



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #MKE-17-012

### **TITLE: Calling for Full Funding of the Federal Trust Responsibility and Ensuring the United States has the Revenue to Finance Federal Commitments in Tax Legislation**

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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 United States of America funds health and social service programs for the benefit of all Americans, including Social Security, Medicare, Medicaid, Supplemental Nutrition Assistance Program (SNAP), as well as annually appropriated programs specifically for tribes such as the Indian Health Service (IHS), Bureau of Indian Affairs (BIA), and others; and

**WHEREAS**, federal social programs, including Social Security, Medicare, Medicaid, SNAP, unemployment insurance, Temporary Assistance for Needy Families (TANF), the Earned Income Tax Credit, and the refundable component of the Child Tax Credit provide important benefits to Indian Country; analysis by the Center on Budget and Policy Priorities shows that 90 percent of such benefits go to the elderly, seriously disabled, or members of working families as opposed to able-bodied, working-age Americans; and

**WHEREAS**, part of the trust responsibility includes basic governmental services in Indian Country, funding for which is appropriated in the discretionary portion of the federal budget; as governments, tribes must deliver a wide range of critical services, such as education, workforce development, and first-responder and public safety services, to their citizens; and

**WHEREAS**, the House FY 2018 Budget Resolution would advance the most comprehensive tax overhaul in three decades and which would require Congress to cut entitlement programs by at least \$203 billion over ten years; and

**WHEREAS**, the FY 2018 Senate Budget resolution would fast track a tax overhaul by authorizing an increase of \$1.5 trillion in debt over the coming decade using the procedural tool of reconciliation; and

**WHEREAS**, the \$1.5 trillion in tax cuts over ten years would be deficit-financed which would increase pressure for reducing the federal budget for programs ranging from health care, education, transportation, scientific research, community development, housing, with such cuts leading to adverse consequences for lower- and middle-income families and long-term growth; and

**WHEREAS**, under the Senate budget plan, the Senate Finance Committee would receive a reconciliation instruction to produce legislation that would increase the deficit by not more than \$1.5 trillion over ten years, which means that the Finance Committee could cut taxes by more than that amount as long as it cut entitlement programs under its jurisdiction — such as Medicaid, Medicare, and Supplemental Security Income — enough to reduce the net cost to \$1.5 trillion; and

**WHEREAS**, the Senate plan also calls for \$632 billion in budget reductions to non-defense discretionary programs over the 2019-2027 period, which includes the funding for the federal trust responsibility as well a range of public services such as law enforcement, environmental protection, infrastructure, and others; and

**WHEREAS**, due to insufficient funding and services by federal agencies, Native communities have suffered severe social, economic, and environmental harms at a rate far in excess of other communities, including inequitable incidence of disease, unemployment, suicide, substance abuse, domestic abuse, violence, flooding, and wildfires; and

**WHEREAS**, as a further consequence of federal actions and inactions, Indian tribes across the nation have been forced to spend large amounts of scarce tribal funds to support the services that should have been provided or paid for by the United States; and

**WHEREAS**, deficit-financed tax cuts that lead to potential austerity cuts would affect all Americans, but would disproportionately impact American Indians and Alaska Natives (AI/AN) who rely on federal funding of the trust responsibility as well as social programs; and

**WHEREAS**, policymakers should consider the distributional impacts to households as well as American Indians/Alaska Natives if the federal budget is cut in the future to reduce deficits caused by tax cuts; the cuts to federal treaty and trust obligations coupled with cuts to mandatory programs such as Medicaid and SNAP could leave AI/AN people and low- and middle-class households worse off, even with some tax reductions.

**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians (NCAI) calls for Congress to uphold, in any tax legislation, the federal treaty and trust obligations that are funded in the appropriations process, as well as ensure that the U.S. Government has the revenue to finance existing federal commitments and meet critical national needs now and in the future; and

**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 2017 Annual Session of the National Congress of American Indians, held at the Wisconsin Center in Milwaukee, WI, Oct 15, 2017 - Oct 20, 2017, with a quorum present.

  
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Jefferson Keel, President

**ATTEST:**

  
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Juana Majel Dixon, Recording Secretary