National Congress of American Indians | 1516 P St NW, Washington, DC 20005 | (202)[redacted] | www.ncai.org

March 15, 2025

Dr. Sethuraman Panchanathan
Director
National Science Foundation
2415 Eisenhower Avenue
Alexandria, VA 22314

Submitted electronically

RE: Response to Request for Information on the Development of an Artificial Intelligence (AI) Action Plan, 90 Fed. Reg. 9,088 (Feb. 6, 2025) (Docket No. NSF-2025-02305)

Dear Dr. Panchanathan,

The Networking and Information Technology Research and Development (NITRD) National Coordination Office (NCO), National Science Foundation (NSF), on behalf of the Office of Science and Technology Policy (OSTP), solicited input specifically from Tribal Nations on the Development of an Artificial Intelligence (AI) Action Plan.[1] We applaud NSF and OSTP for proactively seeking the input of Tribal Nations and recognizing that the 574 federally recognized Tribal Nations can both benefit from AI and play a vital role in advancing America's leadership in this field.

Founded in 1944, the National Congress of American Indians (NCAI) is the oldest, largest, and most representative organization dedicated to advancing the interests of American Indian/Alaska Native (AI/AN) Tribal Nations and communities. NCAI established the Institute for Environmental Sovereignty (IES) to, among other things, safeguard Indigenous cultural heritage and advance innovative Indigenous-led approaches to environmental protection. Along with other units of NCAI that address AI issues in Indian Country, IES investigates how critical technologies like artificial intelligence (AI) can enhance Tribal environmental management, addressing both the opportunities and challenges related to sovereignty and cultural relevance. The Center for Tribal Digital Sovereignty (the Center) is the nation's first

[1] 90 Fed. Reg. 9,088 (Feb. 6, 2025) ("OSTP and NITRD NCO seek input from the public, including from academia, industry groups, private sector organizations, state, local*, and tribal governments*, and any other interested parties, on priority actions that should be included in the Plan.") (emphasis added).

center dedicated to helping Tribal governments navigate digital sovereignty, offering resources and expertise to assert Tribal rights in the digital age.[2] The NCAI Technology Task Force plays a key role in shaping AI policies by advocating for solutions that make AI technologies accessible and beneficial to Tribal communities while upholding and respecting their sovereignty.

NCAI's Tribal government members established a clear position on Tribal digital sovereignty through multiple resolutions, including NC-24-008[3] "Supporting Tribal Digital Sovereignty as an Exercise of Self-Determination," which builds upon previous resolutions PDX-11-034[4], ANC-22-010[5], SAC-22-016[6], and SAC-22-026[7]. These resolutions collectively assert:

1. Tribal Nations possess inherent sovereign rights to enforce their digital sovereignty standards on AI data usage.
2. AI technologies must not circumvent Tribal Nation data collection protocols or violate Tribal sovereignty principles.
3. All data collection, management, and ownership regarding Tribal communities must comply with standards established by Tribal laws and policies, including safety, security, and resiliency requirements.
4. Tribal Nations maintain authority to:
    - Determine parameters and scope of data collection
    - Assert ultimate ownership over data collected from their citizens
    - Require non-Tribal entities to comply with Tribal law, protocols, and digital standards
5. As sovereigns, Tribal Nations have rights to determine ownership, access, use, and management of data derived from their citizens, including demographic, anthropological, archaeological, environmental, public

[2] The Center for Tribal Digital Sovereignty is a collaborative partnership entity of the National Congress of American Indians and the American Indian Policy Institute at the Sandra Day O'Connor College of Law at Arizona State University, https://aipi.asu.edu/ctds (last visited March 10, 2025).

