



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #ABQ-19-069

TITLE: Adopting the NCAI Political Platform for 2020

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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, tribal nations within the United States have entered into solemn and sacred treaties with the United States in which their sovereign status is recognized, as provided for in the United States Constitution; and

WHEREAS, under those treaties, and subsequent laws as passed by the United States Congress, the United States has a fundamental trust obligation to the tribal nations of the United States, and the U.S. has generally failed to meet that obligation in a wide variety of areas, including health care, housing, law enforcement, education, child welfare, social services, protection of resources, and transportation, among others; and

WHEREAS, in preparation for the 2020 federal elections, candidates and political parties will be developing platforms to articulate their priorities on a range of issues; and

WHEREAS, the NCAI membership established a political platform in 2008 that set forth our collective political platform on a range of issues of importance to tribal nations and tribal citizens; and

WHEREAS, the NCAI staff has made recommended updates to the 2008 NCAI Political Platform that have been considered by the NCAI Executive Committee and Standing Committees.

NOW THEREFORE BE IT RESOLVED, that the members of the National Congress of American Indians (NCAI) hereby approve the attached NCAI 2020 Political Platform presented to the 2019 Annual Session of the National Congress of American Indians, recognizing that individual tribal nations and individual tribal citizens may have issues of importance to present to candidates and parties as they develop their political platforms; and

BE IT FURTHER RESOLVED, that all tribal nations and tribal citizens are encouraged to consider the political platforms of candidates as they evaluate who to support in the 2020 elections; 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

National Congress of American Indians
2020 Political Platform

“EMPOWERING AMERICAN INDIAN AND ALASKA NATIVE GOVERNMENTS AND THEIR CITIZENS BY SUPPORTING SOVEREIGNTY, ECONOMIC OPPORTUNITY, EDUCATION, CULTURAL AND RELIGIOUS FREEDOM, AND QUALITY OF LIFE”

WE THE MEMBERS OF THE NATIONAL CONGRESS OF AMERICAN INDIANS,

In order to secure an understanding and solemn commitment to the fundamental principles held by leaders of the American Indian and Alaska Native nations and the original Indigenous peoples across the United States, hereby state our political platform and urge the national political parties and the candidates for President and Vice President of the United States, the United States House of Representatives, and the United States Senate to pledge their support for these principles.

GOVERNMENT-TO-GOVERNMENT RELATIONSHIP

Tribal nations have exercised our inherent sovereignty on our homelands since time immemorial. Our strength comes from no governing body, but from our creator and our resolve to honor our ancestors, our ways of life, our children, and our homelands.

The United States has recognized our inherent sovereignty through more than two centuries of treaties, the U.S. Constitution, executive actions, federal legislation, and United States Supreme Court decisions. These treaties, executive orders, and laws have created a fundamental contract between tribal nations and the United States that is of the highest legal and moral order.

In a true government-to-government relationship, the United States government will recognize and work with tribal nations as the entities with inherent authority over lands, people, and commerce within their jurisdiction. The federal government must not treat tribal nations as special interest groups, individuals, corporations, political subdivisions of states or other governmental units, or any other type of entity other than tribal nations. Tribal nations’ future and prosperity depends on maintaining our unique relationship to the United States as independent, self-governing sovereigns, and it is essential to Native peoples to secure fairness in these relationships.

The federal government must consult with tribal nations on a government-to-government basis to obtain their free, prior, and informed consent when developing Indian policy, and incorporate Indian policy goals into planning and management activities, including the budget, operating guidance, legislative initiatives, land and resource management policy, accountability systems, and ongoing policy and regulatory development processes.

The unique relationship between tribal nations and the United States creates a responsibility on the part of every member of Congress, the President, and all appointed federal officials that must be upheld. We urge all federal officials to acknowledge and incorporate this

responsibility and these obligations to Native peoples in their daily duties as they fulfill their respective federal functions.

In order to protect our right to self-determination and to preserve our lifeways, it is necessary to participate in the political system at the local, state, and federal levels. Removing barriers for tribal nations and citizens to fully participate in non-tribal democratic processes is critical for asserting our rights and ensuring protection of our lands, cultures, and communities.

TRUST RESPONSIBILITY

In exchange for lands, either ceded to the United States of America through treaties or other federal action, or those illegally taken, and consistent with Supreme Court decisions finding that the United States' obligations extend to both treaty and non-treaty tribal nations, the United States has a trust responsibility to provide for the wellbeing of American Indian and Alaska Native people and to protect tribal lands, territories, and resources. The Congress and federal government must commit to providing full, mandatory funding for all federal programs intended to provide for the betterment of Native people. Moreover, the federal government should pledge that it will work with American Indian and Alaska Native tribal nations to develop and fully fund programs that can support tribal nations in achieving self-sufficiency.

