



NATIONAL CONGRESS OF AMERICAN INDIANS

Resolutions Committee Recommendation

Resolution #: PDX-20-036

Title: Calling on the U.S. Insurance Industry to Adopt Policies to Ensure that the Projects they Insure Have Obtained the Free, Prior, and Informed Consent of Impacted Indigenous Communities and Exit the Tar Sands and Artic Oil and Gas Sectors

Comments:

This resolution requests that NCAI encourage private insurance companies to end their underwriting of the expansion of tar sands oil, Artic oil and gas, and LNG export terminals. It also requests that NCAI call on private insurers to adopt the Free, Prior, and Informed Consent of tribal nations as part of their underwriting policies.

Edits were made to conform to NCAI's Style Guide and Standing Rules of Order which require actions to not pit tribal nations against one another. Some tribal nations are involved in the oil and gas sectors and have private sector insurance and would be impacted by the industry existing the oil and gas sectors. As a result, this request was edited out. Additionally, a resolved clause requesting that NCAI screen potential insurers for investments in, and underwriting companies for projects involving the extraction of fossil fuels was deleted because it is outside the scope of NCAI's authority.

Recommendations:

This edited Resolution is in order and is referred to the Land and Natural Resources Committee and the Environmental Protection and Land Use Subcommittee for consideration.



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #PDX-20-036

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KEVIN ALLIS
FOREST COUNTY POTAWATOMI COMMUNITY

NCAI HEADQUARTERS

1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

TITLE: ~~CALLING~~ Calling on the U.S. Insurance Industry to Adopt Policies to Ensure that the Projects they Insure Have Obtained the Free, Prior, and Informed Consent of Impacted Tribal Nations and Exit the Tar Sands and Arctic Oil and Gas Sectors

~~ON THE US INSURANCE INDUSTRY TO ADOPT POLICIES TO ENSURE THAT THE PROJECTS THEY INSURE HAVE OBTAINED THE FREE, PRIOR, AND INFORMED CONSENT OF IMPACTED INDIGENOUS COMMUNITIES AND EXIT THE TAR SANDS AND ARCTIC OIL AND GAS SECTORS~~

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, since time immemorial, our economy, culture, religions, and ways of life have been centered around our fishing, hunting, and gathering resources, and the lands and waters upon which they depend, and we have been and remain careful and conscientious stewards over them to ensure their continued health and well-being; and

WHEREAS, ~~we the Indigenous~~ American Indian and Alaska Native (AI/AN) peoples have an inherent responsibility to protect the lands and waters from desecration, be it from overharvesting, natural resource or mineral extraction, or pollution or contamination; and

WHEREAS, fossil fuel infrastructure, particularly tar sands oil pipelines, offshore drilling, and liquefied natural gas (LNG) export terminals, directly threaten ~~some Native American U.S. Tribal and First Nations~~ some Native American U.S. Tribal and First Nations treaty and land rights in the Northwest, the health of the Salish Sea watershed and the natural ecosystems included therein, cultural traditions, and our communities that rely on clean air, clean water, tribal economies and healthy fisheries; and

WHEREAS, the transport and export of tars sands oil, including the Trans Mountain pipeline and its expansion, threatens the health of Puget Sound salmon and orca whales by dramatically increasing the risk of a catastrophic spill for which there is no effective clean up technology; and

WHEREAS, ~~ATNI~~ the Affiliated Tribes of Northwest Indians (ATNI) has previously passed resolutions stating its opposition to the Trans Mountain pipeline, offshore drilling, the Tacoma LNG Plant, and other LNG export terminals near tribal lands and major population centers; and

WHEREAS, the Swinomish Indian Tribal Community, Tulalip Tribes, Lummi Nation, and Suquamish Tribe, along with numerous First Nations tribal governments expressed opposition ~~to~~ of the Trans Mountain pipeline to the Canadian National Energy board because the pipeline expansion would dramatically increase the number of oil tankers moving crude oil shipments through the Salish Sea, greatly increasing the risk of oil spills, potential impacts to the Southern Resident Killer Whales, and threatens to violate ~~t~~ Tribal communities' treaty-reserved fishing and shell fishing practices; and

WHEREAS, through the provision of insurance coverage, insurance companies are enabling the construction and operation of carbon-intensive, fossil fuel infrastructure projects, including tar sands oil pipelines, LNG terminals, and offshore oil and gas drilling; and

WHEREAS, major U.S. insurance companies are the largest insurers of oil and gas infrastructure globally, and these companies do not have policies to respect the Free, Prior, and Informed Consent of impacted ~~Native American~~ Tribal and First Nations; and

WHEREAS, the Treaty Alliance Against Tar Sands Expansion, comprised of more than 120 First Nations and ~~Tribes~~ tribal nations, stands in committed opposition to this and all tar sands pipelines crossing their traditional lands and waters, and has called for an international campaign to divest from any financial institution that financially supports them; and

WHEREAS, the Union of British Columbia Indian Chiefs and the Tsleil-Waututh Nation have written to the insurers of the Trans Mountain pipeline, urging them to stop insuring the project and respect Indigenous rights; and