[3] See NCAI Resolution #NC-24-008 (June, 2024), https://ncai.assetbank-server.com/assetbank-ncai/action/viewAsset?id=5502&index=0&total=534&view=viewSearchItem ("calling upon Federal, State, and local governments to recognize Tribal Digital Sovereignty and its crucial role in modern Tribal self-governance")

[4] See NCAI Resolution #PDX-11-034 (November, 2011), https://ncai.assetbank-server.com/assetbank-ncai/action/viewAsset?id=1129 ("supporting federal communications policy reform to strengthen American Indian and Alaska Native self-determination").

[5] See NCAI Resolution #ANC-22-010 (June, 2022), https://ncai.assetbank-server.com/assetbank-ncai/action/viewAsset?id=1976 ("calling on the Federal Communications Commission (FCC) to respect Tribal data sovereignty regarding broadband data in the Broadband Data Collection Portal").

[6] See NCAI Resolution #SAC-22-016 (November, 2022), https://ncai.assetbank-server.com/assetbank-ncai/action/viewAsset?id=3141&index=0&total=1000&view=viewSearchItem ("supporting Tribes exercising their inherent sovereign authority over the activities and data of their businesses, citizens, and jurisdiction online; and recognizing Tribal data sovereignty and jurisdiction online").

[7] NCAI Resolution #SAC-22-026 (November, 2022), https://ncai.assetbank-server.com/assetbank-ncai/action/viewAsset?id=3150&index=0&total=1000&view=viewSearchItem (Stating that "all decisions involving the collection, management, and ownership of data taken from Tribal communities must adhere to standards, including those ensuring safety, security, and resiliency needs, set forth by Tribal laws and policies").

health, genomic, medical, and traditional knowledge data, as well as proxy data and data obtained through third-party AI tools.

6. When a Tribal Nation lacks specific data governance laws, non-Tribal entities must:
    - Obtain formal, enforceable Tribal consent early in the research process
    - Provide ongoing opportunities for Tribal input throughout data collection efforts
    - Respect Tribal authority throughout the applicable data lifecycle
    - Uphold Tribal rights to refuse/withdraw consent and participation (including data removal)

In response to NSF's solicitation for input on the AI Action Plan, we identify several opportunities for federal policy on AI to leverage Tribal Nations' unique contributions while fulfilling the U.S. government's trust responsibility to Tribal Nations. The unique political and legal relationship that Tribal Nations share with the United States is rooted in the inherent sovereignty of Tribal Nations, recognized in the U.S. Constitution, treaties, and many federal statutes, regulations, and policies.[8] The U.S. Supreme Court has consistently recognized and upheld the distinct legal and political status of Tribal Nations and their citizens and communities. This important and enduring federal trust relationship and responsibility, also based in federal Indian law, treaties, statutes, and court decisions, forms the basis of the following recommendations in support of advancing U.S. interest in and dominance of AI and other emerging technologies so critical to our national security and economic prosperity.[1] NCAI offers the following recommendations in response to NSF's request and stated commitment to respect the sovereignty and self-governance of American Indian/Alaska Native Tribal Nations.[1]

[8] *Morton v. Mancari*, 417 U.S. 535, 553, n. 24 (1974) (BIA employment preference for qualified Indians "is political, rather than racial in nature"). Any misclassification of AI policies and programs as "DEI" would severely undermine the federal trust responsibility and have a wide-ranging negative impacts both on Tribal Nations and those programs.

Table of Contents

Overarching Recommendations:

In alignment with Executive Order 14179's goal of removing barriers to American leadership in AI, NCAI offers recommendations that will ensure AI policies recognize and uphold Tribal Nations' digital sovereignty, self-determination, and data governance rights. The Center for Tribal Digital Sovereignty is poised to serve as a vital resource for the Office of Science and Technology Policy (OSTP) and the National Science Foundation, should our goals align in implementing these recommendations. To further advance these goals, NCAI proposes the following nine actionable policy recommendations for the AI Action Plan:

