Violence Against Women Act Passes Senate with Increased Bipartisan Support for Tribal Provisions

Recent Senate votes on VAWA indicate clear support for constitutionality of local tribal authority

[Washington, DC] In a 78–22 vote today, the Senate passed the reauthorization of the Violence Against Women Act (VAWA) with a net gain of ten votes since last year’s vote on the comprehensive S.1925 VAWA reauthorization. Now with support of more than three-quarters of the Senate, the VAWA legislation heads to the House of Representatives and includes Title IX; the constitutionally sound tribal jurisdiction provisions authorizing tribal governments to prosecute non-Indian defendants involved in intimate relationships with Native women and who assault these victims on tribal land. Current federal laws do not authorize tribal law enforcement or tribal courts to pursue any form of prosecution or justice against these perpetrators.

The National Congress of American Indians (NCAI) is calling the recent votes on VAWA, including today’s bipartisan vote, a clear indication of agreement that the tribal provisions are constitutional, and equally as important, that a final VAWA must provide local tribal authorities the ability to pursue justice for Native women and protect local communities. On Monday the Senate defeated the constitutionality question by striking down an amendment offered by Senator Tom Coburn (OK) to strip the tribal provisions entirely from the bill.

“Today’s passage of the Violence Against Women Act in the Senate, and previous votes to defeat harmful amendments to the bill, sends a clear message to the House that a strong VAWA bill with the tribal provisions must be passed immediately. There is no reason for further delay. This is violence that cuts deep into the hearts of our community. Addressing violence against any women, including Native women, is a priority of all Americans, and the safety of both Native and non-Native communities should not be marginalized,” said Jefferson Keel, President of NCAI, from NCAI’s offices in Washington, DC.
“We look forward to members from both parties coming together to deliver real policy solutions that solve a problem, that if left unaddressed, would leave Native women and local communities in peril. Nothing could be more unimaginable or reprehensible,” Keel concluded.

The legislation heads to the House of Representatives now and while progress on the bill stalled last year, NCAI and its partners remain optimistic and encouraged that a strong VAWA Reauthorization with the tribal provisions will be passed.

“Women and men – Native and non-Native, Senators and Representatives from all backgrounds, and tribal leaders from across Indian Country have all spoken that these injustices must not continue. We intend to keep speaking from our heart and with the law by our side until a comprehensive VAWA is passed. And with the tribal provisions included,” added Juana Majel-Dixon, 1st Vice President of NCAI and the Co-chair of the organization’s Task Force on Violence Against Women. “We are thankful that there are strong leaders in both the House and Senate that have stood for the protections of Native women, regardless of party politics. Native women and our surrounding communities need justice not more obstructions to it – the only obstacle standing in the way is politics.”

Findings show that 34% of American Indian and Alaska Native women will be raped in their lifetimes* and 39% of American Indian and Alaska Native women will be subjected to violence by an intimate partner in their lifetimes**. According to the U.S. Census Bureau, 46% of people living on reservations in 2010 were non-Natives (single race) and 59% of American Indian women in 2010 were married to non-Native men***.

The NCAI Task Force on Violence Against Women was established in 2000 and has been working for thirteen years to protect the lives of Native American women and create more secure tribal communities.

** Centers for Disease Control. (2008). Adverse health conditions and health risk behaviors associated with intimate partner violence.
***US Census Bureau, Census 2010.

About The National Congress of American Indians (NCAI):
Founded in 1944, the National Congress of American Indians is the oldest, largest and most representative American Indian and Alaska Native organization in the country. NCAI advocates on behalf of tribal governments and communities, promoting strong tribal-federal government-to-government policies, and promoting a better understanding among the general public regarding American Indian and Alaska Native governments, people and rights. For more information visit www.ncai.org