

National Congress of American Indians
2008 Political Platform

“EMPOWERING AMERICAN INDIANS 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 nations, Alaska Native governments 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 RELATIONSHIPS

WE BELIEVE that Indian Tribes and Alaska Native governments, along with the United States and the states, are one of three sovereigns recognized in the United States Constitution. The United States has acknowledged this sovereignty through more than two centuries of treaties, the U.S. Constitution, executive action, federal legislation and United States Supreme Court decisions. Every President from Richard Nixon to George W. Bush has issued a formal statement affirming the government-to-government relationship between the United States and Indian tribes.

WE BELIEVE that in a true government-to-government relationship the United States government will recognize and work with tribal governments as the entities with primary authority over lands, citizens, and commerce within their jurisdiction. The federal government must not treat tribal governments as special interest groups, individuals, corporations, political subdivisions of states or other governmental units, or any other type of entity. Tribes' future and prosperity depends on maintaining our unique relationship to this nation as independent, self governing peoples, and it is essential to tribes to secure fairness in these relationships.

WE BELIEVE that the federal government must consult with tribal governments on a government-to-government basis to develop Indian policy and incorporate Indian policy goals into planning and management activities, including the budget, operating guidance, legislative initiatives, management accountability systems and ongoing policy and regulation development processes.

WE BELIEVE that the unique relationship between tribal governments and the United States creates a responsibility on the part of every Member of Congress, the President, and all appointed federal officials that is of the highest legal and moral order. We urge all federal officials to remember this responsibility and their obligations to Native people as they fulfill their governmental functions.

TRUST RESPONSIBILITY

WE BELIEVE that in exchange for lands ceded to the United States of America through treaties, or illegally taken and consistent with Supreme Court decisions finding that the United States' obligations extend to those tribes that have treaties and those that do not, that the United States has a trust responsibility to provide for the well-being of American Indian and Alaska Native people. The Congress and federal government must make a commitment to adequately fund all federal programs intended to provide for the betterment of Native people. Moreover, the federal government should pledge that it will work with Indian tribes and Alaska Native governments to develop and fully fund programs that can assist tribes with achieving self-sufficiency.

WE BELIEVE that the United States has been historically unfaithful in observing its trust responsibility to Indian tribes by breaking treaties, passing laws detrimental to American Indians and Alaska Natives, enacting policy regarding Indian Country without tribal consultation, and failing to provide tribes with the resources to meet their basic governmental, economic and social needs. As the fiduciary of Indians tribes and people, the federal government must renew its obligation to act with good faith and utter loyalty to the best interests of American Indians and Alaska Natives.

WE BELIEVE that there must be a fair and honorable settlement for federal mismanagement of trust accounts and trust resources, and ongoing efforts to secure meaningful reform of the badly mismanaged trust accounts held by the federal government for individual Indian accountholders and tribes. Billions of dollars that belong to individual Indian people and Indian tribes have been lost by the federal government and this has become an issue of basic survival to many of our people. Any reform effort must have measures 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. It is time to do what is right and accept the fiscal responsibility for fixing this problem that has been so many years in the making before more damage is done.

WE BELIEVE that the trust doctrine should not be used to continue paternalistic control over the day-to-day affairs of Indian tribes and individuals. Federal-Indian trust law, as expressed by both Congress and the Courts, calls for federal protection, not federal 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 tribes have available to them the authority and resources to survive as distinct political and cultural groups.

TRIBAL AUTHORITY AND GOVERNANCE

WE BELIEVE that the authority of tribes to set and enforce laws on the lands and territories they govern in order to protect public safety and regulate commerce and behavior for the sake of Indians and non-Indians alike within reservation boundaries should be clarified. We are deeply concerned about recent Supreme Court decisions that have clouded these historical relationships, and blurred the lines of jurisdiction at the borders between state and tribal lands.

WE BELIEVE that tribal jurisdiction over civil and criminal matters is enhanced by fair and competent tribal courts. The federal government must reverse its neglect of tribal courts by supporting tribal efforts to strengthen and improve tribal judicial systems, and by recognizing and respecting tribal court decisions.

WE BELIEVE that tribal and Native governments 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, America has officially recognized, since the Nixon administration, that the best decision-makers for Indian Country are tribal governments. Under that self-determination policy, tribes have been increasingly able to reassume control of our own destinies and reasserted tribal sovereignty over our citizens and resources. Tribal and Native governments must be eligible for all federal grants and aid provided to state governments. Moreover, the federal government must encourage and facilitate tribal participation in policy-making and management of programs to benefit American Indians and Alaska Natives.