A. Recognize Tribal Digital Sovereignty to Protect Tribal Rights in AI Policy

"Digital Sovereignty" refers to Tribal Nations' inherent right to control their digital assets, data, and technological infrastructure. The amicus brief of NCAI and the Confederated Salish and Kootenai Tribes in the *Alario* case (attached) provides an expert and comprehensive expression of Tribal Digital Sovereignty, highlighting how Montana's TikTok ban infringed upon Tribal sovereignty and jurisdiction.[9] This case emphasizes the importance of clear legal recognition of Tribal data governance rights. As summarized on page 2 of these Comments, NCAI has adopted formal resolutions that both recognize Tribal sovereignty over data in digital spaces and protect data sovereignty against irresponsibly designed AI tools that bypass Tribal Nations' established data protocols.[10]

The collection and use of data from Indian Country through administrative processes, such as federal grant applications, raises significant concerns. Routine data collection—like mapping and household demographics—can lead to intrusive surveillance of Tribal communities when processed by AI systems. Federal agencies, as well as any associated parties such as grantees and contractors, must be mandated to obtain explicit Tribal consent for any data utilized in AI development. Policies should absolutely prohibit the secondary use of administratively collected Tribal data for AI training without the prior informed and obtained consent from affected and involved Tribal Nations.

Furthermore, Resolution #NC-24-008[11] supports the recognition of this sovereignty, which would remove barriers such as legal complexities, data misuse concerns, and limited resources hindering Tribal participation in AI development. Strengthening data sovereignty protections builds trust and enhances the AI ecosystem. We see a powerful example in the European Union's General Data Protection Regulation (GDPR), which fosters accountability and promotes a secure, transparent AI landscape. Policy actions include:

---

[9] Searle, J., & Wright, B. M. (2024). Brief of amici curiae Confederated Salish and Kootenai Tribes, a federally recognized Indian Tribe, and the National Congress of American Indians in support of plaintiff-appellees (No. 24-34). United States Court of Appeals for the Ninth Circuit. Native American Rights Fund. Retrieved from https://narf.org/nill/documents/20240507alario-knudsen-amicus-brief.pdf (last visited March 10, 2025)

[10] See NCAI Resolution #ANC-14-015 (October, 2014), https://ncai.assetbank-server.com/assetbank-ncai/action/viewAsset?id=2386&index=0&total=534&view=viewSearchItem ("calling on Congress to establish formal recognition of Tribal sovereignty and Tribal consultation in the Communications Act")

[11] See NCAI Resolution #NC-24-008 (June, 2024), https://ncai.assetbank-server.com/assetbank-ncai/action/viewAsset?id=5502&index=0&total=534&view=viewSearchItem ("calling upon Federal, State, and local governments to recognize Tribal Digital Sovereignty and its crucial role in modern Tribal self-governance")

1. Establishing clear federal guidelines recognizing Tribal data governance rights
2. Establishing clear, consent-driven processes for Tribal governments to manage how their data is used in AI development, ensuring robust protections against unauthorized use and upholding Tribal Nations' authority over their digital assets
3. Providing legal clarity on intellectual property protections for Tribal data and knowledge[12,13]

B. Address Limited Tribal Data Representation to Improve AI Systems

Each Tribal Nation possesses unique characteristics, with inherent dissimilarities between and among the 574 federally recognized Tribal Nations. While AI systems learn from massive amounts of data, the contribution of data from Indian Country is markedly small, limiting the accuracy and effectiveness of AI applications.[14] An analogy would be extrapolating from a limited dataset on the seventeenth- and eighteenth-century Dutch Republic to make broad assumptions that modern European culture, from Norway to Greece, is characterized by windmills, tulip fields, and *klompen*.

