



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #KAN-18-007

TITLE: Inclusion of Tribal Governments in the Crime Victims Fund and Calling for Immediate Consultation on the Funding

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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, Congress created the Crime Victims Fund (CVF), the federal government's primary source of funding for crime victim services and compensation, in the Victims of Crime Act in 1984; and

WHEREAS, since that time formula funding from the CVF has been distributed on an annual basis to state and territorial governments; and

WHEREAS, Indian tribes have been required to access CVF funding as pass-through funding from the states or by competing for very limited discretionary funds administered by the Office for Victims of Crime at the Department of Justice (DOJ); and

WHEREAS, this system has left Indian tribes without adequate access to victim services and compensation funding, which has resulted in a severe disparity in the availability of services for crime victims in Indian Country; and

WHEREAS, NCAI has long called for the inclusion of tribal governments in the annual disbursements from the Crime Victims Fund (*see* ANC-14-048); and

WHEREAS, in FY 2018 the Congress for the first time directed 3% of the total outlays from the Crime Victims Fund to tribal governments—an amount totaling \$133 million; and

WHEREAS, DOJ has recently announced its plans for consulting about this new funding but has not provided any information about how the funding will be allocated; and

WHEREAS, tribal governments have repeatedly conveyed that DOJ's short-term, competitive grants undermine program stability, hamper long-term planning, and run counter to the policy of tribal self-determination; and

WHEREAS, NCAI Resolution SPO-16-019 calls on DOJ to administer tribal funds through formula grants that take into account agreed upon criteria such as Federal and tribal jurisdiction, reservation population, geographic size, road miles patrolled, incidence of crime, number of prosecutions, drug and alcohol abuse, and the number of at-risk youth; and

WHEREAS, Congress is working on appropriations for FY 19.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) expresses our gratitude to Congress for including tribal governments in the outlays from the Crime Victims Fund (CVF) for FY 18; and

BE IT FURTHER RESOLVED, that NCAI calls on Congress to ensure that Indian tribes are included in the CVF outlays in the FY 19 appropriations bill and on an annual basis by continuing annual appropriations until the authorizing statute can be amended through the bipartisan SURVIVE Act or similar legislation; and

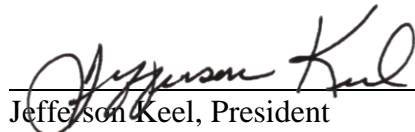
BE IT FURTHER RESOLVED, that NCAI calls on DOJ to meaningfully consult with Indian tribes in order to ensure that the funds are available to all eligible tribes on a non-competitive basis to meet the needs of victims, as defined by the tribes, including but not limited to:

- victim assistance,
- victim compensation,
- training,
- administrative costs, and
- facilities construction; 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 2018 Midyear Session of the National Congress of American Indians, held at the Marriott Kansas City Downtown, June 3-6, 2018, with a quorum present.


Jefferson Keel, President

ATTEST:


Juana Majel Dixon, Recording Secretary