



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #DEN-18-061

TITLE: Opposition to Construction of Keystone XL Pipeline and the Use of Excessive Force or Private Security to Suppress Free Speech

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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 and the United Nations Declaration on the Rights of Indigenous Peoples, 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 NCAI has been active in the preservation and protection of native sacred places across the nation; and

WHEREAS, Indian tribes are sovereigns that pre-date the United States, with prior and treaty protected rights to self-government and to our Indian lands; and

WHEREAS, the Rosebud Sioux Tribe, Cheyenne River Sioux Tribe, Oglala Sioux Tribe, Yankton Sioux Tribe, Fort Peck Assiniboine and Sioux Tribes, Fort Belknap Indian Community, Ponca Tribe of Nebraska, Omaha Tribe of Nebraska, and others are federally recognized Indian Tribes (Native Nations) located near the route of the proposed Keystone XL Pipeline; and

WHEREAS, the spirituality, oral histories, traditions, and ceremonial activities and practices and everyday life for these Native Nations all are tied to the natural environment; and

WHEREAS, the lands over which the pipeline will traverse are the traditional lands of the Great Sioux Nation as guaranteed in the Treaties of 1851 and 1868, and the traditional lands of numerous other Native Nations, and contain numerous sacred sites, ceremonial sites and burial sites, water supplies and other natural resources that are a central aspect to the traditional way of life and spiritual view of the respective Native Nations; and

WHEREAS, the Rosebud Sioux Tribe, other Tribes of the Great Sioux Nation, and other Native Nations across the country have continuously opposed the construction of the pipeline to protect treaty and aboriginal rights to cultural, historic, burial and sacred sites, as well as to protect clean drinking water from contamination as a result of spills or breaks; and

WHEREAS, NCAI adopted Resolution MKE-11-030 “Opposition to the Construction of the Keystone XL Pipeline and Urging the U.S. to Reduce Reliance on Oil from Tar Sands and Instead, to Work towards Cleaner, Sustainable Energy Solutions;” and

WHEREAS, after NCAI Resolution MKE-11-030 was adopted, the Obama Administration denied TransCanada a Presidential Permit because it was not in the national interest; and

WHEREAS, after NCAI Resolution MKE-11-030, the State of North Dakota and Morton County Police used excessive force, including water cannons, so called “less-lethal” projectiles, and other tactics to suppress peaceful and prayerful protests at Standing Rock; and

WHEREAS, in January of 2017 President Trump signed a presidential memorandum inviting TransCanada to resubmit their application for a Presidential Permit and in March of 2017 President Trump approved a Presidential Permit for TransCanada to build the Keystone XL Pipeline; and

WHEREAS, on September 10, 2018, the Rosebud Sioux Tribe and the Fort Belknap Indian Community sued the Trump Administration in the U.S. District Court for the District of Montana for numerous violations of federal law in the Keystone XL pipeline permitting process; and

WHEREAS, soon after the lawsuit was filed, construction activities on the Keystone XL Pipeline began within the exterior boundaries of many Native Nations, including the Rosebud Indian Reservation; and

WHEREAS, such construction activities are causing irreparable harm, and continue to threaten to cause harm to the health, safety, welfare and wellbeing of the Native Nations as well as to the natural resources and water supplies.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) does hereby oppose construction of Keystone XL as it would set another national precedent that allows Tribal rights and concerns to be ignored; and

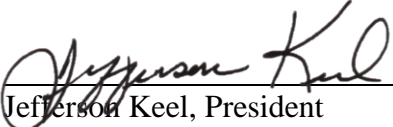
BE IT FURTHER RESOLVED, that NCAI opposes the use of private security and excessive force to suppress peaceful and prayerful protests; and

BE IT FURTHER RESOLVED, that NCAI does hereby support the Native Nations in their efforts to protect their lands, waters, communities, sacred sites, and way of life, and that NCAI will use all available efforts to assist the Native Nations to achieve these objectives through media exposure and governmental relations; 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 2018 Annual Session of the National Congress of American Indians, held at the Hyatt Regency in Denver, Colorado October 21-26, 2018, with a quorum present.



Jefferson Keel, President

ATTEST:



Juana Majel Dixon, Recording Secretary