CULTURAL RIGHTS

WE BELIEVE that the policy of the United States must be to protect and preserve for American Indians and Alaska Natives our inherent right of freedom of belief, expression, and exercise of traditional religions, including but not limited to access to sacred places, use and possession of sacred objects, the freedom of worship through ceremonial and traditional rites, traditional subsistence practices, and return of Indian human remains and associated funerary objects to Indian tribes. The United States must protect sacred places from intrusion and destruction from development in any form. In addition, the rights of tribal members must be protected to continue to hunt, fish, and gather on traditional lands and places and engage in subsistence practices.

WE BELIEVE that indigenous languages are the backbone of culture and must be preserved. It is only in traditional Native languages that Native worldviews, values, and teachings can be fully conveyed. We call on the United States government 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.

WE BELIEVE that indigenous knowledge has as much value as western scientific knowledge and contains valuable lessons for indigenous and non-indigenous communities alike. We call for respect and support for traditional health and healing practices, indigenous resource management strategies, and relational worldviews shared by many Native communities.

ECONOMIC DEVELOPMENT

WE BELIEVE that 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. The federal government should pledge its support for the right of each tribal government to develop and institute within its territorial boundaries economic development initiatives, including tribal gaming enterprises and other profitable ventures.

WE BELIEVE that in order to stimulate economic growth in tribal communities, the United States must allow tribal governments to use the same legal and policy authorities available to other governments, including the levy of taxes, tax-exempt bond financing, and the bonding of construction operations to enable Indian-owned businesses to compete for on and off-

reservation projects. In addition, we believe that the federal government must respect the rights of tribal governments to develop their own laws regulating commerce on tribal lands.

WE BELIEVE that the federal government also must support innovative Indian economic development initiatives, financial assistance for Indian-owned enterprises both on and off federal reservations, 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 Indian capabilities in wider markets. Moreover, the U.S. Treasury must develop rules for the banking industry that encourage respect for tribal courts as the appropriate place for the initial resolution of disputes.

WE BELIEVE that the government-to-government commerce stimulated by government contracting programs creates an important hand-up to tribes as they work to grow their economies. The government must make more widespread and effective use of the Buy Indian Act and other government contracting programs among the federal agencies so that tribes have consideration in federal procurement opportunities commensurate with their special status under the U.S. constitution.

EDUCATION

WE BELIEVE that access to high-quality, culturally-appropriate education is critical for Indian children to have a future with the opportunity 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 tribes to revive and pass on the traditions, cultural values, and Native languages those institutions once sought to destroy.

WE BELIEVE it is imperative that we create productive learning environments for our students that draw upon culturally relevant curricula that can re-engage the minds of our youth. The federal government must build on the successes seen in overall academic performance for Indian students where schools have implemented language and culture immersion programs by fully funding all programs related to Indian education, including transportation and facilities.

HOUSING

WE BELIEVE that 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 goal 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. This trend must be reversed to achieve Indian housing goals for new homes, rehabilitation or replacement of substandard housing, update and upgrade of existing individual and community water and sanitation facilities, and the development of innovative housing plans to meet the needs of the Indian elderly, children and handicapped.

HEALTH

WE BELIEVE that the United States' responsibility for American Indian and Alaska Native health and well-being must be supported adequately. The United States must re-authorize and strengthen the Indian Health Care Improvement Act and fully fund its programs, actions that will significantly improve Indian health care delivery and increase tribal self-determination. Successful health programs such as the Women, Infants, and Children Nutrition Program,

childhood immunization programs, the Healthy Start Program to reduce infant mortality and funding to tribes under the Drug Free Schools Act should be supported. Until tribal governments have the resources to combat the epidemic impacts of diabetes, heart disease, cancer, suicide, and alcoholism--each disproportionately severe in Indian Country--our very existence is at risk. The United States must support tribal and federal program initiatives to fight these critical threats to Indian lives and future well being.

PUBLIC SAFETY

WE BELIEVE that the federal government has failed to adequately fulfill its public safety responsibilities on tribal lands. Congress and the President must work with tribal governments to develop legislation to address this most pressing problem. Such legislation will benefit everyone, as effective law enforcement for Indians and non-Indians alike will be rightfully administered on our lands.

WE BELIEVE that too many Indian women, who occupy a place of honor in tribal communities, are victims of domestic and sexual violence. Consistent with Congress' recognition that the United States has a trust responsibility to assist tribal governments in safeguarding the lives of Native women, tribal governments must have the resources and authority to protect Native women from violence. Tribes must receive the full amount of funding authorized in the Violence Against Women Act and other grant programs available to strengthen the criminal justice and medical response to violence against women.

