



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #ABQ-10-NICOA2010-002

TITLE: Appropriate Title VII funding and other federal funds for the prevention of violence against American Indian/Alaska Native (AI/NA) Elders.

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, in recent times, violence against AI/NA elders in isolated native communities has substantially increased due to decline of traditional family systems, poor social and economic conditions, increased mental illnesses, substance abuse, inadequate laws protecting elders, limitation of law enforcement, and erosion of cultural values. Studies show American Indian elders experience financial exploitation more often than neglect or physical abuse; and

WHEREAS, more AI/AN elders are being maimed or killed by family members when substance abuse is involved; assaults resulting from methamphetamine, marijuana, and ethanol or a combination of all three have increased violence against tribal members; and

WHEREAS, AI/AN elders and children are the most vulnerable groups to being victims of violence. Today's statistics indicate that more elders are being attacked or killed at the beginning of each month because they are most likely to have money when they receive their Social Security checks; and

WHEREAS, low socioeconomic status in AI/AN communities, along with mental illnesses and substance abuse, poverty, domestic violence, unemployment, severe limits of law enforcement personnel, isolation, disinterest and other psychosocial quandaries have increased violent acts on tribal elders and children; and

WHEREAS, many AI/AN elders are reluctant to report abuse because they fear retaliation from family members; consequently, the problem remains as a cyclical pattern of violence and abuse persists unabated. Enforcement or implementation of elder protection codes/laws is severely limited; and

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NCAI HEADQUARTERS

NOW THEREFORE BE IT RESOLVED, that the Administration on Aging implement appropriations to Subtitle B of Title VII of the Older Americans Act, which authorizes a program for tribes, public agencies, or nonprofit organizations serving Indian elders to assist in prioritizing issues relating to elder rights and to carry out activities in support of these priorities. Funds have never been appropriated for this purpose while funds for states have been funded at more than \$20 million a year. State programs seldom reach AI/elders due to cultural, jurisdictional and geographical barriers. AI/AN tribes have little or no access to the agencies, departments, ombudsman, or other programs that are available to states; and

BE IT FURTHER RESOLVED, to incorporate Elder Justice Act provisions into the OAA Title VII, subtitle B program and increase penalties for violators; and

BE IT FURTHER RESOLVED, to increase PL 43-437 funding to provide treatment to offenders suffering from chronic chemical addictions and increase community education and intervention to prevent abuse and violence to tribal elders; and

BE IT FURTHER RESOLVED, extradite American Indian individuals to state and federal authorities for violence against elders through nullification of immunity of prosecution due to sovereign status; and

BE IT FURTHER RESOLVED, conduct background checks of non-Indians committing violent acts against tribal elders and children and effectively remove them from tribal lands; and

BE IT FURTHER RESOLVED, that this resolution is policy of NICOA until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2010 Annual Convention of the National Congress of American Indians, held at the Albuquerque Convention Center in Albuquerque, NM on November 14-19, 2010, with a quorum present.

President

ATTEST:

Recording Secretary