



NATIONAL CONGRESS OF AMERICAN INDIANS

Resolutions Committee Recommendation

Resolution #: TUL-13-011

Title: To support an end to funding disparities inhibiting VAWA related technical assistance to Indian Tribes

Comments:

This resolution generally supports the work of Tribal Coalitions to address violence against Native women and calls for them to be adequately funded. Edits to the title have been recommended to better reflect the substance of the resolution. Because the resolution exceeds two pages in length, edits have been suggested to shorten the resolution, while leaving the substance intact.

In the final “resolved” clause it is recommended that the word “current” be removed from item #1 in order to ensure that as new Tribal Coalitions are created in the future, NCAI is not prohibited from including those Coalitions in our advocacy efforts.

In addition, in item #4 of the final “resolved” clause, a slight revision is suggested to recommend the inclusion of Tribal Coalitions in all NCAI meetings, not just the annual meeting, and also to clarify that Coalitions should be included as appropriate in the annual VAWA consultation. This language will allow NCAI to work with DOJ and the tribal coalitions to explore ways that the tribal coalitions can be meaningfully engaged in the annual consultation while at the same time preserving the government-to-government nature that is the essence of consultation.

Recommendations:

The Resolution is in order and should be forwarded to the committee for consideration.

Sponsor a member in good standing (yes/no)?: _____

The National Congress of American Indians

Resolution #13-011

TITLE: To support an end to funding disparities inhibiting VAWA related technical assistance to Indian Tribes.

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, 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, American Indian and Alaska Native peoples acknowledge and honor the sacred role of women within tribal societies and have historically respected and protected the right of women to live free of violence or the threat of violence; and

WHEREAS, American Indian and Alaska Native women are battered, raped, stalked and murdered at far greater rates than any other population of women in the United States; and

WHEREAS, reports of missing and murdered American Indian and Alaska Native women are inadequately responded to and many of these women are victims of VAWA related crimes of domestic violence, sexual assault, stalking, dating violence and sex trafficking; and

WHEREAS, Indian Tribes and service providers require access to culturally appropriate and specific training, technical assistance and resources to respond effectively to violence perpetrated against American Indian and Alaska Native women; and

WHEREAS, Indian Tribes and service providers require access to legal training, technical assistance and resources specific to the application of the Violence Against Women Act to Indian tribes, programs and services in responding to violence perpetrated against American Indian and Alaska Native women; and

WHEREAS, American Indian and Alaska Native women living within their tribal homelands lack access to adequate services or any justice related services due to the misinterpretation by non-tribal justice entities of Public Law 280 and other similar federal laws creating an urgent need of tribal first responders to obtain legal training, technical assistance and resources specific to the intersection of the Violence Against Women Act and tribal jurisdiction; and

WHEREAS, Tribal Coalitions as regionally based tribal experts representative of their respective membership and tribal service program areas are uniquely qualified and situated to offer culturally specific training, technical assistance and resources to assist Indian Tribes to provide the most appropriate response to violence against American Indian and Alaska Native women; and

WHEREAS, the rural nature in which Tribal Coalitions operate, where infrastructure and resources are lacking and economic poverty exists, challenges and hinders the provision of critical assistance needed by Indian Tribes; and

WHEREAS, in order for Tribal Coalitions to provide the critical training and technical assistance services to American Indian Tribes and Alaska Native Villages, Tribal Coalitions must be funded at an adequate level to provide for ongoing growth and development; and

WHEREAS, disparities in funding between State Coalitions and Tribal Coalitions are not acceptable and must be resolved through provisions of adequate funding from all available funding sources, including the Office on Violence Against Women, the Department of Health and Human Services and the Center for Disease Control; and inclusion in the State fund distribution formulas and processes to allow access to Tribal Domestic Violence and Sexual Assault programs, shelter programs and Tribal Coalitions; and

WHEREAS, it is necessary for the NCAI as the leadership of the tribal governments to be proactive in the defense of American Indian and Alaska Native women to curtail and prevent violence against Native women; and

NOW, THEREFORE BE IT RESOLVED, that the NCAI does hereby resolve to support actions that strengthen the ability and capacity Tribal Coalitions to meet the needs of Indian Tribes and tribal programs as they enhance their response to violence against American Indian and Alaska Native women and develop services to assist Native women including:

1. Increasing funding to current Tribal Coalitions to allow for needed stability and growth;
2. Addressing the current disparities between State Coalitions and Tribal Coalitions under state and federal programs through creation of comparable funding for Tribal Coalitions;
3. Clarifying that any programs created for Tribal Coalitions be administered on an annual basis and not be competitive in nature as provided under the Violence Against Women Act of 2013;
4. Clarifying that participation of Tribal Coalitions in meetings regarding violence against Native women is essential to the successful implementation of the Violence Against Women Act, including annual NCAI meetings and annual Tribal Consultation meetings.

BE IT FINALLY RESOLVED, that this resolution shall be the policy of the NCAI until it is withdrawn or modified by subsequent resolution, or until the final adjournment of the 113th Congress.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2013 Annual Session of the National Congress of American Indians, held at the Cox Business Center in Tulsa Oklahoma on October 12 – 17, 2013, with a quorum present.

