



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #KAN-18-010

TITLE: Support for Tribal Nations Taking on Pharmaceutical Companies to Combat the Opioid Epidemic in Indian Country

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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 health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of NCAI; and

WHEREAS, the misuse and abuse of opioid prescription medications has taken a devastating toll on the public health and safety of our tribal nations and is now widely recognized throughout the United States as an epidemic; and

WHEREAS, since 1999, the number of American overdose deaths involving opioids has quadrupled to 145 deaths per day, according to the Centers for Disease Control and Prevention (“CDC”); and

WHEREAS, the opioid epidemic claims lives in such a way that cumulatively threatens to decimate our individual nations as the death rate of American Indians and Alaska Natives from opioid overdose is the second highest of any racial demographic, stealing the lives of 14 American Indians and Alaska Natives per every 100,000 in 2016 (The death rate among white Americans is 17.5 per 100,000; 10.3 for black Americans; 6.1 for Hispanics and 1.5 for Asians and Pacific Islanders); and

WHEREAS, American Indian and Alaska Native children stand at an extremely high risk of opioid abuse as it has been reported that by 12th grade, nearly 13 percent of American Indian and Alaska Native teens have used OxyContin - about double the national average; and

WHEREAS, pregnant American Indian and Alaska Native women are up to 8.7 times more likely to be diagnosed with opioid dependency or abuse compared to the next highest race/ethnicity; in some communities upwards of 1 in 10 pregnant American Indian and Alaska Native women has a diagnosis of opioid dependency or abuse; and

WHEREAS, heroin has now become a huge part of the epidemic as 4 out of 5 people who try heroin today started with prescription painkillers, according to the American Society of Addiction Medicine, and the CDC reports that people who are dependent on prescription opioids are 40 times more likely to become dependent on heroin; and

WHEREAS, in 2016, the sharpest increase in drug overdose deaths occurred among deaths related to synthetic opioids, particularly those involving illicitly-manufactured fentanyl with over 20,000 overdose deaths; and

WHEREAS, in recent years, tribes have allocated more precious government resources than ever to various areas of tribal government from law enforcement, to tribal court and justice services, to medical treatment, to rehabilitation, to social services, to prevention and education to combat one of the most dangerous epidemics Indian Country has ever seen; and

WHEREAS, there is a significant lack of resources within tribal communities to address this drug epidemic, which poses a direct threat to the cultural sustainability of American Indian and Alaska Native people; and

WHEREAS, the pharmaceutical manufacturers and distributors have played a huge role in perpetuating the opioid epidemic, “flooding the market” with pills with plans to market the drugs in a way that discounts their highly-addictive nature and overstates their safety for managing long-term pain; and

WHEREAS, the pharmaceutical companies that have played a role in perpetuating the opioid epidemic have failed to fulfill their responsibility to keep painkillers off the black market and stop the over-prescription of these powerful narcotics, habitually turning a blind eye to known and/or knowable problems within their own supply chains; and

WHEREAS, the pharmaceutical companies that have played a role in perpetuating the opioid epidemic have actual or constructive knowledge that prescription opioids are ultimately being consumed by citizens for non-medical purposes and that disproportionately large shipments should be stopped or investigated as suspicious orders; and

WHEREAS, for years, the pharmaceutical companies have had the ability to substantially reduce thousands of deaths occurring throughout the United States and the expenditure of hundreds of millions of dollars dealing with the problem – instead they continue to perpetuate the epidemic in pursuit of corporate revenues; and

WHEREAS, the conduct of the pharmaceutical companies has caused a health crisis in Indian Country that threatens the health, welfare, economic security and political integrity of the tribal nations and their citizens; and

WHEREAS, the tribes' sovereign interests are at stake, as the cost of fighting this epidemic has been pushed largely onto the backs of tribal governments while the pharmaceutical companies continue to make billions off a vulnerable population; and

WHEREAS, the tribes, as sovereign nations, have the ability to take legal action to hold the pharmaceutical companies accountable for their practices that perpetuate the opioid epidemic while at the same time aiming to recover much-needed financial resources to address this health epidemic and reinvest back into tribal communities; and

WHEREAS, like many states, counties and municipalities, in the past year, tribes have begun to file individual lawsuits against the prescription opioid manufacturer and distributor companies that have contributed exponentially to the opioid epidemic; and

WHEREAS, it is important that tribal nations assert a voice in the national opioid litigation and take part in any resulting recovery and/or settlement as tribal governments have expended and will continue to expend precious government resources toward addressing the opioid epidemic.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) stands in support of those tribal nations that are taking legal action to hold the opioid manufacturer and distributor companies accountable for their role in perpetuating the horrific damage that prescription opioid abuse has caused in tribal communities and to recover badly needed resources, including funding for education, prevention, treatment, and public safety services designed to address opioid abuse and addiction within Indian Country; and

BE IT FURTHER RESOLVED, that tribal-specific considerations regarding health care, law enforcement, and any other unique tribal impacts must be included in any injunctive relief or settlement efforts; 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 2018 Midyear Session of the National Congress of American Indians, held at the Marriott Kansas City Downtown, June 3-6, 2018, with a quorum present.



Jefferson Keel, President

ATTEST:



Juana Majel Dixon, Recording Secretary