



NATIONAL CONGRESS OF AMERICAN INDIANS

**The National Congress of American Indians
Resolution #REN-13-078**

TITLE: Tribal Inclusion and Consideration in Immigration Reform

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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 United States Senate and House of Representatives have been working to craft comprehensive immigration reform in each respective chamber; and

WHEREAS, the bipartisan effort to craft effective and comprehensive immigration reform has resulted in a Senate bill, The Border Security, Economic Opportunity, and Immigration Modernization Act (S.744), that addresses issues which affect all segments of American society, including tribal nations; and

WHEREAS, resources for tribes to secure their own lands and government-to-government coordination, consultation, notification, and agreements between tribes and the federal government are critical to border security efforts, while keeping in mind that treating the newest immigrants with fairness and decency is critical to America's ability to meet her aspirations and responsibilities, including the trust responsibility to our nation's tribal governments; and

WHEREAS, effective coordination and consultation includes tribal inclusion on any task force or entity created to provide oversight or advise the federal government; and the inclusion of tribal governments, along with federal, state and local counterparts, in accessing essential equipment such as interoperable radios; and

WHEREAS, tribal nations have citizens on both sides of the southern and northern borders and frequently cross and re-cross for cultural, religious, employment, and other purposes; and

WHEREAS, IDs with enhanced security features, including tribal IDs, are becoming consistently required for border-crossing and other purposes, in addition to proof of authorization to work in the United States under the proposed Employment Verification System contained within bills introduced in each chamber of Congress; and

WHEREAS, tribes are sovereign nations and should not be subject to immediate access by the Department of Homeland Security (DHS) for purposes of securing the southern border as proposed in S.744; and

WHEREAS, tribal lands should be excepted, along with privately and state-owned lands within federal lands, from immediate access by DHS for purposes of securing the southern border; and

WHEREAS, a wide variety of tribal businesses would benefit from accessing professional H1-B visas and investor visas, such as in the EB-5 investor visa program; and

NOW THEREFORE BE IT RESOLVED, that NCAI hereby calls for specifically dedicated funding for tribal governments to effectively secure their own lands and create tribal IDs with enhanced security features; and

BE IT RESOLVED, NCAI calls for federal, state, and local governments to consult, notify, and coordinate with tribal governments when carrying out actions to secure international borders; and for tribal lands to be excluded from immediate access by DHS for purposes of securing the southern border; and

BE IT RESOLVED, NCAI calls for tribal inclusion on any oversight or advising body relating to border security as well as inclusion in accessing equipment that is essential to securing tribal lands on or near international borders; and

BE IT RESOLVED, NCAI supports a tribal set-aside for professional H1-B visas and investor visas; 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 2013 Midyear Session of the National Congress of American Indians, held at the Atlantis Casino from June 24 - 27, 2013 in Reno, Nevada with a quorum present.



President

ATTEST:



Recording Secretary