The United States has historically fallen short in meeting its trust responsibility to tribal nations by breaking treaties, passing laws detrimental to American Indians and Alaska Natives, enacting policies or federal decisions that affect Indian Country without their free, prior, and informed consent, failing to protect and preserve tribal lands, territories, trust accounts, and trust resources, and failing to provide tribal nations with the necessary means to meet their basic governmental, economic, and social needs. As the trustee of tribal nations and Native people, the federal government must renew its obligation to act with good faith and unerring loyalty to the best interests of American Indians and Alaska Natives.

There must be fair and honorable settlements for any and all federal mismanagement of trust accounts and trust resources, and ongoing efforts to secure meaningful reform of the historic mismanagement of trust resources by the federal government. Any reform efforts must have measures in place to ensure accountability, including clear standards, measurable performance goals, and oversight by an independent body with power to act when those standards are not met.

The trust doctrine should not be used to continue paternalistic control over the day-to-day affairs of tribal nations and our citizens. Federal Indian law in the modern era of self-determination, and as expressed by both Congress and the courts, calls for federal protection, not federal paternalism or domination. The relationship should be thought of not only in terms of a moral and legal duty, but also as a partnership agreement to ensure that American Indian and Alaska Native tribal nations have the necessary authority and resources to survive as distinct, self-governing peoples, while protecting, maintaining, and preserving tribal resources of historic and cultural significance.

TRIBAL AUTHORITY AND GOVERNANCE

The authority of tribal nations to levy taxes and enact and enforce laws governing their lands, territories, and resources in order to protect public safety and regulate commerce and behavior within reservation boundaries is paramount. Congress must work with tribal nations to strengthen and secure full regulatory authority of tribal nations over our lands, territories, and resources, consistent with our status as sovereigns that predate the Constitution, to protect and preserve tribal homelands for present and future generations.

Fair and competent tribal courts are vital to supporting tribal jurisdiction over civil and criminal matters. The federal government must strengthen its support of tribal courts in order to assist tribal nations in our efforts to enhance the administration of tribal justice. The federal government must also properly acknowledge and respect tribal court decisions as the appropriate resolution for local matters affecting sovereign tribal communities.

Tribal nations should have the opportunity and right to assume regulatory and program management for federal programs with full federal funding and support. After generations of disastrous federal policies toward Native peoples, including forced removal, forced assimilation, and termination of tribal identity, the United States has officially recognized since the Nixon administration that the best decision-makers for Indian Country are tribal nations. Under that self-determination policy, tribal nations have been increasingly able to assert control over our own destinies and assert tribal sovereignty over our citizens and resources. To that end, tribal nations must be eligible for all federal grants and aid provided to state governments. Moreover, the federal government must encourage and facilitate tribal participation in policymaking and management of programs and funding intended to benefit American Indians and Alaska Natives.

CULTURAL RIGHTS

The policy of the United States must be to protect and preserve for Native peoples our inherent right of freedom of belief, expression, and exercise of traditional religions. Exercising Native religious practices includes, but is not limited to: access to sacred places and landscapes; use and possession of sacred items; the freedom of worship through ceremonial and traditional rites; traditional subsistence practices, including hunting and fishing; and return of ancestral human remains, associated cultural or funerary objects, and other sacred items to tribal nations. The United States must protect sacred places from intrusion and destruction from development in any form. Tribal nations should exercise a leading role in decision-making about the management of these places - especially when located outside of Indian Country.

Indigenous languages are a cornerstone of cultural practices and must be preserved and promoted. It is only in traditional Native languages that Native worldviews, values, and teachings can be fully conveyed. We call on the United States to support the preservation of Indigenous languages and to recognize and affirm the value of school curricula that incorporates Native language instruction and cultural content. The integration of language and culture through education programs helps counter the perpetuation of anachronistic race-based stereotypes and ideas that are harmful to Native people, and particularly Native youth.

Indigenous knowledge has as much value as western scientific knowledge and contains valuable lessons for Indigenous and non-Indigenous communities alike. Indigenous knowledge,

developed over millennia, should be respected, promoted, and protected from misappropriation. We call for respect and support for traditional health and healing practices, Indigenous resource management strategies, and relational worldviews shared by many Native communities.

