



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #MOH-17-054

TITLE: Federal Energy Regulatory Commission to fulfill its obligations to Indian Tribes in Pipeline Permitting

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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 Haliwa-Saponi Indian Tribe is an inherently sovereign Indian tribal nation headquartered in Hollister, North Carolina; and

WHEREAS, the Haliwa-Saponi Indian Tribe and other affected Indian tribal nations depend on aquifers and the ground springs they feed as ground water sources, as well as for public health, general welfare, and sustainability of their tribal communities; and

WHEREAS, the Atlantic Coast Pipeline (ACP) poses a serious risk to the environmental and cultural resources of the Haliwa-Saponi Indian Tribe and its ability to provide a safe, livable homeland for its people; and

WHEREAS, the construction of the pipeline would destroy valuable cultural resources and sacred places of the Haliwa-Saponi Indian Tribe and other Indian tribal nations; and

WHEREAS, the lack of true government-to-government consultation with the Haliwa-Saponi Indian Tribe and other Indian tribes with ties to the land impacted by the construction and future operation of the Atlantic Coast Pipeline is a failure of the federal government's trust responsibility; and

WHEREAS, the NCAI is deeply concerned about the protection of Native Peoples' sacred places, sacred objects and ancestors, wherever they are located or held, within or outside the United States, by whatever persons or entities, and is unconditionally opposed to their desecration or dispossession, and to any adverse impact, damage, endangerment, injury or threat to them; and

WHEREAS, consultation with the Haliwa-Saponi and other Indian tribes must be undertaken in order for FERC to be in a position to claim it has a record that documents its obligations to conduct full and meaningful consultation with and consider the ACP's impacts upon the Indian tribal communities that attach cultural and religious concerns to the pipeline route; and

WHEREAS, on April 4, 2017, the Haliwa-Saponi Indian Tribe provided comment to the Deputy Secretary of FERC specifically requesting to engage in full and meaningful government-to-government consultation in regards to the ACP.

NOW THEREFORE BE IT RESOLVED, that National Congress of American Indians (NCAI) supports the Haliwa-Saponi Indian Tribe's efforts to engage the Federal Energy Regulatory Commission, and other federal agencies in meaningful government-to-government consultation to ensure the protection of its waters, lands, ancestors, and sacred places; and

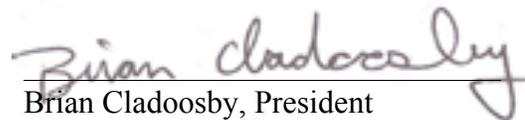
BE IT FURTHER RESOLVED, NCAI calls upon all entities of the United States government to deny any further progress towards issuance of permits and other approvals regarding Dominion's Atlantic Coast Pipeline until FERC has engaged in full and meaningful government-to-government consultation with all Indian tribal nations, including the Haliwa-Saponi, that may attach cultural or religious concerns to the ACP and the conduct of a full and complete environmental impact statement that fully considers the concerns of affected Indian tribal nations; and

BE IT FURTHER RESOLVED, that NCAI calls on the FERC and other United States federal government agencies to conduct extensive tribal consultation, meaningful policy changes that preserve and protect sacred places and Native Peoples' rights to access and use them in accordance with traditional practices in original territories and without intimidation or penalty, including the sacred places affected by the Atlantic Coast Pipeline; and

BE IT FINALLY 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 2017 Midyear Session of the National Congress of American Indians, held at the Mohegan Sun Convention Center, June 12 to June 15, 2017, with a quorum present.


Brian Cladoosby, President

ATTEST:


Aaron Payment, Recording Secretary