The use of AI is fundamentally suspect when representing Native peoples, consistently misrepresenting Tribal Nations' rich cultural patrimony without proper context or consent.[15] Google Gemini's high-profile failures demonstrate how even well-meaning companies go catastrophically wrong without Tribal Nations' active involvement in AI development.[16] These failures harm America's cultural heritage and lead to significant economic costs. For example, project delays can result in millions of dollars in lost revenue and hinder technological advancements. Additionally, consumer backlash—such as negative public reactions to companies that mishandle sensitive data—can damage a company's reputation and lead to stock devaluation. These effects extend to all Americans, causing market inefficiency, eroding trust in technology, and burdening taxpayers with the cost of remediation efforts. Policy actions include:

1. Supporting data collection initiatives that properly represent Tribal diversity[17,18]
2. Establishing standards for detecting and mitigating AI misrepresentations of Tribal communities

---

[12] Anderson, J. (2016). Indigenous knowledge and intellectual property rights. In C. Lennox & D. Short (Eds.), Handbook of indigenous peoples' rights (pp. 171–183). Routledge.

[13] First Nations Information Governance Centre. (2016). The First Nations principles of OCAP®. Journal of Aboriginal Health, 23(1), 53–56.

[14] Couldry, N., & Mejias, U. A. (2019). Data colonialism: Rethinking big data's relation to the contemporary subject. Television & New Media, 20(4), 336–349. https://doi.org/10.1177/1527476418796632

[15] Asia Indigenous Peoples Pact (AIPP). (2023, May 29). Indigenous Peoples: AI is inherently ridden with algorithm bias and poisoned data. Forus. Retrieved March 11, 2025, from https://www.aippnet.org/indigenous-peoples-ai-algorithm-bias-poisoned-data

[16] Titcomb, J. (2024, February 21). Google chatbot ridiculed for ethnically diverse images of Vikings and knights. The Daily Telegraph. Retrieved March 11, 2025, from https://www.telegraph.co.uk/business/2024/02/21/google-chatbot-ethnically-diverse-images-vikings-knights/

[17] Rodriguez-Lonebear, D. (2016). Building a data revolution in Indian Country. In T. Kukutai & J. Taylor (Eds.), Indigenous data sovereignty: Toward an agenda (pp. 253–260). University of Arizona Press.

[18] Rainie, S. C., et al. (2019). Indigenous data sovereignty. In T. Davies, et al. (Eds.), The state of open data: Histories and horizons (pp. 300–307). African Minds.

3. Developing frameworks for ethically incorporating Tribal perspectives in AI training data[19]
4. Creating oversight mechanisms to evaluate AI systems that purport to represent Native peoples
5. Requiring Tribal experts to review AI applications to verify historical accuracy, proper context, and appropriate representation before deployment in systems affecting Tribal communities[20]

C. Strengthen Tribal Consent Processes for Efficient Data Utilization

Uncertainty around proper Tribal data usage by researchers, companies, and agencies hinders innovation while risking unauthorized access to sensitive information. Clear authorization processes would accelerate AI development while protecting Tribal rights. NCAI Resolution #SAC-22-026[21] specifically addresses how emerging technologies like AI can "circumvent Tribal data collection protocols" without proper consent. The Resolution highlights concern about automated systems extracting data from Tribal citizens without ensuring they have a clear understanding of future uses of that data—directly violating fundamental American principles of property rights, informed consent, and self-determination.

There are valid concerns about federal agencies or private entities developing AI systems that appropriate data belonging to Tribal Nations. This is an abomination and should be expressly prohibited. These practices can constitute copyright infringement or unauthorized collection. Unauthorized harvesting of Tribal data—such as traditional knowledge, cultural expressions, and community-generated content—violates Tribal sovereignty and intellectual property rights. NCAI wishes to inform the federal partners involved in AI that Tribal Nations would likely treat such actions like any other violative theft, and would likely avail themselves of all governmental and legal means of protecting themselves, their communities, and citizens in such situations.