CLIMATE CHANGE

Climate change is one of the greatest threats facing Native peoples today. The United States must work with tribal nations, pursuant to its trust obligations, to combat the global problem of climate change. Tribal nations are disproportionately affected by the adverse effects of climate change. These include, but are not limited to, increased erosion, land loss, water loss, fire, pollution, increased food scarcity, and negative health outcomes. Climate change also threatens tribal traditions and cultures rooted in local ecosystems. To address these issues, the federal government must look to tribal nations and our millennia-old relationship with the earth for guidance on how to best restore and mitigate ecosystem deterioration due to climate change. Tribal nations must be included in national climate change initiatives and legislation.

The United States must take swift action to reduce greenhouse gas emissions, and invest in tribal climate resilience and mitigation strategies and programs. These investments should include: enhanced support for climate-related infrastructure development; large- and small-scale clean, renewable, and sustainable innovative energy development projects; Native resource management practices and associated traditional ecological knowledge; climate-based businesses and other economic development activities; disaster preparedness; community and public health; food sovereignty initiatives; and relocation efforts.

INFRASTRUCTURE

The federal government – despite its trust and treaty obligations – has substantially under-invested in Indian Country’s infrastructure, evident in the severity of its unmet infrastructure needs as compared to the rest of the nation. This is true of transportation, water, energy, broadband telecommunications, and other critical infrastructures. A national infrastructure investment plan will be truly comprehensive and transformative only if it deliberately includes Indian Country.

As governments, tribal nations need and deserve to be at the decision-making table in developing and implementing a national infrastructure investment plan, because they have the capacity, experience, and know-how to devise, inform, and carry out solutions to the infrastructure challenges facing their communities and their neighbors.

Extensive evidence demonstrates that tribal decision-making produces difference-making and results-oriented returns on infrastructure investments, because tribal nations know best the particular infrastructure challenges their communities face, and are best-positioned and best-equipped to craft informed, innovative, and sustainable solutions.

For any infrastructure plan to be truly national, it needs to address the distinct and often shared infrastructure needs of rural communities – both Native and non-Native – and it must draw on the innovative infrastructure development solutions that tribal and other governments serving rural communities have forged.

ECONOMIC DEVELOPMENT

Economic development in Indian Country is key to reducing the high rates of unemployment and poverty on Indian reservations and improving the quality of life for Native people.

In order to stimulate economic growth in tribal communities, the United States should support parity for tribal governments to use the same legal and policy authorities available to other governments, including the levy of tribal taxes without dual taxation, tax-exempt bond financing, and the regulation of all commercial activities on tribal lands.

Like all other governments in the United States, tribal nations strive to provide services and grow their economies to ensure the health, safety, and wellbeing of their citizens. This common responsibility means that tribal nations require the same types of infrastructure as other governments, including roads, telecommunications, energy, housing, and other critical infrastructure.

The federal government also must support innovative Native economic development initiatives, financial assistance for Native-owned enterprises both on and off reservation, the development of Native financial institutions to remedy the lack of financial services available in many of our communities, and the development of vocational and technical training opportunities that will enhance Native capabilities in wider markets.

The government-to-government commerce stimulated by government contracting programs supports the growth of tribal economies. The government must make more widespread and effective use of the Buy Indian Act and other government contracting programs across federal agencies so that tribal nations can leverage federal procurement opportunities commensurate with the United States' trust responsibilities.

EDUCATION

Access to high-quality, culturally-based, and tribally-specific education is critical for Native children to have a future with the opportunities they deserve. The Bureau of Indian Education schools, which were once a shameful tool of assimilationist federal policies and are now tribally operated in many cases, offer an important tool for tribal nations to revive and pass on the traditions, cultural values, and Native languages those institutions once sought to destroy.

The federal government must promote tribal sovereignty in education and create federal policies that support tribal, state, and local school systems with positive and inclusive environments for Native students. Consistent with recognition of tribal self-determination and self-governance, Congress and the Administration must recognize tribal authority to exercise oversight over school systems educating Native youth; hold state and local education agencies accountable to Indian Country by requiring consultation with tribal nations; and ensure public school curricula is inclusive of tribal nations' histories and cultures.

The treaty and trust obligations to provide education to American Indians and Alaska Natives includes higher education, continuing coursework, and career and technical education.

We must create productive learning environments for our students that draw upon comprehensive, culturally-based curricula that can re-engage the minds of our youth. The U.S. Department of Education, Department of the Interior, and the Department of Agriculture must build on the successes seen in overall academic performance for Native students where schools have implemented language and culture immersion programs by fully funding all programs related to Indian education, including transportation and facilities.

