



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #ABQ-10-007

TITLE: Defend, Honor, and Protect the Inherent Right of American Indian and Alaska Native Tribes to Practice Customary and Traditional Use of Natural Resources

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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, the American Indian and Alaska Native Tribes have been recognized by the United States Congress and the federal government has declared its commitment to the maintenance of the federal government's unique and continuing relationship with and responsibility to Indian people and the Tribes they are citizens of; and

WHEREAS, the American Indian and Alaska Native Tribes have provided for the establishment of governmental relationships and agreements with the United States; and

WHEREAS, the American Indian and Alaska Native Tribes shall respect and honor such relationships and agreements and can expect reciprocal respect and honor from the United States; and

WHEREAS, it is the right and freedom of the American Indian and Alaska Native Tribes to be who they are and to function in foundational lifeways practiced for thousands of years while the federal government provides a solemn responsibility to protect, honor and defend our rights; and

WHEREAS, customary and traditional lifeways of harvesting from the land and sea provide vital spiritual, nutritional, and cultural survival of American Indians and Alaska Native Tribes, and this right and freedom should be honored and protected for the survival of indigenous peoples; and

WHEREAS, Title VIII of the Alaska National Interest Lands Conservation Act was enacted to protect the subsistence way of life of rural Alaska residents, including residents of Saxman, implementing Congress' long-standing concern for and obligation to protect subsistence uses of Alaska Native Tribes and serving to fulfill the purpose of the Alaska Native Claims Settlement Act (ANCSA); and

WHEREAS, Title VIII expresses an overriding congressional policy of protecting the subsistence rights of Alaska Native Tribes due to the continuation of the opportunity of subsistence uses of resources on public and other lands in Alaska is threatened by the increasing population of Alaska and by increased accessibility of remote areas continuing subsistence resources, it was necessary and in the national interest to protect and provide the opportunity for continued subsistence uses on the public lands by Native and non-Native rural residents; and

WHEREAS, the Federal Subsistence Board used "grouping guidelines" in December 2006 in a consequential decision reclassifying Saxman although "grouping guidelines" are not contained in Title VIII of ANILCA or in the regulations implementing that law; and

WHEREAS, Title VIII is Indian Law designed as part of a land settlement consideration by the U.S. Congress in order to provide for the benefit of Alaska Native Tribes and should be honored and protected; and

WHEREAS, the Secretaries of the Interior and Agriculture have a "trust responsibility" to protect the health, welfare, and existence of the American Indian and Alaska Native tribal peoples.

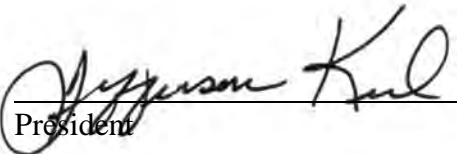
NOW THEREFORE BE IT RESOLVED, that the NCAI encourages Congress to meet its sacred obligation and duty to respect, preserve, and protect the continuing existence of American Indian and Alaska Native Tribes in their customs and practices; and

BE IT FURTHER RESOLVED, that the NCAI encourages Congress to defend, honor, and protect the inherent right of American Indian and Alaska Native Tribes to practice customary and traditional uses of natural resources as established and embodied in laws proclaimed by the United States Congress federal government; and

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

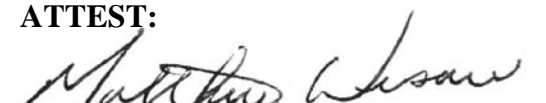
CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2010 Annual Convention of the National Congress of American Indians, held at the Albuquerque Convention Center in Albuquerque, NM on November 14-19, 2010, with a quorum present.



President

ATTEST:



Recording Secretary