



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #ABQ-19-006

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NCAI HEADQUARTERS

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TITLE: Opposing Renewal and Expansion of United States Military Installations without Tribal Consent and Calling on the United States Military to Meaningfully Consult with Affected Tribal Nations Regarding Impacts to Sacred Sites

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 and the United Nations Declaration on the Rights of Indigenous Peoples, 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, Naval Air Station Fallon (NASF) has operated on 232,000 acres of ancestral lands and reservations of several federally-recognized tribal nations, most recently as authorized by a 1999 Public Land Withdrawal; and

WHEREAS, NASF operations on the 1999 Public Land Withdrawal have caused a terrible transformation of those ancestral lands and ways of life through: (1) damage to many spiritual and cultural sites from bombing, munitions, sonic booms, and fire; (2) denied access to spiritual and cultural sites and traditional tribal lands; (3) countless flyovers at low altitudes over the Fallon Paiute-Shoshone Reservation and traditional tribal lands at all hours; and (4) regular sonic booms and other excessive noise; and

WHEREAS, by way of example, the adverse effects of NASF activities include: (1) destruction by bombing activities of the Paiute origin site known as Fox Peak, from which the Father and the Mother dispersed their four children; (2) desecration of other cultural sites, such as burials, through air and ground training with live munitions; (3) denial or curtailment of access to important cultural sites; (4) denial or curtailment of access for hunting animals and gathering of plant materials used for food and material culture; (5) extreme and excessive noise levels preventing quiet enjoyment that accompanies, and is essential to, tribal ceremonies and use of natural resources; and

WHEREAS, the United States Navy is proposing to expand these horrible activities four-fold by: (1) continuing use of approximately 30,000 acres of permanently withdrawn federal land; (2) requesting Congressional renewal of the 1999 Public Land Withdrawal of 202,864 acres; (3) requesting Congress withdraw and reserve for military use up to 618,727 acres of additional federal land; (4) acquiring approximately 65,153 acres of private or state-owned (non-federal) land; (5) constructing range infrastructure to support extensive training, including new target areas; and (6) expanding and reconfiguring existing special use airspace and establishing new airspace with the current boundary to accommodate the expanded bombing ranges; and

WHEREAS, since time immemorial, the Fallon Paiute-Shoshone Tribe has engaged in religious and cultural ceremonies and other activities on the 915,880 acres (1,431 square miles) of lands identified above, as established through our oral tradition, ethnography, burial practices, material culture, and other evidence, and as recognized by the United States Claims Commission; and

WHEREAS, the renewal of the 1999 Public Land Withdrawal and its four-fold territorial expansion would continue the shameful and tragic history of seizing tribal lands, desecrating tribal religious, burial and cultural sites, and preventing tribal nations from engaging in our cultural practices; and

WHEREAS, since the renewal and expansion has been proposed, NASF has failed to properly consult with affected tribal nations in violation of the sacred trust responsibilities the United States owes all tribal nations including through Executive Order 13175 and the Department of Defense American Indian and Alaska Native Policy, 32 C.F.R §775 et. seq., and denied tribal nations information and funding needed to fully identify and assess the potential impacts of the proposed renewal and expansion; and

WHEREAS, despite repeated written requests, NASF has not responded to the Fallon Paiute-Shoshone Tribe's requests for the funding necessary to conduct surveys of the proposed expansion area so that cultural sites can be identified and excluded from any renewal and expansion; and

WHEREAS, the Inter-Tribal Council of Nevada (ITCN), which represents the 27 member tribal nations in Nevada, through Resolution No. 06-ITCN-19, supports the Fallon Paiute Shoshone Tribe and other tribal nations in their opposition to the NASF renewal and expansion, including their request for meaningful consultation, the receipt of all relevant information, and a fully-funded cultural resources inventory of the proposed expansion area; and

WHEREAS, NASF public land withdrawal is but one example where the United States military has failed to properly consult and seek tribal consent for the establishment, renewal, or expansion of installations affecting tribal lands, resources, or areas of cultural or historic significance.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) strongly opposes the renewal and expansion of military installations, including the Naval Air Station Fallon as proposed by the United States Navy, because of the impacts these expansions would have on tribal cultural resources and life ways; and

BE IT FURTHER RESOLVED, NCAI calls on the United States military to engage in meaningful consultation with tribal nations affected by such expansions, share all relevant information, facilitate visits to the expansion site, fully fund studies that would allow affected tribal nations to better identify the cultural and spiritual sites within the proposed expansion area; and

BE IT FURTHER RESOLVED, NCAI calls on the United States military to ensure that all affected tribal nations secure the ability to access cultural and spiritual sites identified by the affected tribal nations, and to protect these sites by excluding them from any renewal and/or expansion of military installations without the free, prior and informed consent of the affected tribal nations; 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 2019 Annual Session of the National Congress of American Indians, held at the Albuquerque Convention Center, October 20-25, 2019, with a quorum present.



Fawn Sharp, President

ATTEST:



Juana Majel Dixon, Recording Secretary