



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #PSP-09-051

TITLE: Support for Sovereign Authority of Tribes to Enter Into Water Agreements

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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, federally-reserved rights to water for instream flows and for tribal use are among the most precious rights held by Indian tribes under Treaties, statutes, and executive orders establishing Indian reservations; and

WHEREAS, individual tribal governments have sovereign rights to assert or chose not to assert their water rights; and

WHEREAS, the water rights of a tribe that has not approved a settlement agreement or waiver of tribal water rights should not be impaired by actions of the U.S.

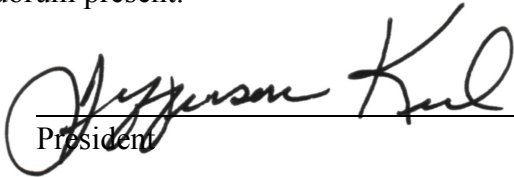
NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby support the exercise of self-determination and sovereign authority by tribes to enter into water agreements, or to reject proposed water agreements, as necessary to protect the rights of its members; and

BE IT FURTHER RESOLVED, that the NCAI does hereby oppose any policy of the U.S. to terminate the rights of, or impose adverse consequences upon, a tribe that chooses to retain its water rights instead of settling on terms desired by the federal government; 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 2009 Annual Session of the National Congress of American Indians, held at the Palm Springs Convention Center in Palm Springs, California on October 11-16, 2009, with a quorum present.



President

ATTEST:



Recording Secretary