



Citizens and Nations: Native Americans in Modern America

Citizenship, Sovereignty, Casinos, and the Continuing Struggle for Self-Determination

Native Americans occupy a distinctive place in American public life. They are U.S. citizens, entitled to the rights and protections of citizenship. Many are also citizens of tribal nations whose governments existed long before the United States. Understanding that dual political identity helps explain subjects that often confuse outsiders: tribal sovereignty, treaty rights, federal services, taxation, and Native-owned casinos.

These arrangements did not all originate with the granting of U.S. citizenship. Some reflect rights Native nations retained when they relinquished enormous territories; others arise from federal laws or the government's responsibilities toward tribes. They are not simply a collection of privileges awarded to people because of their ancestry.

Citizenship in 1924—But Equality Came More Slowly

On June 2, 1924, the Indian Citizenship Act extended U.S. citizenship to Native Americans born within the United States who were not already citizens. Many had previously acquired citizenship through other laws or arrangements. The act did not require them to abandon tribal citizenship, nor did it extinguish their rights to tribal property.

Citizenship, however, did not immediately produce equal access to the ballot. States continued to use residence requirements, guardianship arguments, and other restrictions to exclude Native voters. Arizona and New Mexico did not remove major barriers until 1948, and voting-rights struggles continued afterward. Native veterans who had served overseas returned to communities where their right to vote was still contested. [National Archives: The American Indian Fight for the Vote](#)

Today, Native Americans possess the same basic rights of U.S. citizenship as other Americans: voting, seeking public office, receiving constitutional protections, and participating in public programs when they meet the applicable qualifications. Tribal citizenship adds another political relationship; it does not replace American citizenship.

Are Tribes Sovereign Nations?

Yes—but tribal sovereignty is not the same as the complete independence of a foreign country.

The Bureau of Indian Affairs' January 2026 directory lists **575 federally recognized tribes**, including Alaska Native villages. These are distinct political communities, not branches of a single Native American government. Their histories, populations, territories, languages, and governmental systems differ substantially. [BIA: Tribal Leaders Directory](#)

Tribal sovereignty means a retained right of self-government. Depending on the applicable law, tribes can establish governments, determine citizenship, operate courts and police departments, regulate activities on their lands, levy taxes, and manage public services. These powers were not created by the citizenship act of 1924.

Nevertheless, tribal nations operate within the United States and are subject to federal law. Congress has extensive authority over Indian affairs, and court decisions have restricted certain tribal powers. State authority varies with the issue and location. Reservations are therefore neither independent foreign countries nor places where American law disappears. [BIA: Frequently Asked Questions](#)

Tribal Citizenship Is More Than Ancestry

Having Native American ancestry does not automatically make someone a citizen of a federally recognized tribe. Each tribe establishes its own enrollment requirements. Some emphasize descent from people listed on historical tribal rolls; others also use blood-quantum requirements or additional criteria. A commercial DNA test does not, by itself, establish tribal citizenship.

Federal recognition is also distinct from cultural identity. Some Native communities have state recognition or no formal recognition, but that does not erase their histories. It does affect their legal relationship with Washington and their eligibility for particular federal programs. Nor must a tribal citizen live on a reservation to remain connected to a tribal nation. [BIA: Tribal Membership and Federal Recognition FAQs](#)

Treaty Rights Are Obligations, Not Favors

Many rights described as “special privileges” are better understood as treaty commitments or retained rights. When Native nations ceded land, some expressly preserved fishing, hunting, gathering, or other rights. Those rights may extend beyond present reservation boundaries, depending on the treaty and subsequent law.

They are not a universal exemption allowing every Native person to hunt or fish anywhere. Their scope depends on the particular nation, agreement, location, and legal framework. From a tribal perspective, honoring them is not preferential treatment; it is fulfilling an agreement under which the United States obtained land and resources. [BIA: Rights Different from Those of Other Citizens](#)

The federal government also has a trust responsibility toward tribes, grounded in treaties, statutes, and other law. That relationship helps explain federal involvement in tribal lands, resources, and services. However, the specific obligations—and whether a particular obligation can be enforced in court—depend on the governing law. Health services, for example, rest on a combination of treaty relationships and federal legislation, not merely on the 1924 citizenship act. [Indian Health Service: Basis for Health Services](#)

What Federal Services Are Available?

Depending on eligibility, Native Americans may receive services through the Indian Health Service, tribal health systems, educational assistance, housing programs, and other initiatives. These operate alongside programs such as Social Security, Medicare, Medicaid, and veterans’ benefits, for which Native Americans qualify under the applicable rules.

But there is no universal package providing every Native American with a free house, a college education, unlimited medical care, and a monthly federal check. Eligibility and assistance vary by program, and appropriations constrain what agencies can provide.

Health care illustrates the distinction. The Indian Health Service is a health-care delivery system, not an insurance policy guaranteeing payment for every medical need. Care outside its facilities can involve separate eligibility requirements, referral procedures, and funding limitations. Having access to an IHS or tribal clinic therefore does not necessarily mean having comprehensive access to specialists or nearby hospital care. [Indian Health Service: Patient FAQs](#)

Do Native Americans Pay Taxes?

Generally, yes. Native Americans ordinarily pay federal income taxes on wages and other taxable income, just as other Americans do. Specific exemptions exist, but there is no blanket exemption based on Native ancestry or tribal citizenship. State taxation is more complicated and can depend on tribal membership, residence, where income is earned, and the relevant law. [IRS: Federal Taxes and Tribal Members](#)

Tribal governments have a different tax status from individual members. Their governmental income generally is not subject to federal income tax, but that does not exempt every transaction or employee. Cash distributions of casino revenue to tribal members generally are subject to federal income tax. The distinction is between government and individual taxation—not between Native people who supposedly pay nothing and everyone else. [IRS: Tribal Governments and Individual Tax Obligations](#)

Why Are There Tribal Casinos?

