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THE NATIONAL CONGRESS OF
AMERICAN INDIANS

RESOLUTION #SD-02-047

**Title: Support for Changes to Laws and Regulations Governing
Transport of Eagle Feathers and Other Tribal Sacred Objects
Across International Borders, Particularly the Canadian Border**

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 and their way of life, 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 eagle feather, and other parts of the eagle, have long been sacred objects to the indigenous peoples of North America and play a central role in the cultures of many Tribal Nations within the United States; and

WHEREAS, for a number of years the United States has declared various species of eagle to be an "endangered species" and have regulated and restricted ownership, use and transport of eagle feathers or other parts of the eagle; and

WHEREAS, while the statutes and regulations concerning eagle feather and eagle part use allow Native Americans the right to own these feathers and to transport them within the United States, these restrictions on use and transport have also created bureaucratic barriers to the transport of eagle feathers or other eagle parts by Native Americans across the Canadian border and other international borders, thereby discouraging and making more difficult the use of eagle feathers in international settings involving Tribal Nations that have a heritage both in Canada and the United States; and

WHEREAS, under the Jay Treaty, Native Americans should have unfettered rights to cross the U.S. Canadian border and should have the right to carry over that border the objects that are sacred to the cultures of the Tribal Nations in both Canada and the United States, regardless of the status of the eagle as an endangered or protected species of animal; and

WHEREAS, the kind of bureaucratic restriction includes the requirement, in the United States, to apply in advance for a permit to carry an eagle feather or other eagle parts across the border, which permit application includes providing a photo of the feather or other eagle parts and declaring in detail what the eagle feather will be used for once the border has been crossed; and

WHEREAS, the bureaucratic obstacles to transporting eagle feathers across international borders constitute an interference with the religions practices of Native Americans.

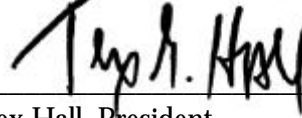
NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby support all necessary changes to either the laws or regulations regulating the use, ownership and transport of eagle feathers or other eagle parts so as to allow Tribal Nations and their members for whom the eagle is a sacred animal to transport eagle feathers or other eagle parts more freely across international borders without the requirement of an advance permit process and or other impediments; and

BE IT FURTHER RESOLVED, that NCAI officials are hereby authorized and directed to carry out this resolution by communicating the text of this resolution to all appropriate federal officials and by coordinating tribal leaders, tribal elders, tribal members and other persons concerned about this issue to influence all appropriate Federal officials; and

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

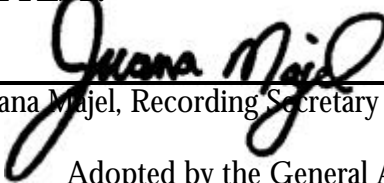
CERTIFICATION

The foregoing resolution was adopted at the 2002 Annual Session of the National Congress of American Indians, held at the Town and Country Convention Center, in San Diego, California on November 10-15, 2002 with a quorum present.



Tex Hall, President

ATTEST:



Juana Majel, Recording Secretary

Adopted by the General Assembly during the 2002 Annual Session of the National Congress of American Indians, held at the Town and Country Convention Center, in San Diego, California on November 10-15, 2002.