



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #ABQ-19-068

TITLE: Support Legislation to Ensure Voting Rights for Native Americans and Alaska Natives

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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 Indian Citizenship Act in 1924 affirmed the rights of Native Americans to vote but this right was not secured until 1970 when the United States Supreme Court upheld the prohibition on using literacy tests as a voter qualification; and

WHEREAS, when the right to vote was finally secured, steps were taken to prevent Native Americans from participating in elections and being elected to office; and

WHEREAS, today, that right continues to be challenged through the passage of new laws and practices that fail to even consider the potential disparities the changes have on Native American and Alaska Native voters; and

WHEREAS, access to the polls and participation in the political process are impacted by isolating conditions such as language barriers, socioeconomic disparities, lack of access to transportation, lack of residential addresses, lack of access to mail, the digital divide, distance, and education; and

WHEREAS, many Native Americans and Alaska Natives living on reservations lack traditional street addresses and as a result these communities rely on post office boxes or other locations to receive their mail and may include a post office box on their state identification; and

WHEREAS, as a result, voters may be placed in the wrong precinct, their identification address may not match the voter rolls, and voters may not receive their election mail timely, if at all; and

WHEREAS, Native Americans and Alaska Natives are less likely to have the forms of identification that satisfy state identification laws for voter registration and voting; and

WHEREAS, Native Americans and Alaska Natives do not have the same access to voter registration and polling locations as off-reservation voters, and voter turnout for Native Americans and Alaska Natives is the lowest in the country, as compared to other groups; and

WHEREAS, polling location decisions are often made without the input of Native Americans and Alaska Natives Tribes; and

WHEREAS, 357,409 Native Americans and Alaska Natives reside in 57 jurisdictions covered by Section 203 of the Voting Rights Act, which requires that language assistance must be provided for all phases of the voting process and despite this clear instruction, some jurisdictions fail to provide effective language assistance; and

WHEREAS, without protections in place, new voting laws and practices will continue to be adopted that suppress the Native American and Alaska Native vote; and

WHEREAS, legislation has been introduced in both the House and Senate to protect the voting rights of Native Americans and Alaska Natives; and

WHEREAS, NCAI previously adopted standing resolutions #MSP-15-030 “Tribal Equal Access to Voting” and #ATL-14-054 “Supporting Amendments to Voting Rights Act to Ensure Access to the Vote in Indian Country” to ensure Native American and Alaska Native voting rights, and this resolution further builds on said resolutions.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) supports and encourages Congress to pass legislation to remove voting barriers for Native Americans and Alaska Natives by:

1. Establishing a Native American Voting Rights Task force to provide funds to tribal and state consortiums for purposes of boosting Native voter registration, education, and election participation in tribal communities;
2. Providing equal access to voter registration and polling sites to increase Native American and Alaska Native access at each stage of the voting process;
3. Ensuring equal treatment for tribal identification by directing election officials and voting precincts to treat tribal identification cards like state and local identification cards for purposes of voting;
4. Requiring jurisdictions to give notice and obtain consent from Native American and Alaska Natives tribal nations before making any changes to polling locations;

5. Requiring adequate language assistance by directing states to consult with tribal nations on appropriate methods for furnishing instructions, assistance, and other information related to registration and voting under Section 203 of the Voting Rights Act;
6. Providing tribal leaders a direct pathway to request federal election observers;
7. Requiring the United States Department of Justice to conduct annual voting consultation with tribal nations given the persistent, unrelenting threats to the right to vote for Native American and Alaska Native citizens; and

BE IT FURTHER RESOLVED, that NCAI encourages tribal organizations, leaders, organizers, and voters to support and advocate for improving Native American voting rights and election administration; and

BE IT FURTHER RESOLVED, that the NCAI supports legislation consistent with this resolution; 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 Annual Session of the National Congress of American Indians, held at the Albuquerque Convention Center, October 20-25, 2019, with a quorum present.



Fawn Sharp, President

ATTEST:



Juana Majel Dixon, Recording Secretary