HOUSING

All American Indians and Alaska Natives are deserving of and entitled to decent, safe, affordable housing. Since 1980, the Administration has been steadily retreating from this obligation by inadequately funding or completely zeroing out funds for Indian housing programs administered by the Departments of Housing and Urban Development, Interior, and Health and Human Services. Additionally, funding for many key Indian housing programs has failed to keep pace with inflation. Tribal nations' purchasing power using Indian housing program funds is also diminished each year, as the population of Indian Country continues to grow. This trend must be reversed to achieve Indian housing goals for new homes, rehabilitation or replacement of substandard housing, updates and upgrades of existing individual and community water and sanitation facilities, and the development of innovative housing plans to meet the needs of Native elders, children, and the disabled.

HEALTH

The United States' responsibility for American Indian and Alaska Native health and well-being must be supported fully. The health and wellness of tribal nations depends on a network of healthcare, education, wellness service providers, prevention coordination, and tribally driven initiatives. Tribal nations are assuming greater levels of governmental responsibility to meet their citizens' needs in culturally appropriate ways, but receive inadequate federal funding for these essential public services. The U.S. government must fully fund the Indian Health Service, tribal, and urban Indian health care system and ensure that all American Indians and Alaska Natives have adequate and affordable access to primary care providers, including oral health, mental health practitioners, and substance abuse treatment options. The federal government must also consult with tribal nations to ensure federal health policy respects tribal sovereignty and properly reflects the government-to-government relationship between the United States and tribal nations.

Congress and the Administration must support the preservation of the Indian Health Care Improvement Act (IHCIA) and other tribal-specific provisions in the Patient Protection and Affordable Care Act (ACA), or any subsequent replacement bill, and provide for the full and proper implementation of the ACA to reconcile it with tribal political status and the treaty and trust obligations to tribal nations. The federal government must provide dedicated, direct funding for programs authorized by IHCIA and other federal health programs utilized by American Indians and Alaska Natives.

The federal government's treaty and trust obligations encompass protecting public health in Indian Country, which includes providing resources directly to tribal nations rather than through states and ensuring tribal nations are included in legislative and regulatory initiatives intended to address existing and emerging public health emergencies, like substance abuse, behavioral health issues, and the dramatic rise in suicides.

PUBLIC SAFETY

The federal government has failed to adequately fulfill its public safety responsibilities on tribal lands. The governments of the communities where crimes occur are best positioned to investigate and prosecute those crimes regardless of who it involves. Tribal nations, like all governments, have a moral obligation to ensure the safety of their communities. Congress and the President must work with tribal nations to develop legislation that ensures that tribal nations have the resources and authority they need to protect public safety on tribal lands. To this end, we call on Congress and the President to support the full restoration of tribal criminal jurisdiction on tribal lands.

Too many Native women, who occupy a place of honor in tribal communities, have disappeared or are victims of domestic and sexual violence, stalking, trafficking, and murder. Consistent with Congress' recognition that the United States has a trust responsibility to assist tribal nations in safeguarding the lives of Native women, tribal nations must have the resources and authority to protect Native women from violence. Congress and the President must work in consultation with tribal nations to develop law enforcement and justice protocols appropriate to address the disappearance of Native women and girls and increase coordination of efforts across federal agencies to improve the response to the disappearance and violent victimization of Native women and girls.

Without full participatory enforcement rights for tribal nations, a national homeland security strategy is incomplete, leaving entirely vulnerable significant stretches of our international borders and lands. Tribal nations bear a solemn responsibility for surveillance, law enforcement, and emergency response to protect vast tracts of land, international borders, sensitive military sites and other facilities, power transmission lines, dams, oil and natural gas pipelines, highway and rail systems, and millions of people who reside within their jurisdictions. The Native peoples of this nation have a great deal of experience in working to preserve and protect our homelands. The President and Congress must uphold their trust responsibilities to tribal nations by ensuring that tribal nations receive a fair share of the funds that the federal government directs to state and other governments for emergency response and homeland security efforts.

