



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #SAC-12-038

### TITLE: Support for Immediate Passage of the VAWA Reauthorization with Tribal Criminal Jurisdiction Provision Intact

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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, 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**, violence directed at American Indian and Alaska Native women continues at epidemic levels on many Indian reservations and communities, and is culturally, legally and morally an impermissible state of affairs; and

**WHEREAS**, Alaska Native women are especially vulnerable to this type of violence and the current system of justice in Alaska fails to adequately protect Alaska Native victims of sexual and domestic violence; and

**WHEREAS**, the NCAI has consistently supported key changes to the Violence Against Women Act (VAWA), last authorized by Congress in 2005 for a six year period, the reauthorization of which Congress has been considering since 2010; and

**WHEREAS**, one of the key provisions of the reauthorization has been the restoration of Tribal jurisdiction over non-Indian perpetrators of violence directed at Native American women that occurs within the boundaries of an Indian reservation; and

**WHEREAS**, this VAWA tribal criminal jurisdiction provision has bipartisan support in both chambers of Congress; and

**WHEREAS**, recent actions in Congress failed to reauthorize VAWA, with the House citing, among other things, the restoration of Tribal jurisdiction as a stumbling block to reauthorization; and

**WHEREAS**, the longer the stalemate regarding reauthorization of VAWA continues, the larger the number of Native American and other women who will lose their lives and their health because of acts of violence directed at them by men who do not believe they will be prosecuted for their criminal acts.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI will not support a VAWA reauthorization bill that does not contain some form of the tribal criminal jurisdiction provision that would give tribes authority to prosecute all persons who commit domestic violence on tribal lands; and

**BE IT FURTHER RESOLVED**, that the NCAI calls on Congress to immediately pass a final Violence Against Women Reauthorization Act that includes some form of the Tribal criminal jurisdiction; and

**BE IT FURTHER RESOLVED**, that the NCAI urges Congress to include specific protections for Alaska Native victims of sexual assault, domestic violence, dating violence, and stalking in any final VAWA reauthorization bill; 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 2012 Annual Session of the National Congress of American Indians, held at the Sacramento Convention Center from October 21-26, 2012 in Sacramento, California, with a quorum present.

  
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President

**ATTEST:**

  
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Recording Secretary