



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #MOH-17-006

TITLE: In Support of Preserving National Monument Designations

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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, since time immemorial, the land of the United States has been a homeland and place of spiritual and cultural significance to tribal people. Tribal people remain dependent on public lands to maintain traditional livelihoods and cultural practices, such as hunting, gathering, and ceremonial uses; and

WHEREAS, for the last century, tribal nations and tribal members have experienced removal from these ancestral homelands, and afterward, limited access to the land. Tribal nations and tribal members have also witnessed the looting of graves and sacred sites, and threats from more modern land uses such as off-road vehicle use and energy development; and

WHEREAS, the Antiquities Act was originally intended to protect American Indian cultural and archaeological resources and has subsequently been used by Presidents of both parties to permanently protect significant tribal cultural and archeological sites; and

WHEREAS, on April 26th, 2017 President Trump signed Executive Order 13792- a Review of Designations Under the Antiquities Act, where The President ordered the Department of Interior to review 27 National Monuments designated since 1996; and

WHEREAS, Indian trust lands and resources are a significant basis for tribal treaties and agreements with the United States which are the Supreme Law of the Land, and the United States has a legal and moral obligation to uphold the treaty and trust responsibilities that define the relationship between the federal government and Indian tribes; and

WHEREAS, National Monuments under review include Bears Ears, Canyon of the Ancients, Basin and Range, Grand Staircase-Escalante, Hanford Reach, Sonoran Desert, Berryessa Snow Mountain and the Upper Missouri River Breaks, all of which contain significant Tribal Cultural and Historic resources within the original designation boundary; and

WHEREAS, The Antiquities Act does not identify Executive authority for rescinding National Monuments and there is no legal precedent for doing so.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) does hereby urge the Administration to preserve all National Monument boundaries as they were originally designated and to not limit them in size. NCAI urges the Administration to preserve and protect all National Monuments with distinct historic and cultural value to Tribes; and

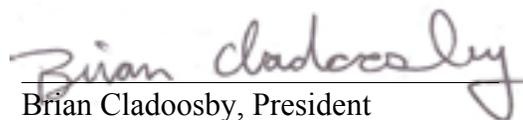
BE IT FURTHER RESOLVED, that NCAI continues to oppose any attempt to take tribal, federal, state, and county land and sacred landscapes, including, but not limited to, the Ute Indian Tribe's Uncompahgre Reservation lands; and

BE IT FURTHER RESOLVED, that NCAI urges the Department of Interior to meaningfully consult with Tribal Governments or Tribal Government Coalitions affected by Executive Order 13792 during the Department's review of National Monument Designations or when considering future changes to National Monument Designations; 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 2017 Midyear Session of the National Congress of American Indians, held at the Mohegan Sun Convention Center, June 12 to June 15, 2017, with a quorum present.


Brian Cladoosby, President

ATTEST:


Aaron Payment, Recording Secretary