President

ATTEST:

Recording Secretary

The National Congress of American Indians

Resolution #13-011

Suggested Changes

TITLE: To support ~~an end to~~adequate funding for Tribal coalitions providing disparities ~~inhibiting~~ VAWA-related technical assistance to Indian Tribes.

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, 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, American Indian and Alaska Native peoples acknowledge and honor the sacred role of women within tribal societies and have historically respected and protected the right of women to live free of violence or the threat of violence; and

WHEREAS, American Indian and Alaska Native women are battered, raped, stalked and murdered at far greater rates than any other population of women in the United States; and

WHEREAS, reports of missing and murdered American Indian and Alaska Native women are inadequately responded to and many of these women are victims of VAWA related crimes of domestic violence, sexual assault, stalking, dating violence and sex trafficking; and

WHEREAS, Indian Tribes and service providers require access to culturally appropriate and specific training, technical assistance and resources that reflect a thorough understanding of tribal jurisdiction in order to respond effectively to violence perpetrated against American Indian and Alaska Native women; and

~~**WHEREAS**, Indian Tribes and service providers require access to legal training, technical assistance and resources specific to the application of the Violence Against Women Act to~~

~~Indian tribes, programs and services in responding to violence perpetrated against American Indian and Alaska Native women; and~~

~~———— **WHEREAS**, American Indian and Alaska Native women living within their tribal homelands lack access to adequate services or any justice related services due to the misinterpretation by non-tribal justice entities of Public Law 280 and other similar federal laws creating an urgent need of tribal first responders to obtain legal training, technical assistance and resources specific to the intersection of the Violence Against Women Act and tribal jurisdiction; and~~

WHEREAS, Tribal Coalitions, as regionally based tribal experts representative of their respective membership and tribal service program areas, are uniquely qualified and situated to offer culturally specific training, technical assistance and resources to assist Indian Tribes to provide the most appropriate response to violence against American Indian and Alaska Native women; and

~~———— **WHEREAS**, the rural nature in which Tribal Coalitions operate, where infrastructure and resources are lacking and economic poverty exists, challenges and hinders the provision of critical assistance needed by Indian Tribes; and~~

~~———— **WHEREAS**, in order for Tribal Coalitions to provide the critical training and technical assistance services to American Indian Tribes and Alaska Native Villages, Tribal Coalitions must be funded at an adequate level to provide for ongoing growth and development; and~~

~~**WHEREAS**, disparities in funding between State Coalitions and Tribal Coalitions persist and have prevented Tribal Coalitions from growing and developing despite the well-documented need in tribal communities; are not acceptable and must be resolved through provisions of adequate funding from all available funding sources, including the Office on Violence Against Women, the Department of Health and Human Services and the Center for Disease Control; and inclusion in the State fund distribution formulas and processes to allow access to Tribal Domestic Violence and Sexual Assault programs, shelter programs and Tribal Coalitions; and~~

~~———— **WHEREAS**, it is necessary for the NCAI as the leadership of the tribal governments to be proactive in the defense of American Indian and Alaska Native women to curtail and prevent violence against Native women; and~~

~~———— **NOW, THEREFORE BE IT RESOLVED**, that the NCAI does hereby recognize the vital role that Tribal Coalitions play in addressing violence against American Indian and Alaska Native~~

women and the leadership role the Tribal Coalitions have played in the work of the NCAI Task Force on Violence Against Women;

NOW, THEREFORE BE IT FURTHER RESOLVED that NCAI will ~~resolve to~~ support actions that strengthen the ability and capacity of Tribal Coalitions to meet the needs of Indian Tribes and tribal programs as they enhance their response to violence against American Indian and Alaska Native women and develop services to assist Native women including:

~~including:~~

1. Advocating for ~~adequate~~ increasing funding ~~for to current~~ Tribal Coalitions to allow for needed stability and growth and to address the current disparities between State and Tribal coalitions;
2. ~~Addressing the current disparities between State Coalitions and Tribal Coalitions under state and federal programs through creation of comparable funding for Tribal Coalitions;~~
- 3-2. Working to ensure that ~~Clarifying that~~ any programs created to provide funds ~~to for~~ Tribal Coalitions are be administered on an annual basis and ~~not be are not~~ competitive in nature, as required provided under the Violence Against Women Act of 2013;
- 4-3. Support the appropriate inclusion of Tribal Coalitions in ~~Clarifying that~~ participation of Tribal Coalitions in meetings regarding violence against Native women ~~is essential to the successful implementation of the Violence Against Women Act~~, including ~~annual~~ NCAI meetings and the annual Tribal Consultation meeting required by VAWAs.

BE IT FINALLY RESOLVED, that this resolution shall be the policy of the NCAI until it is withdrawn or modified by subsequent resolution, ~~or until the final adjournment of the 113th Congress.~~

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2013 Annual Session of the National Congress of American Indians, held at the Cox Business Center in Tulsa Oklahoma on October 12 – 17, 2013, with a quorum present.

President

ATTEST:

Recording Secretary