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NATIVE AMERICAN CHURCH OF NORTH AMERICA

February 26, 2026

OFFICIAL STATEMENT

Constitutional Foundation of the Native American Church Peyote Exemption

The Native American Church of North America (NACNA) respectfully issues this statement to clarify the constitutional foundation of the federal peyote exemption for members of federally recognized Tribal Nations.

Recent federal discussions concerning equal protection analysis of race-based programs have raised questions about whether the Native American Church peyote exemption could be viewed as a racial classification. NACNA affirms clearly and unequivocally:

The peyote exemption is not race-based. It is grounded in the political and sovereign status of Tribal Nations.

The United States Supreme Court has long recognized the constitutional distinction between racial classifications and political classifications tied to federally recognized tribes. In *Morton v. Mancari* (1974), the Court held that classifications involving tribal members are political in nature because they arise from the unique government-to-government relationship between Tribal Nations and the United States.

This foundational doctrine protects the structure of federal Indian law and affirms that tribal citizenship is a political status — not a racial category.

The Native American Church peyote exemption is further supported by the American Indian Religious Freedom Act Amendments of 1994. These amendments recognize the central role of peyote as a sacred sacrament within a historic Native tribal religious tradition that predates the Constitution of the United States.

The exemption exists to protect:

- Tribal sovereignty
- The federal trust responsibility
- Indigenous religious continuity
- Responsible stewardship of peyote habitat

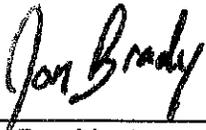
Any attempt to re-characterize this narrow religious protection as a racial preference would misstate settled Supreme Court precedent and threaten the constitutional framework that governs federal Indian law.

NACNA stands united with Tribal Nations in affirming:

- The political status of federally recognized tribes
- The constitutional distinction between race and tribal sovereignty
- Protection of Indigenous religious practices
- Responsible preservation of peyote habitat

This moment calls for clarity, unity, and adherence to longstanding constitutional principles. The peyote exemption reflects the sovereign relationship between Tribal Nations and the United States and must remain properly understood within that political and constitutional framework.

Respectfully,

A handwritten signature in cursive script that reads "Jon Brady". The signature is written in black ink and is positioned above a horizontal line.

Jon Brady, President
Native American Church of North America