



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians 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 Tribal Nations**

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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 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**, 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 U.S. tribal 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**, 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 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 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 tribal and First Nations; and

**WHEREAS**, the Treaty Alliance Against Tar Sands Expansion, comprised of more than 120 First Nations and tribal nations, stand 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 spiritual connections to the land, air, and sea; and

**WHEREAS**, the Great Plains Tribal Chairman's Association, an association representing the leaders of 16 sovereign tribal nations in the Upper Midwest, have rejected the approval of the Keystone XL pipeline to cross their homelands and have written to Liberty Mutual calling on the company to cut ties with the Keystone XL pipeline.

**NOW THEREFORE IT BE RESOLVED**, that 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 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 2020 Annual Session of the National Congress of American Indians, held Nov 8, 2020 - Nov 13, 2020, with a quorum present.



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Fawn Sharp, President

**ATTEST:**



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Juana Majel Dixon, Recording Secretary