



Legal Review

NATIVE AMERICAN RIGHTS FUND

The Ongoing Need to Fight for Native Voting Rights



For nine days in August 2022, tribal representatives and their attorneys, including staff from the Native American Rights Fund (NARF), gathered at the Yellowstone County Courthouse in Billings, Montana. They joined other Montana voters and advocates appearing before the Honorable Michael G. Moses to express concerns about the state’s recently adopted election laws.

At issue were two laws that the Montana legislature passed in the final weeks of the 2021 legislative session—HB 176 and HB 530. The problem was that these laws made it harder for Native voters, who already face unreasonable voting barriers, to register and cast their vote. Specifically, HB 176 eliminated Election Day registration, which reservation voters disproportionately rely on to cast votes in Montana. Meanwhile, HB 530 prohibited paid third-party ballot assistance, a service that aids Native voters living on distant reservations.

One of the people who spoke at the trial was Dawn Gray, the Blackfeet Nation’s managing attorney. She summed up how the restrictions on registration and ballot collection would affect many tribal members looking to vote:

I think tribal members, Indians, Native Americans have just as every bit right to vote as the next person. And they should have access to it. With a large majority of our tribal members, we are already ten paces behind everybody else that has that opportunity to vote. So, if you’re going to take away same-day registration and the ballot boxes, you basically shut the door on their opportunity to vote.

VOTER COSTS

What Ms. Gray is describing is something social scientists call voter costs. According to Professor Daniel McCool’s testimony at the Montana trial:

Voter costs are the things voters have to overcome to vote. And it could be everything from information costs to travel costs, which are affected by things like distance or quality of roads or whether you have a vehicle. It can be affected by historical legacies of violence and discrimination, which have an impact on a sense of efficacy and alienation. It can be impacted by the socioeconomic status of people. ... And voter costs can be affected by electoral design.

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Electoral systems can be designed to maximize voter costs or minimize voter costs.

So, voter costs is a lever that policy makers can pull to control who is and is not able to access the vote. One hundred years ago, states used restrictions like poll taxes, literacy tests, and land ownership to make it prohibitively difficult for some groups of people to vote. Unfortunately, many states continue to use less obvious but similarly effective means to raise voter costs and restrict voter access today. Having to travel long distances and miss work to register and vote, makes it harder for poor and working-class voters to participate. Requiring addresses on voter identification directly affects the many voters who do not have a consistent home address. Not allowing ballot collection services can effectively make it impossible for poor, elderly, or invalid voters without transportation to vote.

Dawn Gray sees these voting costs clearly at play in her community. She described it vividly:

So if you don't have ... your basic needs for the day, you're not going to make it to the polling place. Especially if you live in one of the rural outlying communities, it's just going to be a—it's going to be a chore to get to the polling place as it is, like I said, with mail. And I think a lot of the times, too, if the circumstances are pretty tough for you ... it's just kind of a despairing, you know, situation that you have to find a ride and have the gas money to get to the polling place. So that's probably the reality of it.

Gray also describes how, in the real world, those voting costs multiply upon themselves:

If you are a tribal member going in to vote in the county offices, you're not as well-versed on the process as you would have been as if you'd been a resident in one of those county seats. And so, what does that result in? Frustration. Not knowing how to fix things so you can properly vote. You may have to go home and try to fix things and then come back, especially with a residence issue. So that just creates more of a burden for the folks that have to travel there.

And she describes how those voting costs are compounded by other factors, like direct racism

and antagonism that tribal members face when they go to neighboring towns to vote:

Again, if you're being dismissed and marginalized, you're not going to get the information that you need to successfully vote, especially with this process of mail-in or depositing hours and things like that. Folks kind of get short with you. And if you're not educated or learned in how to do this the right way—I think I see more of that with... tribal members just because they're not, you know, they're not regularly frequenting that office. And so, they get that kind of treatment.

Unfortunately, what Ms. Gray describes for the Blackfeet Nation is well known across Indian Country. For decades Native voting advocates have been detailing exactly these sorts of issues. Native Americans consistently have been denied full access to state and federal democratic systems. In 2017 and 2018, the Native American Voting Rights Coalition—founded by NARF—held nine public hearings to better understand how Native Americans are systemically and culturally kept from fully exercising their franchise. The stories from across the country were remarkably consistent.