Tribal casinos are among the most visible expressions of modern tribal economic self-government. They are generally tribal enterprises, not simply commercial casinos receiving a Native American endorsement.

The modern industry grew out of tribal efforts to generate revenue, including bingo operations, and legal disputes over state regulation. Congress established the principal federal framework through the **Indian Gaming Regulatory Act of 1988**, commonly called IGRA. Gaming operates through a combination of tribal regulation, federal oversight, and—for many casino games—agreements with states. [National Indian Gaming Commission: History](#)

The law distinguishes among traditional or small-scale social games, bingo and certain related games, and casino-style gambling such as slot machines and blackjack. The last category generally requires a tribal-state compact approved through the federal process, or another authorized federal procedure. Gaming must also occur on legally eligible Indian lands. A tribe cannot simply purchase any property and automatically open a casino there. [Indian Gaming Regulatory Act](#)

Where Does Casino Revenue Go?

Federal law restricts the purposes for which tribal gaming net revenue may be used. These include operating tribal government, supporting members' welfare, promoting economic development, making charitable contributions, and helping local government agencies. Revenue can therefore support schools, health services, housing, roads, public safety, and investments in other businesses. [Indian Gaming Regulatory Act](#)

Some tribes also make direct, per-person payments to members. Such distributions require an approved revenue-allocation plan; they are not an automatic feature of tribal citizenship. [National Indian Gaming Commission: Frequently Asked Questions](#)

The success of a prominent casino should not be mistaken for the financial condition of Native America as a whole. Some tribes have no gaming enterprise, and casino markets differ greatly. Gross receipts also are not the same as profits available after operating costs and debt payments. A successful tribal business does not erase treaty obligations, any more than a prosperous American city loses its legal rights because its economy improves.

From Federal Control Toward Self-Determination

Modern tribal policy reflects a long struggle over who should make decisions for Native communities. Federal policies have alternated between recognizing tribal government and attempting to weaken or eliminate it. The termination policies of the mid-twentieth century sought to end federal relationships with selected tribes, while relocation initiatives encouraged Native people to move to cities.

The Indian Self-Determination and Education Assistance Act of 1975 marked a major shift toward allowing tribes to administer programs previously managed by federal agencies. Subsequent self-governance legislation expanded that approach. The underlying principle was straightforward: Native communities should have a greater role in determining how their own services operate. [BIA: Federal Policy and Self-Governance](#)

Public Safety and the Limits of Sovereignty

Public safety exposes the practical limits of tribal authority. Depending on the location, offense, and identities of those involved, a crime may fall under tribal, federal, or state jurisdiction. These overlapping responsibilities can complicate investigations and accountability.

Tribal criminal jurisdiction over non-Native defendants has historically been sharply restricted. Congress has restored authority in defined circumstances: the 2013 and 2022 reauthorizations of the Violence Against Women Act allow participating tribes meeting statutory requirements to prosecute certain crimes committed by non-Native people. The expanded categories include specified offenses involving sexual violence, stalking, child violence, and other conduct. These powers carry procedural requirements and do not amount to unrestricted jurisdiction over every offense. [Justice Department: VAWA and Tribal Jurisdiction](#)

For communities confronting violence and missing or murdered Indigenous people, sovereignty is therefore more than a constitutional concept. It concerns whether local authorities have the resources and legal power to protect residents.

Children, Culture, and the Right to Continue as a People

The protection of Native children is closely connected to the survival of tribal nations. Congress enacted the Indian Child Welfare Act in 1978 in response to the widespread separation of Native children from their families and communities. It establishes protections in covered child-custody proceedings and gives tribes an important role. Its application depends on statutory criteria, not simply a claim of distant ancestry.

In 2023, the Supreme Court rejected major challenges to the law in *Haaland v. Brackeen*, leaving its core framework in place. For tribes, these protections concern both individual children and the future of communities whose family ties were repeatedly disrupted by government policies.

[Justice Department: Haaland v. Brackeen](#)

Cultural recovery also includes the return of ancestors' remains and sacred belongings. The Native American Graves Protection and Repatriation Act establishes processes for covered museums and federal agencies to return human remains and specified cultural items to eligible descendants, tribes, and Native Hawaiian organizations. Such returns recognize that these are not merely scientific specimens or collectible artifacts. [National Park Service: NAGPRA](#)

Land, Water, and Economic Opportunity

Land and water remain central modern issues. A recognized water right is not necessarily the same as a functioning household water system. Tribal water settlements seek to resolve rights and support supplies serving domestic, economic, and cultural needs. Their implementation can require extensive negotiations and infrastructure investment. [BIA: Indian Water Rights Settlements](#)

Broader debates concern housing, reliable utilities, employment, education, environmental protection, and the management of natural resources. Communities do not always agree about the best path forward. Economic development can offer jobs and revenue while raising questions about land use, cultural responsibilities, and long-term environmental costs.

Nor should Native life be viewed exclusively through reservations or casinos. Native Americans live in cities, suburbs, rural communities, and tribal homelands. They participate in every part of national life while maintaining widely varying relationships with their nations, languages, and traditions.

The Continuing Meaning of Sovereignty

Native Americans' modern legal position rests on several foundations: individual citizenship, tribal self-government, treaty commitments, and federal legislation. Confusing these categories creates persistent myths—that citizenship ended tribal sovereignty, that federal services are unlimited, or that casino ownership has made all Native communities wealthy.

The more useful question is whether tribal nations possess the authority, resources, and security to shape their own futures. Citizenship established membership in the United States. It did not require Native peoples to surrender membership in their own nations—or relieve the United States of its obligations to them.