



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #SAC-06-034

**TITLE: Support for Application of Indian Preference in Employment Requirements to all Federal Programs Whose Primary Function is to Provide Benefits to American Indians and Alaska Natives**

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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**, the federal government has numerous responsibilities to American Indians and Alaska Natives, and over the last 40 years, has implemented policies that provide Indian preference in employment within the federal government for the Bureau of Indian Affairs; and

**WHEREAS**, this policy has been upheld by the United States Supreme Court in the case of *Morton v. Mancari*, 417 U.S. 535 (1974); and

**WHEREAS**, many other programs are funded by the federal government whose primary purpose is to provide benefits of various kinds to American Indians and Alaska Natives, that are outside of the Bureau of Indian Affairs, including education programs within the Department of Education, housing programs within the Department of Housing and Urban Development, health programs within the Department of Health and Human Services, and other programs within the Department of Interior such as the Office of Trust Funds Management; and

**WHEREAS**, presently, it is the view of the Executive Branch of the United States government that Indian preference policies in employment should only apply to the Bureau of Indian Affairs, and not to any other agency whose primary purpose is to provide programs that benefit American Indians and Alaska Natives; and

**WHEREAS**, many qualified American Indians and Alaska Natives exist who could fill the positions in other agencies besides the Bureau of Indian Affairs whose function is primarily to provide benefits to American Indians and Alaska Natives, if Indian preference in employment were provided in such agencies and departments.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI does hereby urge the Executive Branch to adopt, through Presidential Order or otherwise, a policy that provides for Indian preference in employment for any agency, bureau, department, commission or other entity within the Executive Branch of the federal government whose primary purpose is to benefit American Indians, Alaska Natives, or federally recognized Indian Tribes or Indian organizations; and

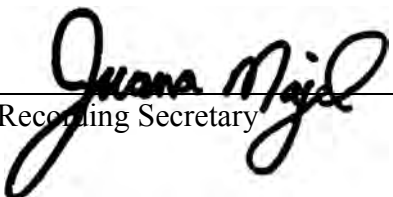
**BE IT FURTHER RESOLVED**, that this resolution shall be the policy of NCAI until the legislation proposed herein, or something substantially similar, is adopted by the Executive Branch of the federal government.

**CERTIFICATION**

The foregoing resolution was adopted by the General Assembly at the 2006 63<sup>rd</sup> Annual Session of the National Congress of American Indians, held at the Sacramento Convention Center in Sacramento, California on October 1-6, 2006, with a quorum present.

  
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President

**ATTEST:**

  
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Recording Secretary