legislation, FEMA policies and regulations, the Tribal Disaster Declaration Pilot Guidance, and be made eligible for federal assistance and funding.

**11. Tribal Organizations:** Indigenous Peoples must have direct, open access to funding, capacity-building, and other technical assistance, with their free, prior and informed consent, to address the immediate and long-term threats from climate change. Tribal Nations should have the ability to designate a Tribal organization to apply for FEMA tribal pre-hazard mitigation program funding to deliver federal services and programs to the Tribal Nation or Tribal Nations.

**BE IT FURTHER 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 2021 Annual Conference of the National Congress of American Indians, held October 11-14, 2021, with a quorum present.



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Fawn Sharp, President

**ATTEST:**



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Aaron A. Payment, Recording Secretary