



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians  
Resolution #REN-13-042

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NCAI HEADQUARTERS

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**TITLE: Requesting that Department of Interior and United States Fish and Wildlife Service Update its American Indian Policy to Recognize the Proper Level of Consultation and Co-management of Natural Resources for Tribes and the General Public**

**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**, Tribes are specifically committed to the protection, restoration, and enhancement of natural resources for the perpetual cultural, economic, and sovereign benefit of Northwest native people; and

**WHEREAS**, Northwest Tribes throughout the region will continue to utilize natural resources including First Foods and to follow our traditional religious and cultural practices based on their use and enjoyment, recognizing the many health benefits they provide; and

**WHEREAS**, Tribes recognize and greatly appreciate the role and involvement of the United States Fish and Wildlife Service (USFWS) in conserving, protecting, and enhancing fish, wildlife, and plants and their habitats, as well as supporting the exercise of our rights and providing access to essential elements of our culture and tradition; and

**WHEREAS**, the USFWS is responsible for safeguarding natural and cultural resources which tribes have rights to under statutes, treaties, executive orders, regulations and other guidance; and

**WHEREAS**, these resources include fisheries, plants, wildlife, sacred sites and many others; and

**WHEREAS**, the FWS has a trust responsibility to manage these resources in consultation with tribes pursuant to treaty, statute, regulations and executive orders, including but not limited to EO 13007 and EO 13175; and

**WHEREAS**, the FWS Native American Policy was adopted on June 28, 1994, almost 20 years ago, is currently undergoing revision by the USFWS; and

**WHEREAS**, the USFWS Native American Policy requires consultation with tribes, consultation which is absolutely critical in determining what rights tribes have and whether the USFWS is meeting the needs of tribes regarding access to natural and cultural resources, exercise of treaty and other rights, management of reserved resources thorough land and hatchery management decision, as well as access to sacred sites; and

**WHEREAS**, the NCAI believes that, concurrently with the revision of the Native American Policy, the USFWS would benefit from congressional oversight of the consultation relationship between the USFWS and tribes; and

**WHEREAS**, the NCAI further believes that an oversight hearing before the Senate Committee on Indian Affairs should be conducted to identify the strengths and weaknesses of the current USFWS Native American Policy to guide development of improvements to the policy including identifying issues and concerns that have arisen over the last 19 years under the existing Native American Policy.

**NOW THEREFORE BE IT RESOLVED**, the NCAI requests the Senate Committee on Indian Affairs to conduct an oversight hearing on the USFWS regarding whether the agency is meeting its obligations to tribes through consultation, tribal access to resources reserved through treaties and other laws as well as providing access to sacred sites; and

**BE IT FURTHER 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 2013 Midyear Session of the National Congress of American Indians, held at the Atlantis Casino from June 24 - 27, 2013 in Reno, Nevada with a quorum present.

  
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 President

**ATTEST:**

  
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 Recording Secretary