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THE NATIONAL CONGRESS OF AMERICAN INDIANS

RESOLUTION #SD-02-050

Title: Support to Picuris Pueblo's Effort to Stop Mining Practices on Traditional Sacred Sites

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 and their way of life, 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 the Pueblo of Picuris has exclusively used and occupied an area west of New Mexico Route 3, between Osha and Borrego Canyons, for many purposes, including micaceous and mica clays, and visiting areas of crucial cultural and religious importance; and

WHEREAS, the Pueblo of Picuris has never knowingly or voluntarily surrendered any of the Tribe's aboriginal lands nor, to the Tribe's knowledge, has the United States ever taken any action to extinguish the Tribe's aboriginal title to any of its land; and

WHEREAS, in recent years, several different mining companies have established commercial mining operations in the immediate vicinity of the Pueblo's traditional micaceous clay gathering areas, and have been removing valuable minerals that the Pueblo believes are subject to its traditional aboriginal title; and

WHEREAS, Oglebay Norton Specialty Minerals (OSNM), based in Cleveland, Ohio, has greatly expanded its mica mining operation, greatly increasing

the wrongful removal of mica from the Pueblo's aboriginal lands, and in doing so, virtually destroyed the Pueblo's traditional micaceous clay gathering area, thereby severely damaging the Pueblo's traditional pottery making activities, and the environment of its aboriginal lands and traditional values; and

WHEREAS, the United States Mining Law of 1872 is an unjust and outdated law that sacrifices indigenous cultures by selling off their sacred sites for \$5.00 per acre to environmentally and culturally destructive mining companies; and

WHEREAS, the mining of a site sacred to Picuris Pueblo not only scars the environment of that site and pollutes surrounding communities, but destroys the cultural and spiritual ties between the indigenous nation and the land, thereby damaging the well-being, health, and religion of the Picuris People; and

WHEREAS, the indigenous people throughout the world are under siege from mining corporations that disregard the rights of first nations, pollute their environments, destroy their cultures and defile their religions.

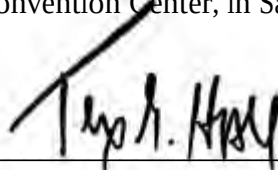
NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby advocate for the protection of Picuris Pueblo's sacred site, and the protection of all indigenous sacred sites, from further mining damage. NCAI does support the efforts of Picuris Pueblo to stop the expansion of the ONSM mine and reclaim its sacred micaceous clay-gathering site; and

BE IT FURTHER RESOLVED, NCAI does advocate for the changes in the 1872 Mining Law to recognize and protect sites sacred to indigenous communities, the health of the environment, and communities that are affected by dangerous and damaging mining practices; 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 2002 Annual Session of the National Congress of American Indians, held at the Town and Country Convention Center, in San Diego, California on November 10-15, 2002 with a quorum present.



Tex Hall, President

ATTEST:

Juana Majel, Recording Secretary

Adopted by the General Assembly during the 2002 Annual Session of the National Congress of American Indians, held at the Town and Country Convention Center, in San Diego, California on November 10-15, 2002.