ENVIRONMENT AND NATURAL RESOURCES

The United States must respect the sovereign rights of tribal governments to responsibly develop natural resources on their lands and protect their reservation environments. The United States must fully fund its agencies and its trust obligations to tribal nations to protect human health and the environment by supporting tribal programs regulating environmental quality on tribal lands. Tribal nations, like state and local governments, must be eligible for Environmental Protection Agency and other federal environmental programs, services, and funding. Moreover, the United States must recognize American Indian and Alaska Native governments as the primary entities for setting environmental standards, making environmental policy decisions, and managing programs for tribal lands, territories, and resources. In administering this important role, tribal nations must be provided with levels of support and assistance consistent with the environmental issues involved, and on par with funding provided to states in the development stages of their environmental programs.

We recognize the importance of balancing natural resource and economic development with sustainable conservation principles. To help combat climate change and simultaneously develop new economic opportunities, renewable energy sources must be a priority for future energy development. Tribal nations have vast renewable energy potential, and great capacity to assist in the national energy agenda and work as partners in developing progressive energy policies. We call upon Congress to adopt legislation that supports tribal energy development and create tax incentives for tribal nations to develop alternative energy sources in an economically feasible manner.

The United States, as a party to treaties, other federal law, and as legal trustee of tribal lands, territories, and resources has a special obligation to assist tribal nations in the protection, management, and environmentally sound development of their natural resources on and off tribal lands. In fulfillment of that responsibility, the federal government should safeguard and support tribal management of trust resources including water, land, hunting, fishing, gathering, and mineral resources.

INTERNATIONAL AFFAIRS

Consistent with its status as a world leader, the United States should serve as a model for countries around the world by striving to fully implement the United Nations Declaration on the Rights of Indigenous Peoples and the American Declaration on the Rights of Indigenous Peoples.

Consistent with our status as governments and our right to self-determination, tribal nations should be able to participate in international policy discussions at the United Nations and Organization of American States as governments. The United States should urge the United Nations and the Organization of American States to create a mechanism that recognizes the formal participation of tribal nations as governments.

VETERANS

The American Indian and Alaska Native men and women who, from the beginning of U.S. history have proudly served in the Armed Forces of the United States in all its wars, deserve the total and unqualified support of their needs by the national leadership of this country. We ask that all the benefits provided U.S. military veterans be provided and fully funded to meet the special cultural needs of Native veterans. We further call for the establishment of a Veterans Affairs Tribal Advisory Committee (VATAC), which would foster collaboration and coordination between the federal government and tribal nations on meeting the unique needs of Native veterans. We also call for the establishment of tribal veteran service delivery programs in tribal communities.

ELDERS AND PEOPLE WITH DISABILITIES

Our elders are the keepers of wisdom and traditional knowledge in our communities and play a vital role in ensuring the ongoing vitality of our cultures. They embody the collective wisdom of our ancestors. Our elders deserve our utmost respect and care. We call for high-quality, culturally-appropriate services that allow our elders to remain in our communities;

nurture our youth; be secure in their physical, financial, mental and emotional health, and safety; and fulfill the important task of linking our past to the future.

Significant barriers exist for people with disabilities within our tribal communities and urban areas. We call for increased access to an appropriate array of culturally-appropriate programs, including long-term, medically-assisted services; transportation services; education; behavioral health; and other services intended to eliminate barriers affecting American Indians and Alaska Natives with disabilities, including, but not limited to, vocational rehabilitation and long-term services and supports.

CHILDREN

Our future as sovereign governments requires special attention to the needs of our children and families. Tribal nations, who know their citizens best, must have the resources and authority to protect and provide for our children and families. The sovereign authority of tribal nations to make decisions pertaining to the wellbeing of their children and families must be defended and reaffirmed by the President and Congress. The federal government must establish a review system of state compliance with and full implementation of the Indian Child Welfare Act that is consistent with federal reviews of state performance under other child welfare laws.

Tribal nations must receive direct access to and full funding from the full array of federal programs for children and families that states have access to, including, but not limited to the Social Services Block Grant, Medicaid, Temporary Assistance for Needy Families, and any subsequent legislation. Full funding for tribal child welfare must be mandatory.

Additionally, the federal government must improve the collection of and tribal access to data regarding American Indian and Alaska Native children and families to identify strengths and protective factors that support positive outcomes for our populations.

CONCLUSION

IN SUM WE BELIEVE, it is time for the United States to work together with the American Indian and Alaska Native tribal nations to meet the challenge and promise of a true government-to-government relationship that will usher in a new era of honorable relationships.

THEREFORE, THE NATIONAL CONGRESS OF AMERICAN INDIANS, assembled and united at the 2019 Annual Convention, hereby declares its readiness to accept the responsibilities and opportunities presented in our platform and urges the national political parties and all candidates to adopt our principles as their own.