



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #REN-19-043

TITLE: Requesting the Administration Provide an Exemption from the Federal Advisory Committee Reduction Executive Order Requirements and Engage in Meaningful Tribal Consultation

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*FOREST COUNTY POTAWATOMI
COMMUNITY*

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

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, the Federal Advisory Committee Act (“the Act” or “FACA”) was enacted in 1972 to ensure that advice by various federal advisory committees formed over the years is objective and accessible to the public; and

WHEREAS, the Act formalized a process for establishing, operating, overseeing, and terminating these advisory bodies and created the Committee Management Secretariat to monitor compliance with the Act; and

WHEREAS, many FACA committees, such as the Health and Human Services Advisory Committee on Minority Health and the Department of Agriculture Resource Advisory Committees, include seats for tribal representatives; and

WHEREAS, several FACA committees include the Native American Graves Protection and Repatriation Act Review Committee, the Task Force on Research on Violence Against American Indian and Alaska Native Women, the Council for Native American Farming and Ranching, the Treasury Tribal Advisory Committee, and many Alaska Subsistence Regional Advisory Council Committees; and

WHEREAS, on June 14, 2019, President Trump signed the “Executive Order on Evaluating and Improving the Utility of Federal Advisory Committees” directing each executive department and agency to evaluate the need for its FACA committees and terminate at least one third of its current FACA committees by September 30, 2019 and limiting the total number of FACA committees to 350; and

WHEREAS, the Trump Administration has not engaged in meaningful tribal consultation as required by Executive Order 13175 on the impact of the FACA Committee reduction on Indian Country; and

WHEREAS, Indian Country has historically not been included in Administrative decision-making impacting tribal nations and communities, including federal advisory committees; and

WHEREAS, Executive Order 13175 requires meaningful tribal consultation for any policy having tribal implications.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) calls on the Administration to exclude tribal federal advisory committees from the application of the signed "Executive Order on Evaluating and Improving the Utility of Federal Advisory Committees;" and

BE IT FURTHER RESOLVED, that NCAI calls on the Trump Administration to engage in meaningful tribal consultation as required by Executive Order 13175 before implementing FACA Committee reduction involving any FACA Committee that impacts Indian Country; and

BE IT FURTHER RESOLVED, that NCAI calls on Congress to conduct oversight hearings on the impact of the reduction of FACA Committees on Indian Country; and

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

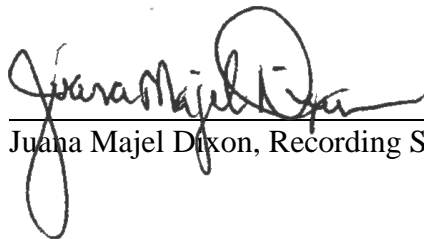
CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2019 Mid-Year Session of the National Congress of American Indians, held at the Nugget Casino Resort, June 24-27, 2019, with a quorum present.



Jefferson Keel, President

ATTEST:



Juana Majel Dixon, Recording Secretary