OBSTACLES AT EVERY TURN

In the 2017-18 public hearings, more than 120 witnesses testified from dozens of tribes across the country. The stories that they told could have been taken directly from Ms. Gray's testimony. Stories of geographic isolation, lack of resources, non-traditional mailing addresses, poor or nonexistent roads, and blatant discrimination.

The final report of the findings from those hearings, *Obstacles at Every Turn: Barriers to Political Participation Faced by Native American Voters*, was released in June 2020. It, along with a 2021 update, provides detailed evidence that Native people face unique obstacles in the electoral process: from registering to vote, to casting votes, to having votes counted.

While some of these barriers affect non-Natives as well, many are particular to the Indian Country experience at the time. For example, the report details obstacles like unequal funding for voting activities in Native American communities, lack

of support for Native language speakers, lack of traditional addresses or mail delivery at homes on rural reservations, and unequal access to early voting in Native communities. These voter costs build on the systemic inequities that are entrenched in Native communities across the United States. (Find the report at:

[vote.narf.org/obstacles-at-every-turn/.](http://vote.narf.org/obstacles-at-every-turn/))

REPRESENTATION MATTERS

Despite these experiences, voting is still considered an important opportunity within many Native communities. At many tribes, tribal elections are a part of the culture that is well-supported with information and enthusiasm. For state and federal elections, tribes encourage voting among their members. Ms. Gray explains why:

So that we have good representation in these ideas that come up for vote. To protect tribal sovereignty. There are issues that do come up ... that we need to have representation in, that directly affect us on a daily basis. You know, it could be an issue of our wellbeing, health, wellness, and things like that. So ... I think that's probably really important for everybody—even non-Indians that are marginalized [and in] poverty. But ... that group of people really, really need that representation so that we can make sure that their basic needs are taken care of.

Of course, this dedication to voting is not unique to the Blackfeet. Many tribes have expressed their commitment to having their members' voices heard. Lane Spotted Elk, a Northern Cheyenne Tribe council member also gave testimony at the August trial. He described, "The Tribe is a political entity, we encourage our membership to elect folks who will represent us at different governmental levels and things like that."

Despite trips that can average 120 miles round trip to polling places and voter registration in county seat offices and feeling like they are not part of the system, the Northern Cheyenne are committed to participating in the democratic process. Mr. Spotted Elk explains:

So the Northern Cheyenne Tribe believes ... in advocating for our tribal members, their access to vote, and things like that. You know, we believe in the importance of voting. We feel that any effort to suppress the Native vote ... isn't conducive to the Cheyenne way of life.

A PATTERN OF DISCRIMINATION

Not surprisingly, on September 30, 2022, Judge Moses struck down the two Montana laws as unconstitutional. The decision was in line with previous rulings in Montana and beyond. It also was in line with voting rights cases across the country. From *Obstacles at Every Turn*:

A review conducted in 2008 of all voting rights cases involving Native Americans and Alaska Natives as plaintiffs found 74 cases, filed in fifteen states. The Native plaintiffs lost only four of these cases, with partial success in two, and victories or successful settlements in the remaining 68 cases. That is an impressive record of success often based upon dismal facts.

Native voters shouldn't have to go to court again and again to protect their rights. Unfortunately, they have to do exactly that. In fact, the Montana case is a perfect example of this ongoing pattern of discrimination. The state of Montana was very aware of the unique situation of Native voters in the state, but they passed new discriminatory restrictions regardless. Another year, another trial. NARF Staff Attorney Jacqueline De León summed it up at trial:

Just this past year, the Montana Advisory Committee to the U.S. Commission on Civil Rights concluded Native American tribal members living on reservations have significant barriers to voting due to long distances to election services, lack of residential mailing addressing, and unreliable and infrequent mail delivery services. Judge Febr and Judge Harris, in this very building a mere two years ago, both acknowledged that Native Americans specifically face significant barriers and that they rely upon organized ballot collection. These findings were affirmed by the Montana Supreme Court, which specifically found that satellite voting was not sufficient, and that Native Americans relied on ballot collection. Of course, these hurdles are well known to Native Americans across Montana who continue to bear the burden of these laws like HB 530 and HB 176. And these hurdles remain

and immediately impact organizations like Western Native Voice that exist because the difficulties facing Native Americans when they try to vote are so profound and pervasive.

