



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #SPO-16-006

TITLE: Support Legislation to Return the Land and Resources of the National Bison Range to Federal Trust for the Confederated Salish and Kootenai Tribes

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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, in the 1870's, members of the Confederated Salish and Kootenai Tribes (CSKT) were key players in saving the North American plains bison from extinction by some of those last wild bison on the continent from east of the Continental Divide to the Flathead Indian Reservation for the purposes of maintaining what was essentially a conservation herd; and

WHEREAS, through subsequent stewardship, CSKT tribal members grew those few bison into a herd of hundreds of animals that free-ranged on the Flathead Indian Reservation up until the early 1900's when the Reservation was allotted and opened for non-Indian settlement; and

WHEREAS, upon allotment and non-Indian settlement, land began to be fenced, the bison herd could no longer range freely, and the bison herd had to be sold by CKST tribal members to private parties and the Canadian government instead of the United States, due to lack of appropriated funds; and

WHEREAS, the National Bison Range was established by the federal government in 1908 (35 Stat. 267; 16 U.S.C. § 671) on lands that were later held to have been unconstitutionally taken from the Tribes (*Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana v. United States*, 437 F.2d 458, 465 (Ct.Cl. 1971)); and

WHEREAS, CKST had not consented to the federal government taking the land to establish the National Bison Range and the bison originating from the initial tribal conservation herd were used to form the herd on the National Bison Range; and

WHEREAS, over the past century, CKST has maintained connections to the bison, land, and other natural resources at the National Bison Range, and CKST has entered into two Self-Governance agreements with the U.S. Fish & Wildlife Service for activities at the National Bison Range Complex during the periods of fiscal years 2005-2007 and 2008-2010; and

WHEREAS, CKST is seeking legislation to restore the National Bison Range lands to the Tribes by putting the land in trust, including the requirements that land continues to be: (1) used for conservation of bison, wildlife, and other natural resources; and (2) open to public access and educational opportunities; and

WHEREAS, the Confederated Salish and Kootenai Tribes have a historic opportunity before this federal administration leaves to accomplish return of the range; and

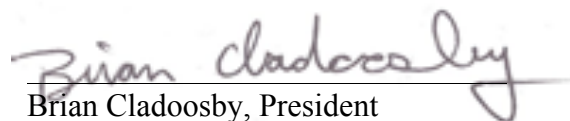
WHEREAS, the Confederated Salish and Kootenai Tribes have the support of the Rocky Mountain Tribal Leader Council to pursue legislation to restore the National Bison Range lands to the Tribes.

WHEREAS, the National Congress of American Indians believes that such legislation is an appropriate solution to the unique situation and history of the National Bison Range and the Tribes' relationship with the bison, wildlife, natural resources and land.

NOW, THEREFORE BE IT RESOLVED, the National Congress of American Indians supports the Confederated Salish and Kootenai Tribes' efforts to enact congressional legislation that would restore the National Bison Range lands to the Tribes, with the lands being held by the federal government in trust for the benefit of the Tribes.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2016 Midyear Session of the National Congress of American Indians, held at the Spokane Convention Center, June 27 to June 30, 2016, with a quorum present.


Brian Cladoosby, President

ATTEST:


Aaron Payment, Recording Secretary