

American Indian Declaration of Sovereignty

National Congress of American Indians

Thirty-First Annual Convention
San Diego, California
October 21 - 25, 1974

*A guarantee to the Aboriginal Tribes and nations those
inherent sovereign rights and powers of self-government
and self-determination afforded every sovereign nation of
the world*

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AMERICAN INDIAN DECLARATION OF SOVEREIGNTY

The National Congress of American Indians assembled at the Royal Inn in San Diego, California for the Thirty First Annual Convention during the period of October 21-25, 1974, hereby declares:

1. The Sovereign Aboriginal American Indian Nations and the United States of America, from time to time, subsequent to the year 1776 A.D., did negotiate and did enter into solemn treaties to exchange territorial rights for the mutual benefit and welfare of both parties to the negotiated treaties, and that,

2. The Sovereign Aboriginal American Indian Nations through said direct binding relations, whether written or implied by the sacred treaties, the Constitution of the United States of America, or by Executive, legislative, or judicial action, did believe and do hereby further declare that,

3. The Government of the United States of America in negotiating said solemn treaties, did recognize Aboriginal sovereignty and by its sacred honor, did agree to honor, preserve, protect and guarantee to other states and nations and to the Aboriginal Tribes and nations those inherent sovereign rights and powers of self-government and self-determination afforded every sovereign nation of the world, and

4. The government of the United States of America did accept an obligation to assume a Trust Responsibility to honor, enforce, preserve, protect, and guarantee, without interference, the inherent sovereign rights and powers of self-government to the recognized and specified Aboriginal American Indian Nations, and,

5. The government of the United States of America, by acceptance and assumption of Trust Responsibility, did obligate itself to provide and to establish the necessary Federal Governmental instrumentalities required to honor, enforce, preserve, protect, and fulfill the treaty obligations and the general constitutional obligations pursuant thereto, and

6. The government of the United States of America is, by the conditions of said treaties and other agreements, and by legislation, and by results of litigation, required to assist in the management, development, preservation, protection, and guarantee of sovereign status of all of the Exclusive rights of the Aboriginal American Indian Nations to their Aboriginal or Treaty Territorial Domain, to the assets of natural resources of the surface, subsurface, and above-surface, to include but not limited to, hunting, fishing rights, land, water, air, wild rice, minerals, and timber, and

7. The government of the United States of America is further required to insure adequate Federal facilities and services, to be staffed with sufficient professional and qualified technical personnel for Health, Education, Welfare, and personal services to be commensurate with the predominant society, and

8. The National Congress of American Indians hereby States that the Government of the United States of America, in performance and recognition of its treaty obligations and responsibilities, has Failed and Neglected:

a. To fully recognize inherent Aboriginal American Indian sovereignty and the rights and powers of self-government and self-determination, and

b. To provide and fulfill its Trust Obligations and Responsibilities to establish Independent Governmental Instrumentalities, free from conflicts of interest, to insure inherent rights and powers of self-government as guaranteed by the negotiated treaties with Aboriginal American Indian Nations, and

c. To honor, preserve, protect, and guarantee the Aboriginal American Indian Tribes and Nations' territorial integrity and other rights guaranteed by treaties which under article six of the Constitution of the United States of America is the supreme law of the land, and therefore,

9. The National Congress of American Indians *declares and hereby petitions* the Congress of the United States of America to initiate and implement immediate corrective legislation to:

a. Honor and recognize the sovereignty and rights of Aboriginal American Indian Tribes and Nations, whether they exist by treaty or non-treaty, and

b. Re-establish those independent Aboriginal American Indian Tribes and Nations which were terminated by executive order or legislative action without the consent of the Tribe or Nation, and

c. Establish a Single, Independent, Federal Governmental Instrumentality with Concurrence of the Majority of the Recognized Aboriginal American Indian Tribes and Nations, in order to implement and guarantee the treaty responsibilities and Trust Obligations of the United States of America under Article Six of the Constitution of Said Nation.

d. We, the assembled members of the National Congress of American Indians and of various tribes do hereby adopt this declaration and pledge our honor toward instituting its intent to the end that the Indian people shall enjoy the fruits of liberty, justice and the right to maintain their culture and religious heritage.

CERTIFICATION

At a duly called meeting of the National Congress of American Indians held in San Diego, California, on October 24, 1974, the foregoing declaration was passed by a unanimous vote for passage of said declaration.

[s] MEL TONASKET,
President.

[s] ERNEST L. STEVENS,
First Vice President.

[s] KATHERINE WHITEHORN,
Recording Secretary.