Thus, the AI Action Plan should include strong provisions prohibiting the scraping, mining, or other non-consensual extraction of Tribal data for AI development, along with effective enforcement mechanisms that impose civil and criminal penalties for violations. Policy actions include:

1. Developing standardized, efficient consent protocols grounded in best practices for Indigenous Data Governance
2. Establishing clear prohibitions against repurposing data collected from Tribal communities intended for grant administration or determining program eligibility, for AI training or development without explicit, informed consent from relevant Tribal governments
3. Developing secure data sharing frameworks that protect sensitive information while enabling innovation, such as the National Institutes of Health's (NIH) All of Us secure data enclave model (which NCAI Resolution #ABQ-19-061[22] identified as requiring Tribal oversight) and monitored computing

[19] Whittaker, M., et al. (2018). AI Now Report 2018. AI Now Institute. https://ainowinstitute.org/wp-content/uploads/2023/04/AI_Now_2018_Report.pdf

[20] Harding, A., et al. (2012). Conducting research with tribal communities: Sovereignty, ethics, and data-sharing issues. Environmental Health Perspectives, 120(6), 6–11. https://doi.org/10.1289/ehp.1103904

[21] See NCAI Resolution #SAC-22-026 (June, 2022), https://ncai.assetbank-server.com/assetbank-ncai/action/viewAsset?id=266&index=0&total=721&view=viewSearchItem ("Preventing Evasion of Tribal Nation Data Sovereignty in the Health Research Sector by Means of Technological Modernization in an Unsettled Regulatory Frontier").

[22] See NCAI Resolution #ABQ-10-061 (October, 2019), https://ncai.assetbank-server.com/assetbank-ncai/action/viewAsset?id=266&index=0&total=721&view=viewSearchItem ("Calling on the National Institutes of Health to

environments like those described in the *AI Now Report* that restrict data extraction while enabling collaborative research

4. Establishing expedited review processes for AI projects with Tribal data components that respect tribe-specific protocols while utilizing common frameworks developed by the Center for Tribal Digital Sovereignty to accelerate responsible innovation

D. Enhancing and Prioritizing Government-to-Government Consultation with Tribal Nations

Slow-moving, inefficient, and often stonewalling federal bureaucracies create significant barriers for Tribal Nations to engage in meaningful consultation, leading to delays and poorly planned projects that often end in litigation. Enhancing and providing top prioritization of these processes would accelerate AI deployment, respect Tribal sovereignty, and reduce costly legal disputes. Policy actions include:

1. Creating dedicated fast-track consultation channels for AI initiatives that build upon established consultation frameworks[23]
2. Establishing clear timelines for Tribal input on AI policies consistent with government-to-government relationship principles
3. Developing efficient dispute resolution mechanisms for AI-related concerns, inspired by models like the Native American Rights Fund's (NARF) integration of traditional practices with legal frameworks and the GDPR, ensuring culturally relevant, sovereign solutions to technology conflicts[24]

E. Overcome Barriers to AI Adoption by Investing in Strategic Infrastructure Development in Indian Country

Investing in AI infrastructure in Indian Country offers a transformative opportunity to empower Tribal Nations while strengthening U.S. AI competitiveness. With one in three Native Americans lacking reliable internet access and Tribal businesses serving as some of the largest employers in rural areas, AI infrastructure can bridge significant gaps in connectivity, job creation, and economic growth.[25] However, it is critical to prioritize responsible siting of data centers and AI-related facilities, as these can have negative environmental impacts, including excessive water

---

Consult with Tribal Nations and Establish Policies and Guidance for Tribal Oversight of Data on Tribal Citizens Enrolled in the All of Us Research Program").