WHEREAS, the Great Plains Tribal Chairman's Association, an association representing the leaders of 16 sovereign ~~t~~ Tribal ~~n~~ Nations in the Upper ~~midwest~~ Midwest, ~~that~~ have rejected the approval of the Keystone XL pipeline to cross their lands; and has have written to Liberty Mutual; calling on the company to cut ties with the Keystone XL pipeline; ~~and~~

NOW THEREFORE IT BE RESOLVED, that ~~ATNI~~ NCAI calls on the U.S. insurance industry to adopt, as part of project and general insurance underwriting policies, a requirement to obtain and document the Free, Prior, and Informed Consent of impacted ~~Native American~~ Tribal ~~and First Nations~~; and ~~be it~~

~~**BE IT FURTHER RESOLVED**, that ~~ATNI~~ NCAI calls on the U.S. insurance industry to end their insurance underwriting for the expansion of tar sands oil, Arctic oil and gas, and LNG export terminals; and be it~~

~~**FURTHER RESOLVED**, that ATNI will screen potential insurers for investments in and underwriting of companies or projects perpetuating the extraction and use of fossil fuels and to utilize this information as a determining factor in making decisions regarding which insurance companies with whom to do business.~~

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 2020 Annual Session of the National Congress of American Indians, held Nov 8, 2020 - Nov 13, 2020, with a quorum present.

Fawn Sharp, President

ATTEST:

Juana Majel Dixon, Recording Secretary



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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 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, since time immemorial, our economy, culture, religions and way of life has been centered around our fishing, hunting, and gathering resources, and the lands and waters upon which they depend, and we have been and remain careful and conscientious stewards over them to ensure their continued health and well-being; and

WHEREAS, we the Indigenous peoples have an inherent responsibility to protect the lands and waters from desecration, be it from overharvesting, natural resource or mineral extraction, or pollution or contamination; and

WHEREAS, fossil fuel infrastructure, particularly tar sands oil pipelines, offshore drilling, and liquefied natural gas (LNG) export terminals, directly threaten Native American Tribal and First Nations treaty and land rights in the Northwest, the health of the Salish Sea watershed and the natural ecosystems included therein, cultural traditions, and our communities that rely on clean air, clean water, tribal economies and healthy fisheries; and

WHEREAS, the transport and export of tars sands oil, including the Trans Mountain pipeline and its expansion, threatens the health of Puget Sound salmon and orca whales by dramatically increasing the risk of a catastrophic spill for which there is no effective clean up technology; and

WHEREAS, ATNI has previously passed resolutions stating its opposition to Trans Mountain, offshore drilling, the Tacoma LNG Plant, and other LNG export terminals near tribal lands and major population centers; and

WHEREAS, the Swinomish Indian Tribal Community, Tulalip Tribes, Lummi Nation, and Suquamish Tribe, along with numerous First Nations tribal governments expressed opposition of the TransMountain pipeline to the Canadian National Energy board because the pipeline expansion would dramatically increase the number of oil tankers moving crude oil shipments through the Salish Sea, greatly increasing the risk of oil spills, potential impacts to the Southern Resident Killer Whales, and threatens to violate Tribal communities' treaty-reserved fishing and shellfishing practices; and

WHEREAS, through the provision of insurance coverage, insurance companies are enabling the construction and operation of carbon-intensive, fossil fuel infrastructure projects, including tar sands oil pipelines, LNG terminals, and offshore oil and gas drilling; and

WHEREAS, major U.S. insurance companies are the largest insurers of oil and gas infrastructure globally, and these companies do not have policies to respect the Free, Prior, and Informed Consent of impacted Native American Tribal and First Nations; and

WHEREAS, the Treaty Alliance Against Tar Sands Expansion, comprised of more than 120 First Nations and Tribes, stands in committed opposition to this and all tar sands pipelines crossing their traditional lands and waters, and has called for an international campaign to divest from any financial institution that financially supports them; and

WHEREAS, the Union of British Columbia Indian Chiefs and the Tsleil-Waututh Nation have written to the insurers of the Trans Mountain pipeline, urging them to stop insuring the project and respect Indigenous rights; and

WHEREAS, the Great Plains Tribal Chairman's Association, an association representing the leaders of 16 sovereign Tribal Nations in the upper midwest that have rejected the approval of the Keystone XL pipeline to cross their lands, has written to Liberty Mutual, calling on the company to cut ties with the Keystone XL pipeline; and

THEREFORE IT BE RESOLVED, that ATNI calls on the U.S. insurance industry to adopt, as part of project and general insurance underwriting policies, a requirement to obtain and document the Free, Prior, and Informed Consent of impacted Native American Tribal and First Nations; and be it

FURTHER RESOLVED, that ATNI calls on the U.S. insurance industry to end their insurance underwriting for the expansion of tar sands oil, Arctic oil and gas, and LNG export terminals; and be it

FURTHER RESOLVED, that ATNI will screen potential insurers for investments in and underwriting of companies or projects perpetuating the extraction and use of fossil fuels and to utilize this information as a determining factor in making decisions regarding which insurance companies with whom to do business.

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