



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #PDX-20-014

### **TITLE: Calling for Highway Construction Programs to Repair Dangerous Indian Country Highways and Build Safe School Roads**

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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**, tribal nations are sovereigns that pre-date the United States, with prior and treaty protected rights to self-government and to our tribal lands, and

**WHEREAS**, the Constitution of the United States, through the Treaty, Commerce, and Apportionment Clauses and the 14th Amendment, recognizes the sovereign status of tribal nations established prior to the United States; and

**WHEREAS**, tribal nations pre-date the United States and are independent sovereigns vested with complete and inherent authority over our lands and our citizens; and

**WHEREAS**, from the first days of the American Republic, the United States entered into treaties with tribal nations on a government-to-government basis recognizing tribal homelands and rights of self-government; and

**WHEREAS**, the Constitution establishes treaties as an essential part of the supreme law of the land and recognizes tribal nations as sovereigns with the power to make treaties on a nation-to-nation basis; and

**WHEREAS**, tribal nations and tribes reserved and exercise self-government over permanent homelands from amongst vast original lands; and

**WHEREAS**, dangerous road conditions on Indian reservations have resulted in serious fatalities: Due to a lack of maintenance and construction funding, many tribal roads have become dangerous. Accidental death is the primary cause of loss of life among American Indians aged 15 to 24 in the Great Plains region, the Motor Vehicle Death Rate among 15-24 American Indians is 3.5 times higher than the general population, and the dangerous road conditions on Indian reservations are a contributing cause of this mortality; and

**WHEREAS**, in 2019, South Dakota and North Dakota experienced floods, which washed away roads, culverts, and damaged bridges and highways in Indian Country, and neither the Bureau of Indian Affairs (BIA) nor the U.S. Department of Transportation (DOT) have made significant efforts to repair and restore these roads; and

**WHEREAS**, in 2019, a postman and a nurse on the Standing Rock Sioux Reservation were killed when a culvert failed and a BIA road washed out into the Missouri River; and

**WHEREAS**, the poor roads on many Indian reservations deny school children an equal educational opportunity by making school transit hazardous, difficult, and excessively lengthy and delayed.

**NOW THEREFORE BE IT RESOLVED** that the President and Congress must establish programs for emergency repairs to dangerous Indian Country tribal roads; and

**BE IT FURTHER RESOLVED** that the President and Congress must ensure these programs focus on, amongst other things, safe school bus routes to ensure that Native students on tribal lands are afforded an equal educational opportunity without lengthy delays and hazards endemic to current damaged and dangerous Indian country school bus routes; 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