[23] Carroll, S. R., Rodriguez-Lonebear, D., & Martinez, A. (2019). Indigenous data governance: Strategies from United States Native Nations. *Data Science Journal, 18*, 31–43. https://doi.org/10.5334/dsj-2019-031

[24] European Parliament & Council of the European Union. (2016). *Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data*. Official Journal of the European Union, L 119, 1–88. https://gdpr-info.eu/

[25] Mejía, D. (2024, June 18). American Indian and Alaska Natives in Tribal Areas Have Among the Lowest Rates of High-Speed Internet Access. U.S. Census Bureau. https://www.census.gov/library/stories/2024/06/american-indian-and-alaska-natives-in-tribal-areas-have-among-lowest-rates-of-high-speed-internet-access.html

and land use, and high energy consumption, which could place unnecessary strain on Tribal resources.[26] Early Tribal input in planning is essential to address these concerns and prevent legal delays. By integrating sustainable practices from the outset and aligning with Tribal values and long-term stewardship of natural resources, these projects can minimize negative impacts and ensure these resources are safeguarded.

Like the many internet and technology-based economies in our nation and worldwide, AI-driven businesses could be a "game changer" in the maze of geopolitical and socioeconomic challenges of Tribal economies. Tribal governments are often hampered by limited taxing authority, reducing revenue that could be reinvested to support aspiring entrepreneurs and Tribal start-ups. By fostering AI-driven industries, Tribal Nations can gain control over their own data and resources, creating jobs, stimulating local economies, and unlocking significant economic potential. This approach can help establish a sustainable path to economic self-sufficiency, benefiting both Tribal Nations and the broader national AI ecosystem. Policy actions include:

1. Allocating resources for high-speed connectivity in Tribal communities, addressing documented connectivity gaps[27]
2. Creating public-private partnerships for AI computing infrastructure in underserved Tribal areas
3. Establishing Tribal data centers that contribute to national AI capabilities while preserving Tribal control over data, with enhanced consent framework, respect for sovereignty, and public-private partnership support

F. Implement Efficient Cultural Protection Mechanisms

The widespread and comical technological cultural appropriation and stereotyping of American Indian and Alaska Native cultures, traditions, and knowledge is simply shameful. Protecting Indigenous Knowledge (IK) enhances the integrity and distinctiveness of American AI innovation by integrating diverse cultural perspectives, ethical principles, and sustainable practices deeply rooted in Indigenous traditions. This approach not only enriches AI development but also ensures that technologies are more holistic and inclusive, reflecting the strength of America's diverse history and culture. By weaving together Indigenous wisdom with cutting-edge technology, we promote both cultural preservation and a more robust, innovative AI ecosystem. Policy actions include:

1. Developing guidelines for classifying sensitive cultural information based on research protocols, aligned with the American Indian Religious Freedom Act (AIRFA) to protect Indigenous knowledge and uphold values of freedom, cultural heritage, and religious rights in AI innovation
2. Creating secure repositories for authorized cultural data that follow sovereignty principles
3. Establishing protocols for cultural attribution in AI that uphold Indigenous knowledge ownership, ensure proper compensation, and treat IK as intellectual property, preventing exploitation and theft by the less scrupulous tech companies while encouraging those that follow these ethical principles

[26] Luccioni, S. (2024, December 18). Generative AI and climate change are on a collision course. WIRED. https://www.wired.com/story/true-cost-generative-ai-data-centers-energy/

[27] Federal Communications Commission. (2019). *Report on broadband deployment in Indian country, pursuant to the Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018*. Federal Communications Commission.

G. Support Strategic Tribal Workforce Development

Expanding the AI-skilled workforce is critical to American competitiveness. Tribal communities represent a valuable talent resource, with Native leaders such as Mason Grimshaw and Michael Running Wolf already making strides in fields like computer science and artificial intelligence. This demonstrates the immense potential for American AI dominance.[28] Indian gaming operations have developed and platformed a skilled professional class with expertise in cybersecurity and IT infrastructure who possess valuable skills in network security, data protection, and regulatory compliance.[29] There is a significant opportunity to enhance these capabilities to address broader Tribal Digital Sovereignty issues, such as AI implementation and data governance. Investing in upskilling this talent pool could strengthen Tribal Nations' digital sovereignty and contribute to technological advancement in the U.S. Policy actions include:

1. Investing in targeted STEM education in Tribal communities, addressing documented technology gaps
2. Creating apprenticeship programs connecting Tribal citizens with AI industries to build capacity
3. Developing specialized training programs to expand the expertise of existing Indian gaming IT professionals into broader digital sovereignty applications
4. Establishing pathways for Tribal AI entrepreneurs to access capital and markets based on successful models in Tribal technology development

H. Develop Balanced Regulatory Approaches

Overly restrictive regulations on AI development risk hampering innovation. A balanced approach would protect legitimate Tribal interests while enabling technological advancement. Policy actions include:

1. Creating regulatory zoning or "sandboxes" for AI projects led by Tribal Nations, utilizing Tribal data and addressing community needs to foster innovation, support Tribal businesses with grants, stimulate economic growth, and increase federal funding for Tribal Nations and Tribal Colleges and Universities, ensuring high return of investment (ROI)
2. Establishing clear safe harbors for responsible AI development that safeguards Tribal data sovereignty
3. Developing proportional enforcement mechanisms that protect innovation while addressing documented AI risks

I. Incorporate Tribal Security Considerations in National Defense

Tribal lands and data represent strategic national assets, including resources like energy, critical minerals, water rights, biodiversity, and unique cultural knowledge. Incorporating them into security frameworks strengthens America's overall AI resilience. Policy actions include:

[28] Grimshaw, M., Running Wolf, M., & IndigiGenius Team. (2023). Lakota AI Code Camp. IndigiGenius. Retrieved March 11, 2024, from https://www.lakotaai.org

[29] Thompson, O. (2019). Tribal gaming and educational outcomes in the next generation. Journal of Policy Analysis and Management, 38(3), 629-652. https://doi.org/10.1002/pam.22129

1. Establishing government-to-government partnerships that respect Tribal sovereignty while addressing shared security concerns
2. Developing collaborative cybersecurity initiatives with Tribal governments[30]
3. Creating information-sharing protocols for threat detection and response consistent with Tribal data governance strategies[31]

Conclusion:

These approaches will help the federal government meet its trust responsibility while promoting technological advancement and economic competitiveness as outlined in Executive Order 14179. The recommended policy actions aim to enhance America's global leadership in AI by removing barriers to Tribal Nation participation, expanding the nation's AI capabilities, and unlocking innovations that draw on the talents of a bright Native workforce and Indigenous knowledge.

We do not support unchecked AI development; rather, we insist that Tribal Nations must have meaningful influence in shaping and governing AI technologies. This is not about compromise, but about ensuring that any technological advancement fully respects and protects tribal sovereignty, cultural heritage, and data rights. Such protection fulfills the United States' non-negotiable obligations under federal trust responsibility and treaty commitments. By eliminating participation barriers, we enable Tribal Nations to engage with AI according to their values, advancing innovation while preserving their sovereign rights.

NCAI, through its Center for Digital Sovereignty and Institute for Environmental Sovereignty, is committed and ready to work with the Trump Administration to develop an AI Action Plan that strengthens America's position as the global AI leader while ensuring that the 574 federally recognized Tribal Nations, and their institutions, communities, and citizens can fully participate in and benefit from AI innovation.

Respectfully,

Larry Wright, Jr.
Executive Director
National Congress of American Indians

NOTE: This document is approved for public dissemination. The document contains no business-proprietary or confidential information. Document contents may be reused by the government in developing the AI Action Plan and associated documents without attribution.

---

[30] See NCAI Resolution #DEN-18-012 (December, 2018), https://archive.ncai.org/resources/resolutions/support-for-tribal-nations-access-to-cyber-security-services-and-funding ("Support for Tribal Nations' Access to Cyber Security Services and Funding").

[31] First Nations Information Governance Centre. (2014). *Ownership, control, access and possession (OCAP™): The path to First Nations information governance*. The First Nations Information Governance Centre.