In fact, the two laws at issue in this case were passed mere months after a court found a similar Montana law unconstitutional and demonstrated an ongoing state pattern for passing anti-Native election-related legislation. However, when the bills’ sponsor took the stand, he admitted to having not read the recent court opinion. Whether indifference or intentional prejudice, the state’s legislators continue to pass unconstitutional and discriminatory laws that restrict Native voters’ access. “These laws are part of a broader scheme by the Montana legislature to attempt to cut out the Native vote. We stopped them before and we’ll do it again,” said NARF Staff Attorney Samantha Kelty.

Unfortunately, this pattern of discrimination is not limited to one state. Around the same time that the two Montana laws went into effect, 13 other states had introduced over 100 bills that would disenfranchise Native voters. In legislative halls across the nations, bills are being passed that push the levers of voter costs and build a system that makes it harder for some people to vote.

A COMMITMENT TO NATIVE VOTERS

NARF is committed to ensuring that Native voters and tribes have the support that they need to establish and protect their place in the nation’s democratic system. In recent years, NARF has filed at least eight lawsuits to protect Native voting rights. NARF’s recent work has included a polling place project to ensure that every reservation that wants a polling place has one, as well as a language assistance project to ensure required assistance is provided to Native language speakers. During the leadup to the 2022 election, NARF created an election protection project to ensure individuals have unfettered access to the voting process during the election.

But just as it is not new, this problem also is not unsolvable. Politicians would do well to note the impact of their Native American constituents. The Native vote regularly decides elections in the Dakotas, Alaska, parts of the Southwest, Midwest and beyond. If Native Americans can engage fully in the political system—free from the barriers that currently obstruct them—they can reclaim power and participate in America in a way that is fair and just. For a democratic system to be healthy, all voices must be heard. The first people on the land should not be the last to vote. 🇺🇸

AUDIENCE RESEARCH SURVEY



CAN YOU HELP NARF IMPROVE OUR OFFERINGS AND OUTREACH TO TRIBES?

We would like to know more about your legal interests and the resources you find valuable.

We will send the first 100 respondents a **\$20 GIFT CARD!** To begin the 10 minute survey, use your phone camera to scan the QR code or follow the link below.

[HTTPS://BIT.LY/3SN6DDC](https://bit.ly/3SN6DDC)

Case Updates



BRACKEEN: SUPPORTERS FILE 21 AMICUS BRIEFS TO UPHOLD THE INDIAN CHILD WELFARE ACT

In August, we saw the true breadth of those who champion the Indian Child Welfare Act (ICWA). In an outpouring of support, 497 tribal nations, 62 Native organizations, 23 states and DC, 87 congresspeople, and 27 child welfare and adoption organizations, and many others signed on to 21 briefs submitted to the U.S. Supreme Court in favor of upholding ICWA (available at icwa.narf.org).

Those who signed on to these briefs stand with Native kids. Adoption is one of the most influential events that can happen in a child’s life; it has the power to shape their entire future. ICWA ensures that this decision is given careful consideration so that the unique needs of Native children are met. ICWA places kids with their extended families or communities, when possible, which is considered best practice by child welfare experts.

On the opposing side, those who seek to dismantle ICWA have shown that they do not care about

what is best for Native kids. ICWA opponents have two things in common: deep pockets and minimal contact with tribal nations, Native organizations, tribal leaders, or Native peoples. They say they want the best for Native children, but not a single tribal nation, not a single independent Native organization, and not a single independent child welfare organization supports their cause.

This case has huge implications for Native children and their families. It also has the potential to impact the future of tribal nations. If the protections of ICWA are dismantled, opponents could set legal precedent that has serious consequences for other issues like tribal economic development and land rights. A threat to ICWA is a threat to tribal sovereignty. The Protect ICWA Campaign and its supporters understand the importance of this law and urge everyone to stand with ICWA and stand with Native kids. 🙏





A JOINT INITIATIVE OF:



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PAWNEE NATION PASSES LANDMARK “PAWNEE NATION DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES ACT”

The Implementation Project is a joint initiative of the Native American Rights Fund and Colorado Law to advance education and advocacy regarding the United Nations Declaration on the Rights of Indigenous Peoples.

