



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #REN-13-065

TITLE: Protection and Preservation of Culturally Significant Sites, Areas, and Landscapes

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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, 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, Indian Country is committed to preserving the native cultural values, and otherwise promote the health, safety and welfare of the Indian protection of sacred lands and practices, as well as access to and protected use of sacred sites, areas, and landscapes, including those inside their traditional territory but outside the boundary of the reservation; and people, do hereby establish and submit the following resolution; and

WHEREAS, the NCAI supports the preservation, spiritual integrity, and ancestral knowledge of these sites, areas, and landscapes have been; and

WHEREAS, in December 2012, President Obama committed to honoring a nation-to-nation passed on down through the generations and their protection and preservation is critical to the collective cultural identity of Native peoples. The ceremonies and feeling of association as well as tangible as well as intangible values are of central importance to the peaceful rest of our ancestors, and the well-being of present and future generations; and

WHEREAS, the June 26, 2013 Executive Order established the White House Council on Native American Affairs and under section 3(e), such Council shall coordinate its outreach to federally recognized tribes through the White House Office of Public Engagement and Intergovernmental Affairs; and

WHEREAS, the United States has committed to honoring the government to government relationship between Native American Tribes and the federal government and ensuring that treaty obligations are met; and relationship with Indian Country, four cabinet-level departments joined the Advisory Council on Historic Preservation in releasing an action plan to strengthen the protection of Indian Sacred sites, and provide greater tribal access to their heritage area. The interagency plan is required by the Memorandum of Understanding signed in December 2012 by the Department of Agriculture, Defense, Energy, Interior and the Advisory Council on Historic Preservation regarding coordination and collaboration for the protection of sacred sites; and

WHEREAS, the Indian Country and Alaska Native Tribes are facing the advancement of more fossil fuel exports and renewable and energy development, and across reservation, traditional and ancestral areas and usual and accustomed areas whose land ways, water ways, and seascapes have potential impacts; and

WHEREAS, since time immemorial, our economy, culture, religion and way of life has centered around our fishing, hunting and gathering resources, and the lands and waters on 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, Indian Country has opportunity and challenges in energy development, for the Northwest they face the energy transportation and export proposals will diminish their salmon habitat, ancestral Treaty fishing and hunting and gathering rights, indigenous inherent rights and resources, life way, and will destroy sacred places, areas, landscapes, waterways and of the Pacific Northwest tribes; and

traditional life ways, and that we all believe it is our role and responsibility to be the long-term stewards of the land and waters, and not place future generations at risk for short term gain; and

WHEREAS, NCAI recognizes the MOU commits the signatory agencies to work together to achieve enhanced and improved interdepartmental coordination and collaboration to improve the protection of and tribal access to Indian sacred sites. Among other things, the MOU commits the participating agencies to work together on developing guidance on the management and treatment of sacred sites, on identifying and recommending ways to overcome impediments to the protection of such sites while preserving the sites' confidentiality, on creating a training program for federal staff and on developing outreach plans to both the public and to non-Federal partners.

NOW THEREFORE BE IT RESOLVED, that NCAI urges the United States government under the MOU's participating agencies engage in a meaningful review to expand the 106 process in all permitting to include the option of sacred site regional impacts; and that the 106 be expanded to have the capacity to stop a permitted project that will destroy sacred sites that include the ancestral Treaty fishing and hunting and gathering rights, indigenous inherent rights and resources, life way, and will destroy sacred places, areas, landscapes, waterways and their commitment to:

- New development of energy that the MOU provides a clear recognition and address a plan with tribes impacts one treaty over another treaty right, as well as any other federal right that may be impacted by the energy development, transportation and exportation based on the impact to sacred sites, areas, landscapes, and seascapes.

- Sustainable stewardship and protection of their traditional lifeway.
- Long-term protective management of these landscapes and seascapes
- Promoting tribal unity and defeating the efforts of outside companies or agencies to divide the tribes against each other.
- Preservation, protection and application of traditional knowledge and resource management systems to the natural environment assumes and assures a sustainable yield; and

BE IT FURTHER RESOLVED, that this resolution embodies and 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.



President

ATTEST:



Recording Secretary