



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #ABQ-03-019

Title: **Opposition to Environmental Protection Agencies (USEPA) Region 10 Actions to Dissolve the Office of Tribal Operations**

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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 the 1984 EPA Indian Policy, the Agency has progressively enhanced its government-to-government relationship with federally recognized Indian tribes including the development of the National Indian Office; and

WHEREAS, the NCAI supports revising EPA's General Assistance Program if additional resources are made available for all participating tribes to ensure quality and effective EPA programs in tribal communities; and

WHEREAS, in 1995, EPA Region 10 leadership consulted with tribal leaders about the organizational placement of the Region 10 Office. As a result of tribal input, the Region moved the Tribal Office from the Office of Water into the Regional Administrators Office; and

WHEREAS, the intent of the restructuring was to elevate the Tribal Office and affirm a true government-to-government relationship between the Region and tribes and has proven to be highly effective and was later adopted by other regions; and

WHEREAS, in recent weeks, the Region 10 Deputy Administrator has issued a memorandum to all regional staff of it's intent to review the Office of Tribal Operations (OTO) for purposes of reorganization. Despite the regional policy and procedures for tribal consultation on actions that could affect tribes, there has been no formal notification or consultation with tribal leaders of this effort.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby urge EPA to immediately halt any reorganization actions of Region 10 tribal program until an objective external review team is formed to assess the need for structural changes in the Regional Tribal program.

BE IT FURTHER RESOLVED, that NCAI further urges EPA to include members of the American Indian Environmental Office (AIEO), the National and Regional Tribal Operations Committees (NTOC & RTOC) on this review team.

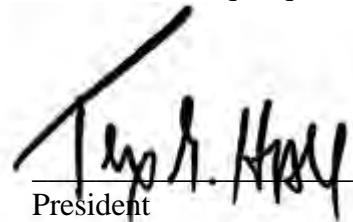
BE IT FURTHER RESOLVED, that EPA reinstate the Regional decision to remove supervisory authority of the Regional Tribal Operations Office Director- a tribal leader under an IPA with a tribal government.

BE IT FURTHER RESOLVED, that the NCAI strongly urges EPA to honor its government-to-government policy and consult with tribes on any proposed reorganization and structural changes to the Region 10 Tribal program pursuant to Region 10 Consultation Policy and Procedures to ensure that there is no diminishment of the Tribal programs' and their ability to adequately address the tribes' EPA issues.

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

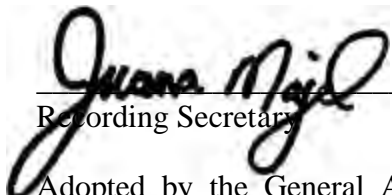
CERTIFICATION

The foregoing resolution was adopted at the 60th 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 60th Annual Session of the National Congress of American Indians, held in Albuquerque, New Mexico, from November 17-21, 2003.