Visit un-declaration.narf.org to learn more.

On May 12, 2022, the Pawnee Nation of Oklahoma took an historic step in the movement toward achieving implementation of the U.N. Declaration on the Rights of Peoples. The tribal government enacted the Pawnee Nation Declaration on the Rights of Indigenous Peoples Act (PNDRIPA). Joining calls from the National Congress of American Indians, the Inter-Tribal Council of the Five Civilized Tribes, and other tribal nations, the act requests President Biden to develop a national plan, in consultation with tribal nations, Alaska Natives, and Native Hawaiians, and to implement the U.N. Declaration on the Rights of Indigenous Peoples into federal laws and policies.

The Act also calls on states where the Pawnee homeland and sacred places are located—Oklahoma, Kansas, Nebraska, and Colorado—to likewise implement the U.N. Declaration’s provisions into their state laws and policies. The Act was adopted by Pawnee Nation Resolution #21-52, which also establishes a new tribal policy of using the Declaration as a moral compass for tribal leadership to consult when making Pawnee Nation law and policy.

“The Pawnee Act will strengthen our Nation’s intergovernmental affairs,” said Pawnee Nation Councilwoman Dawna Hare, who serves as Chair of the Pawnee Nation Intergovernmental Affairs Committee. “PNDRIPA will put our nation on stronger ground in working with federal and state governments to protect the vital interests of the Pawnee Nation and its citizens.”

Prior to passing the act, the Pawnee government co-hosted an inter-tribal workshop in Fall 2021 with The Implementation Project. “Today, many nations are implementing U.N. Indigenous rights standards into their domestic laws and policies to strengthen Indigenous rights,” said Pawnee Nation President Walter R. Echo-Hawk.

Tribal governments have many pathways to implementing the U.N. Declaration. For more information, see the Tribal Implementation Toolkit and other resources available on the Project’s website at un-declaration.narf.org. 🏞️

Tribal Supreme Court Project



The Tribal Supreme Court Project is part of the Tribal Sovereignty Protection Initiative and is staffed by the National Congress of American Indians (NCAI) and the Native American Rights Fund. The Project was formed in 2001 in response to a series of U.S. Supreme Court cases that negatively affected tribal sovereignty. The purposes of the Project are to promote greater coordination and improve strategy on litigation that may affect the rights of all Indian tribes. We encourage Indian tribes and their attorneys to contact the Project in our efforts to coordinate resources, develop strategy, and prepare briefs, especially when considering a petition for a writ of certiorari, prior to the Supreme Court accepting a case for review. You can find copies of briefs and opinions on the major cases we track on the NARF website (sct.narf.org).

Over the summer, the Court set the oral argument in *Haaland v. Brackeen* (21-376) (Indian Child Welfare Act), and related petitions, for November 9, 2022. On September 28, 2022, the Court held its “long conference” in which it considered more than 1,000 petitions for review that were pending during the Court’s summer recess. Among those considered for review were *Oklahoma v. Sims* (21-1102) (state criminal jurisdiction in Indian country), *Acre v. Marston* (21-1480) (tribal official immunity from suit), *Becker v. Ute Indian Tribe* (21-1340) (tribal court exhaustion and jurisdiction), *Lopez v. Quempt* (21-1544) (tribal

sovereign immunity from suit), and *Mill Bay Members Association v. United States* (21-1542) (trust status of allotted land). On October 3, 2022, the Court issued an Order List from the long conference. The Court granted review, vacated, and remanded in *Oklahoma v. Sims* for further consideration in light of *Oklahoma v. Castro Huerta*, 142 U.S. 1612 (2022). The Court denied review in *Acre*, *Becker*, *Lopez*, and *Mill Bay Members* which leaves the lower court opinions in these cases intact. In its next Order List of October 11, 2022, the Court denied review in *Oklahoma v. Sam* (21-1214) and *Oklahoma v. Wadkins* (201193) (determination of Indian under the Major Crimes Act, 18 U.S.C. § 1153), which leaves the lower court opinions in these cases intact.

