



NATIONAL CONGRESS OF AMERICAN INDIANS

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RESOLUTION #SD-02-008

Title: Great Lakes Protection

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, NCAI is an organization that furthers the interests of tribes and is concerned with the protection of natural resources essential to tribal life; and

WHEREAS, the Great Lakes from time immemorial have been a basis of subsistence, a major water way for tribal travel, a meeting place, and a revered site for a great number of Great Lakes tribes in the United States and Canada; and

WHEREAS, United States v. Michigan, 471 F. Supp 192 (W.D.Mich. May 7, 1979) upheld the aboriginal and treaty-guaranteed rights of certain Michigan, Odawa, and Chippewa tribes to exercise their off-reservation rights to fish on Gitchigamaa Mashiganing (Lake Michigan); and

WHEREAS, the State of Michigan has entered into an agreement with Great Springs Water of America (a subsidiary of the Perrier Group of American, Inc.) dated August 2001 which has the potential to deplete

720,000 gallons a day from Gitchigamaa Mashiganing (Lake Michigan) and thereby adversely affecting the fishery, habitat and ecology of Lake Michigan and consequently interfering with the treaty rights of various Great Lakes tribes in the United States and Canada; and

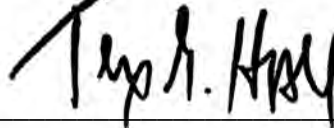
WHEREAS, NCAI believes that Michigan had no lawful authority to issue a license for diversion of water from Lake Michigan, which would interfere with aboriginal and treaty guaranteed tribal fishing rights.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby request that Congress enact a statute protecting the treaty rights of the Great Lakes tribes and enforce its navigable servitude over the waters of Gitchigamaa Mashiganing (Lake Michigan) by preventing the draining of the resource through the license issued by the State of Michigan to Perrier; and

BE IT FURTHER RESOLVED, that this resolution shall be the policy of the NCAI until it is withdrawn or modified by subsequent resolution.

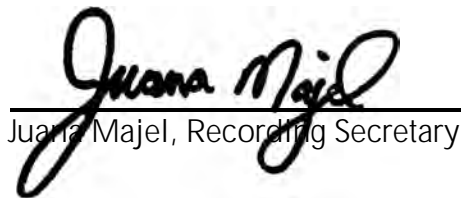
CERTIFICATION

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.