WE BELIEVE without full participatory enforcement rights for tribal governments, a national homeland security strategy is incomplete, leaving entirely vulnerable vast tracts of our international borders and lands. Tribal governments bear a solemn responsibility for surveillance and law enforcement in protecting vast tracts of land, international borders, numerous sensitive facilities, power transmission lines, dams, oil and natural gas pipelines, highway and rail systems, sensitive military sites, and over two million people. The Native peoples of this nation have a great deal of experience in working to preserve our homelands. Funds that the federal government has directed to every state in this nation for emergency response and homeland security efforts must also be directed to tribal governments.

ENVIRONMENT AND NATURAL RESOURCES

WE BELIEVE that the United States must fully fund its agencies and Indian tribes to protect human health and the environment by supporting tribal programs regulating environmental quality on Indian reservation and trust lands. Tribal governments, 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 reservations and trust lands. In administering this important role, Indian tribes must be provided with levels of support and assistance consonant with the environmental issues involved, on a par with funding provided to states in the development stages of their environmental programs.

WE BELIEVE that the United States must work with tribes in combating the global problem of climate change. Tribal communities have seen disproportionately adverse effects of climate change on our lands due to increased erosion and droughts, and climate change may threaten tribal traditions and cultures that are rooted in local ecosystems. The federal government

must look to Indian communities and our spiritual relationship to the earth for guidance on how to best restore and mitigate ecosystem deterioration due to climate change, as Indian tribes have lived in harmony with the earth since time immemorial. Indian tribes must be included in national climate change initiatives and legislation to reduce greenhouse gas emissions and must be assisted in mitigation efforts or relocation when necessary.

WE BELIEVE in 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 should be a priority for future energy development. Indian Nations across the country have a vast renewable energy potential, and many of them are leading the way in developing wind, solar, biomass, and geothermal energy sources. Indian tribes have a 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 will create a Production Tax Incentive that will allow Indian tribes to develop alternative energy sources in an economically feasible manner.

WE BELIEVE that the United States, as legal trustee of Indian lands, has a special obligation to assist tribes in the protection, management, and environmentally sound development of their natural resources, including reserved water rights and mineral resources, toward the end of utilizing them to promote the development of sustainable, diversified, self governing economies on Indian reservations. The history of the government's efforts to make these decisions and to manage these properties unilaterally is replete with scandalous failures, resulting in enormous liabilities for the government, unmitigated environmental disasters, and incalculable financial losses for Indian tribes and resources owners. In its fiduciary capacity, and in accordance with the federal Indian policy of tribal self-determination, the federal government must make available appropriate private sector expertise, where requested, that will be responsive to tribal objectives and cultural values in making decisions regarding resource development on Indian lands.

INTERNATIONAL AFFAIRS

WE BELIEVE that consistent with its status as a world leader, the United States should support and affirm the United Nations Declaration on the Rights of Indigenous Peoples that was adopted in September 2007. The United States should serve as a model for countries around the world by striving to fully implement the UN Declaration in all of its dealings with American Indians and Alaska Native. The United States should also support the development of an equally robust statement of rights by the Organization of American States.

WE BELIEVE that consistent with our status as governments, representatives of tribal nations should be invited to participate in trade missions and other international dealings. A high-level position should be created within the Department of State to ensure that tribal governments are appropriately included and informed with regard to developments in international relations. Moreover, the United States should urge the United Nations and the Organization of American States to create a mechanism that recognizes the participation of tribal governments in OAS and UN processes in a manner that is consistent with our status as sovereign governments.

VETERANS AND ELDERS

WE BELIEVE that the American Indian and Alaska Native men and women who, from the beginning of United States history, have voluntarily and proudly served in the Armed Forces of the United States in all its wars, thereby procuring for all Native Americans the right of U.S. citizenship in their own country, 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 adequately provided and funded to meet the special needs of Native American veterans. We also call for establishing tribal veteran service delivery programs in tribal communities.

WE BELIEVE that 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, and fulfill the important task of linking our past to the future.

CHILDREN

WE BELIEVE that our future as sovereign governments requires special attention to the needs of our children and families. Tribal governments must have the resources and authority to protect and provide for our most valuable resource, our children and families. Tribes must receive adequate funding from the Federal programs which provide money for programs for children and families, including, but not limited to the Social Services Block Grant. Funding for Indian Child Welfare must be an entitlement. The sovereign authority of tribes to make decisions pertaining to the well-being of their children and families must be reaffirmed and amendments to strengthen the Indian Child Welfare Act and other federal legislation adopted.

IN SUM WE BELIEVE, it is time for the United States to work together with the governments of American Indians and Alaska Natives 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 in the 2008 Executive Council Winter Session, 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.