



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #ATL-14-012

### **TITLE: Support for Continued Federal Recognition of the Eastern Pequot Nation and Removal of Third Party Veto from Proposed Final Recognition Process**

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**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, the NCAI supports the federal recognition process and supports the efforts of the Department of the Interior to make much needed changes to the regulations governing such process; and

**WHEREAS**, the Department took the step in the initial draft to allow those who meet the changed regulations to renew their request for recognition. This was necessary; otherwise, tribal nation who had not yet petitioned could be recognized under the amended regulations while tribal nations who also meet the requirements of the changed regulations would not be recognized; and

**WHEREAS**, notwithstanding the proposed change, the Department would now also allow certain states and local governments to decide whether tribal nations can re-petition for recognition, and by doing so, the Department has given states and others a veto over federal decision-making; For example, the Eastern Pequot Tribal Nation would need to obtain the consent of the State of Connecticut and each of twenty-nine towns simply to be allowed to repetition for recognition under the proposed regulations; and

**WHEREAS**, delegating such authority to states and others is an abdication of the Department's trust responsibility for tribal nations and creates a dangerous precedent which empowers third parties to interfere in the exercise of the Department's trust responsibility; and

**WHEREAS**, the United Nations Declaration of the Rights of Indigenous Peoples and the World Conference on Indigenous Peoples Outcome Document recognize the obligation of the nation states of the world to maintain a relationship with its Indigenous Peoples; and

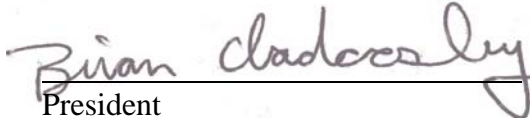
**WHEREAS**, NCAI further urges states and its representatives to recognize their legal, historical and political relations with the tribal nations whose tribal, social and political structures predate the creation of the United States and the establishment of the respective state governments and to engage in good faith dealings on issues of mutual concern and to refrain from using the Department's political and regulatory processes and the courts to delay legitimate federal recognition.

**NOW THEREFORE BE IT RESOLVED**, that NCAI urges the Department to protect tribal sovereignty, tribal governmental status, self-determination, health and welfare and therefore remove the third party veto provision and allow all tribal nations an equal opportunity to apply for recognition under reformed federal regulations; and

**BE IT FURTHER RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

#### CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2014 Annual Session of the National Congress of American Indians, held at the Hyatt Regency Atlanta, October 26-31, 2014 in Atlanta, Georgia, with a quorum present.

  
President

ATTEST:

  
Recording Secretary