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## Tribal Governance

Currently, 573 sovereign tribal nations (variously called *tribes*, *nations*, *bands*, *pueblos*, *communities*, and *Native villages*) have a formal nation-to-nation relationship with the US government. These tribal governments are legally defined as “federally recognized tribes.” Two-hundred-and-twenty-nine of these tribal nations are located in Alaska; the remaining tribes are located in 35 other states. In total, tribal governments exercise jurisdiction over lands that would make Indian Country the fourth largest state in the nation.

*“The Congress shall have the power to...regulate commerce with foreign nations, and among the several states, and with the Indian tribes.”*

*- Article 1, Section 8, United States Constitution*

Tribal governments are an important and unique member of the family of American governments. The US Constitution recognizes that tribal nations are sovereign governments, just like Canada or California.

*Sovereignty* is a legal word for an ordinary concept—the authority to self-govern. Hundreds of treaties, along with the Supreme Court, the President, and Congress, have repeatedly affirmed that tribal nations retain their inherent powers of self-government. These treaties, executive orders, and laws have created a fundamental contract between tribes and the United States.

Tribal nations ceded millions of acres of land that made the United States what it is today and, in return, received the guarantee of ongoing self-government on their own lands. The treaties and laws create what is known as the federal “trust responsibility,” to protect both tribal lands and tribal self-government, and to provide for federal assistance to ensure the success of tribal communities.

*“Indian Nations had always been considered as distinct, independent political communities, retaining their original natural rights, as the undisputed possessors of the soil... The very term “nation” so generally applied to them means ‘a people distinct from others.’”*

*- Chief Justice Marshall, United States Supreme Court*

Today, tribal governments maintain the power to determine their own governance structures, pass laws, and enforce laws through police departments and tribal courts.

Tribal governments provide multiple programs and services, including, but not limited to, social programs, first-responder services, education, workforce development, and energy and land management. They also build and maintain a variety of infrastructure, including roads, bridges, and public buildings.

State governments and tribal governments have a great deal in common, and established best practices in Tribal-State relationships ([/policy-issues/tribal-governance/state-tribal-relations](#)) result in there being far more cooperation at the local level than there is conflict.

The governmental status of tribal nations is at the heart of nearly every issue that touches Indian Country. Self-government is essential if tribal communities are to continue to protect their unique cultures and identities.

However, there are several obstacles to tribal self-governance based on three thematic areas that have been identified in recent years: (1) outmoded bureaucratic processes; (2) lack of federal agency coordination; and, (3) regulations and laws that prevent tribal governments from equitable access to federal programs on par with state and local governments

NCAI's current policy approach and capacity-building efforts focus on addressing those barriers. In partnership with tribes and key Native leaders across the country, we have identified an array of no-cost or low-cost opportunities for the Administration and Congress to reduce administrative burdens and recognize parity among tribal and state governments.