



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #PDX-20-065

### **TITLE: Preparing and Protecting Indian Country: Calling on Congress to Pass Comprehensive Tribal Homeland Security and Emergency Management Legislation**

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#### NCAI HEADQUARTERS

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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 contemporary emergency management and homeland security efforts are based on state-centric approaches, fail to consider treaty and trust obligations of the Federal Government and attempt to devolve this responsibility to state governments or their political subdivisions; and

**WHEREAS**, the Department of Homeland Security (DHS) and all of its agencies have a direct and fiduciary treaty and trust responsibilities to each of the federally recognized Indian tribes in the United States; and

**WHEREAS**, the coordinated “whole-of-nation” approach to COVID19 has shown the weaknesses in coordinating federal and tribal nation responses for short term recovery, including the amplified misunderstanding of national planning frameworks and the implementation of the Tribal Coordination Annex to the National Response Framework, an incomplete annex that has never been expanded upon; and

**WHEREAS**, DHS has largely failed to fully integrate sovereign tribal nations into the tenets of the National Preparedness Goal and its supporting Frameworks, and has hampered progress by imposing unfunded mandates and failing to appropriately consult with tribal nations on matters of tribal interest; and

**WHEREAS**, working together with tribal nations and tribal organizations strengthens homeland security, resiliency, and supports the National Preparedness Goal by providing for the protection of the United States and tribal nations; and

**WHEREAS**, NCAI has proactively worked over the years to provide recommendations related to homeland security and emergency management that would have served to build the resiliency of many tribal communities, while mitigating the effects of these disasters (i.e. the impacts of the current wild fires in the West, the ravages of hurricane torn communities, and the Nation's COVID-19 response and recovery), had any of NCAI's measures and recommendations been considered in policy development and implemented; and

**WHEREAS**, in Resolution TUL-13-046, NCAI called for meaningful and deliberate consultation with tribal nations on implementation of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; and

**WHEREAS**, in Resolution ATL-14-037, NCAI urged Congress to commission studies to examine disaster preparedness and response in Indian Country to better understand the unmet needs of tribal nations; and

**WHEREAS**, in Resolution MOH-17-005, NCAI called for tribal emergency management organizations to be treated in parity with state government and their political subdivision emergency management organizations and that direct funding be made available for the same; and

**WHEREAS**, in Resolution DEN-18-012, NCAI called upon DHS and Congress to fulfilling their trust responsibilities to tribal nations by providing them with equitable access to support, and funding in cybersecurity and infrastructure security efforts as provided to states and increasing funding to important tribal DHS grant programs; and

**WHEREAS**, in Resolution REN-19-047, NCAI called for the creation of tribal resiliency continuity funding to develop all tribal nations' homeland security and emergency services core capabilities to increase the safety, security, and protection of tribal citizenry; and

**WHEREAS**, in Resolution ABQ-19-026, NCAI called on Congress to establish a Tribal Advisory Council in the Department of Homeland Security and appoint a DHS assistant secretary solely dedicated to tribal nation affairs to elevate the concerns and considerations of all tribal nations in an appropriate and accountable nation-to-nation manner; and

**WHEREAS**, in Resolution ABQ-19-27, NCAI urged the Congress to amend the Homeland Security Act of 2002 ensure that all federally recognized tribes are eligible to can access the Tribal Homeland Security Grant Program funds; and

**WHEREAS**, in Resolution ABQ-19-028, NCAI called on DHS to enter into the formal government-to-government consultation with tribal nations and start the formal rulemaking process to address gaps in the tribal disaster declaration guidance; and

**WHEREAS**, NCAI cannot understate the importance of making tribal nations an integral part of the nation's homeland security; and

**NOW THEREFORE BE IT RESOLVED**, the National Congress of American Indians (NCAI) reaffirms the above NCAI resolutions and calls upon the Secretary of Homeland Security to establish a mechanism to evaluate progress toward the priorities outlined in the above resolutions and calls upon DHS to issues a report to tribal nations on the status of the above-mentioned resolutions, including what activities have been accomplished, and what the department intends to do to accomplish the requests from tribal nations; and

**NOW THEREFORE BE IT RESOLVED**, NCAI calls on Congress to pass comprehensive legislation to support and enhance tribal homeland security and emergency management capacity and capabilities as described in the above cited resolutions; and

**NOW THEREFORE BE IT RESOLVED**, NCAI call upon Congress, the Administration, and DHS to ensure appropriate consideration in after-action reports and reviews of the COVID-19 response and recovery efforts in Indian Country be a separate and complete report that includes the input of tribal nations; 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 2020 Annual Session of the National Congress of American Indians, held Nov 8, 2020 - Nov 13, 2020, with a quorum present.



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Fawn Sharp, President

**ATTEST:**



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Juana Majel Dixon, Recording Secretary