October 3, 2022, was the first day of the October Term 2022. With many high-profile cases on the Court’s docket, court-watchers anticipate that this will be another significant Supreme Court term. For Indian law, we are watching closely *Haaland v. Brackeen* (21-376) and related petitions, *Arizona v. Navajo Nation* (21-1484) and *Department of the Interior v. Navajo Nation* (22-51) (water rights), and *Lac du Flambeau Band of Lake Superior Chippewa Indians v. Coughlin* (22-227) (tribal sovereign immunity from suit under the Bankruptcy Code). These cases and others are detailed further below.




PETITIONS FOR A WRIT OF CERTIORARI GRANTED

BRACKEEN V. HAALAND (21-380); **TEXAS V. HAALAND** (21-378); **CHEROKEE NATION V. BRACKEEN** (21-377); **HAALAND V. BRACKEEN** (21-376): A Texas couple wishing to adopt an Indian child, and the State of Texas, filed suit in federal court against the United States and several federal agencies and officers claiming that the Indian Child Welfare Act (“ICWA”) is unconstitutional.

They were joined by additional individual plaintiffs and the States of Louisiana and Indiana. The Cherokee Nation, Oneida Nation, Quinault Indian Nation, and Morongo Band of Mission Indians (the Four Tribes) intervened as defendants, and the Navajo Nation intervened at the appellate stage. The federal district court held that much of ICWA was unconstitutional, but the U.S. Court of Appeals for the Fifth Circuit, en banc, reversed much of that decision.

However, the Court of Appeals affirmed the district court on some holdings that specific sections of ICWA violated the U.S. Constitution’s Fifth Amendment’s equal protection guarantee and the Tenth Amendment’s anti-commandeering principle. Specifically, the Court of Appeals, by an equally divided court, affirmed the district court’s holding that ICWA’s preference for placing Indian children with “other Indian families” (ICWA’s third adoptive preference, after family placement and placement with the child’s tribe) and the foster care preference for licensed Indian foster homes violated equal protection. The Court of Appeals also concluded that the Tenth Amendment’s anti-commandeering principle was violated by ICWA’s “active efforts,” “qualified expert witness,” and record keeping requirements, and an equally divided court affirmed the district court’s holdings that placement preferences and notice requirements would violate the anti-commandeering principle if applied to state agencies. Finally, the Court of Appeals held that

certain provisions of the ICWA Final Rule, specifically those provisions that the district court had found to be unconstitutional, violated the Administrative Procedure Act.

The United States, the Four Tribes, Texas, and the non-Indian individuals each filed petitions for certiorari. The Court granted review of all four petitions and consolidated them for further proceedings. Texas and the non-Indian individuals argue that Congress acted beyond its Indian Commerce Clause power in enacting ICWA, that ICWA creates a race-based child custody system in violation of the Equal Protection Clause, and that ICWA violates the anti-commandeering doctrine. Texas also argues that ICWA’s implementing regulations violate the nondelegation doctrine by allowing individual tribes to alter the placement preferences enacted by Congress. The United States and the Four Tribes argue that Congress had the authority to enact ICWA, that ICWA does not violate the anti-commandeering doctrine, that ICWA does not violate the Equal Protection Clause, and that Texas’ nondelegation challenge should be rejected. Numerous amicus briefs were filed on both sides, including a brief filed on behalf of 497 tribes and 62 tribal and Native organizations in support of the United States and Four Tribes. 

CONTRIBUTIONS TO THE TRIBAL SUPREME COURT PROJECT

NCAI and NARF welcome contributions to the Tribal Supreme Court Project. Please send any general contributions to:

