



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #ABQ-03-043

### Title: Support For Tribal Water Rights And Opposition To Certain Water Bills

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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 Tribes of the Pacific Northwest retain senior rights and treaty-protected rights to the water resource, a resource that sustains all plant, animal and human life in each of the watersheds that have been home to these tribes from time immemorial; and

**WHEREAS**, this resource is of critical importance to future generations of both Indian and non-Indian people for both in-stream and out-of-stream needs; and protecting water and the life it sustains is a long-standing tribal legacy; and

**WHEREAS**, certain utility districts, municipalities and industries such as agriculture and development have chosen the legislative path to advocate for water, at the expense of fish, wildlife and other in-stream needs, and at the expense of tribal rights; and

**WHEREAS**, the Governor of the State of Washington and certain other state and local politicians promoted and passed state legislative water bills, particularly House Bill 1338 (regarding the expansion of municipal water rights) and Senate Bill 5028 (diminishing water quality), despite consistent objections from the tribes and their allies; and

**WHEREAS**, the Tribes of the Northwest continue to be united in their opposition to these bills—which represent efforts to exploit water resources which must remain in-stream to sustain fish and wildlife resources; and

**WHEREAS**, Tribes should have a voluntary alternative to adjudication of their water rights, led by the Tribes and supported by the federal government.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI does hereby express its staunch support for tribal water rights, and thus expresses its opposition to the water bills described above and its support for honoring the tribal legacies of respect for, and good management of, water and the natural resources it sustains; and

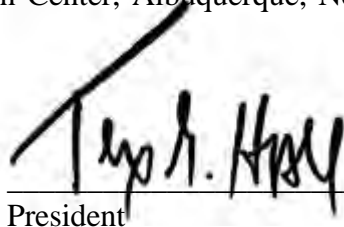
**BE IT FURTHER RESOLVED**, that NCAI urges Congress and all other components of federal government, as well as state governments, to acknowledge and support tribal water rights and the related tribal rights to fish, hunt and gather traditional resources; and

**BE IT FURTHER RESOLVED**, that NCAI supports the concept of federal legislation which uses a NEPA-type framework to enable Tribes to lead direct negotiations with states on water-related issues such as instream flows and allocation; and

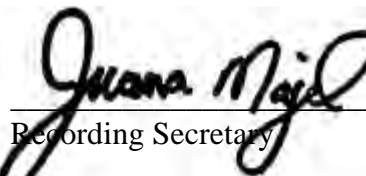
**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

#### CERTIFICATION

The foregoing resolution was adopted at the 60<sup>th</sup> Annual Session of the National Congress of American Indians, held at the Albuquerque Convention Center, Albuquerque, New Mexico, on November 21, 2003 with a quorum present.

  
\_\_\_\_\_  
President

**ATTEST:**

  
\_\_\_\_\_  
Recording Secretary

Adopted by the General Assembly during 60<sup>th</sup> Annual Session of the National Congress of American Indians, held in Albuquerque, New Mexico, from November 17-21, 2003.