



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #PDX-20-001

TITLE: Tribal Citizenship Policy and Protection Task Force

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NCAI HEADQUARTERS
1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

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, each Indigenous nation in the United States possesses and has always possessed the inherent sovereign right to decide who are citizens of that nation; and

WHEREAS, Article 9 of the United Nations Declaration On The Rights of Indigenous Peoples separately recognizes that “Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right”; and

WHEREAS, Indigenous tribal citizenship have been impacted by colonial and federal treaties, laws, federal regulations and policies since the eighteenth century, including the Indian Reorganization Act of 1934, which defined “Indian” to “include all persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction, and all persons who are descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation, and . . . all other persons of one-half or more Indian blood”; and

WHEREAS, a growing body of Indigenous scholarship warns that arbitrary and incongruent governing authority and definitions of tribal citizenship threaten the future of Indigenous citizenries and nations; and

WHEREAS, NCAI has not heretofore passed any Resolution affirming Indigenous tribal citizenship; and

WHEREAS, it is within NCAI's purview to offer education, guidance, and advocacy needed by Indigenous nations as they exercise their sovereign powers in order to establish and maintain civil rights of their citizens.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) affirms that, since time immemorial, each Tribal Nation retains the inherent sovereign right to determine its own citizenship ; and

BE IT FURTHER RESOLVED, that the President and the Executive Committee of NCAI are encouraged to establish a Tribal Citizenship Protection Task Force to study, educate, and develop recommendations regarding issues of Indigenous tribal citizenship for consideration by NCAI; and

BE IT FURTHER RESOLVED, that the NCAI Executive Committee establish a charge and purpose for the Task Force including membership, specific objectives and a schedule for completion of the charge; and

BE IT FURTHER RESOLVED, that nothing in this resolution shall be construed as support for any present or future advocacy effort, whether administrative, legal, or legislative, to waive tribal sovereign immunity or to modify any federal or tribal laws, court decisions, or practices that would diminish or in any way affect the inherent sovereign authority of Indian tribal governments to determine their own membership and implement procedures, if any, that they determine appropriate for review of such determinations; and

BE IT FINALLY RESOLVED, that this resolution shall stand until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2020 Annual Session of the National Congress of American Indians, held Nov 8, 2020 - Nov 13, 2020, with a quorum present.



Fawn Sharp, President

ATTEST:



Juana Majel Dixon, Recording Secretary