NCAI, attn: Accounting
1516 P Street, NW
Washington, DC 20005

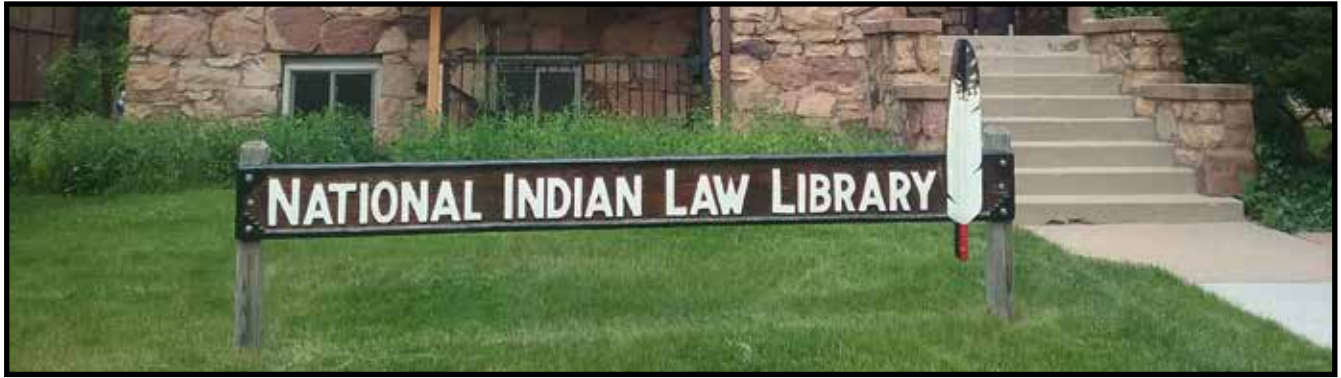
Please contact us if you have any questions or if we can be of assistance:

Melody McCoy | NARF Senior Staff Attorney
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202-446-7767 or cduren@ncai.org



National Indian Law Library (NILL)

Celebrating 50 years!



This year, the National Indian Law Library (NILL) celebrated 50 years as the nation's only library devoted to American Indian law. Fifty years on, NILL continues to serve both the Native American Rights Fund (NARF) and the public by developing and making accessible a unique and valuable collection of Indian law resources and providing direct research assistance and delivery of information.

A Brief History

NILL got its start shortly after NARF was founded in 1970. During the first months of the NARF's work, its attorneys and supporters spoke often of the critical need for a central clearinghouse on Indian law.

Carnegie Corporation Grant

In May 1972, the Carnegie Corporation of New York announced a three-year grant to NARF for the development of NILL. At that time, Alan Pifer, President of Carnegie Corporation, announced the grant, "The National Indian Law Library is already well on its way to being the best source of documents on Indian law in the country. We are pleased to help it develop into a research and information center with a nation-wide reach. We hope its expanded services will encourage more lawyers to represent Indian clients and thereby secure justice for Native Americans now inadequately served."

Indian Law Court Documents

By the end of the summer in 1972, NILL had a full time staff of three. They assumed the responsibility

for filling the increasing number of requests for materials and research from the library patrons. They also began collecting and indexing pleadings from Indian law court cases throughout the country. This collection of court documents remains one of NILL's most requested collections today.

Tribal Law

NILL began collecting the laws of tribal nations in 1988 through its Access to Tribal Law Project. This collection now consists of tribal constitutions, codes, ordinances, and resolutions from U.S. federally recognized tribes. The collection eventually evolved into the Tribal Law Gateway, which still serves as the only comprehensive list of tribal laws available. NILL's goal is for the Gateway to provide access to accurate tribal law information for all 574 federally recognized tribes, in the format of the tribe's choosing.

Support the National Indian Law Library

In 2022, a staff of three librarians continues NILL's work, including maintaining the Tribal Law Gateway, and answering Indian law and tribal law questions from NARF staff, tribal leaders, and the general public. Your contributions help ensure that the library can continue to supply unique and free access to Indian law resources and that it has the financial means necessary to pursue innovative and groundbreaking projects to serve Indian Country better. Please visit www.narf.org/nill/donate for more information on how you can support this mission. 🙏



CALL TO ACTION

It has been made abundantly clear that non-Indian philanthropy cannot sustain NARF's work. Federal funds for specific projects also have been reduced. To provide legal advocacy in a wide variety of areas such as religious freedom, the Tribal Supreme Court Project, tribal recognition, human rights, trust responsibility, voting rights, tribal water rights, Indian Child Welfare Act, and tribal sovereignty issues, NARF looks to the tribes to provide the needed funding. It is an honor to list those tribes and Native organizations who have chosen to share their good fortunes with the Native American Rights Fund and the thousands of Indian clients that we serve.

We encourage other tribes and organizations to become contributors and partners with NARF in fighting for justice for our people and in keeping the vision of our ancestors alive. We thank the following tribes and Native organizations for their generous support of NARF in the 2022 fiscal year (October 1, 2021 to September 30, 2022).

To join these tribes and organizations and support the fight for Native rights and tribal sovereignty, contact Don Ragona at ragona@narf.org

AISES

American Indian College Fund

AMERIND

Chickasaw Nation

Confederated Tribes of Siletz Indians

Cow Creek Band of Umpqua Tribe of Indians

First Nations Development Institute

First Peoples Fund

Four Directions, Inc.

Jamestown S'Klallam Tribe

Little Traverse Bay Bands of Odawa Indians

Muckleshoot Indian Tribe

National Indian Gaming Association

Native Hawaiian Legal Corporation

NDN Collective

Nisqually Indian Tribe

Nome Eskimo Community

Poarch Band of Creek Indians

San Manuel Band of Mission Indians

San Pasqual Band of Mission Indians

Santa Ynez Band of Chumash Mission Indians

Seminole Tribe of Florida

Shakopee Mdewakanton Sioux Community

Tulalip Tribes

United South and Eastern Tribes, Inc.

United Tribes of Bristol Bay

Yavapai-Prescott Indian Tribe

Yocha Dehe Wintun Nation

The Native American Rights Fund

The Native American Rights Fund (NARF) is the oldest and largest nonprofit legal organization defending and promoting the legal rights of Indian people on issues essential to their tribal sovereignty, natural resources, and human rights.

Since 1970, we have provided specialized legal advice and representation to Native American tribes and organizations on issues of major importance. Our early work was instrumental in establishing the field of Indian law. NARF—when very few would—steadfastly took stands for Indian religious freedom and sacred places, subsistence hunting and fishing rights, as well as basic human and civil rights. We continue to take on complex, time-consuming cases that others avoid, such as government accountability, voting rights, climate change, and the education of our children. We have assisted more than 300 tribal nations with critical issues that go to the heart of who we are as sovereign nations.

NARF's first Board of Directors developed priorities to guide the organization in its mission to preserve and enforce the legal rights of Native Americans. Those five priorities continue to lead NARF today:

- Preserve tribal existence
- Protect tribal natural resources
- Promote Native American human rights
- Hold governments accountable to Native Americans
- Develop Indian law and educate the public about Indian rights, laws, and issues

Under preserving tribal existence, NARF works to construct the foundations that empower tribes to live according to their traditions, enforce their treaty rights, insure their

independence on reservations, and protect their sovereignty. An adequate land base and control over natural resources are central components of economic self-sufficiency and self-determination, and are vital to the very existence of tribes. Thus, much of NARF's work involves protecting tribal natural resources. Although basic human rights are considered a universal and inalienable entitlement, Native Americans face the ongoing threat of having their rights undermined by the United States government, states, and others who seek to limit these rights. Under the priority of promoting human rights, NARF strives to enforce and strengthen laws that protect the rights of Native Americans to practice their traditional religion, use their languages, and enjoy their culture.

Contained within the unique trust relationship between the United States and Indian nations is the inherent duty for all levels of government to recognize and responsibly enforce the laws and regulations applicable to Indian peoples. Because such laws impact virtually every aspect of tribal life, NARF is committed to holding governments accountable to Native Americans. Developing Indian law and educating the public about Indian rights, laws, and issues is essential for the continued protection of Indian rights. This primarily involves establishing favorable court precedents, distributing information and law materials, encouraging and fostering Indian legal education, and forming alliances with Indian law practitioners and other Indian organizations.

Requests for legal assistance should be addressed to NARF's main office at 1506 Broadway, Boulder, CO 80302. NARF's clients are expected to pay what they can toward the costs of legal representation.

NARF Annual Report: This is NARF's major report on its programs and activities. The Annual Report is distributed to foundations, major contributors, certain federal and state agencies, tribal clients, Native American organizations, and to others upon request.

NARF Legal Review is published biannually by the Native American Rights Fund. There is no charge for subscriptions, however, contributions are appreciated.

Tax Status: The Native American Rights Fund is a nonprofit, charitable organization incorporated in 1971 under the laws of the District of Columbia. NARF is exempt from federal income tax under the provisions of Section 501(c)(3) of the Internal Revenue Code, and contributions to NARF are tax deductible. The Internal Revenue Service has ruled that NARF is not a "private foundation" as defined in Section 509(a) of the Internal Revenue Code.

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