



NATIONAL CONGRESS OF AMERICAN INDIANS

THE NATIONAL CONGRESS OF AMERICAN INDIANS

RESOLUTION #SD-02-033

Title: Oppose Congressional Legislation Overriding Tribal Decisions

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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 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, any legislation that would prohibit the Secretary of the Interior's approval of agreements between a federally recognized Indian Tribe and an inter-tribal consortium of federally recognized Indian tribes is an infringement of Tribal sovereignty; and

WHEREAS, this type of legislation would be a direct attack upon tribal sovereignty as it would set a precedent for impermissible interference in issues that are uniquely tribal in nature, and removes Secretarial discretion and authority to act upon agreements approved by a Tribe and an inter-tribal consortium; and

WHEREAS, the NCAI has long opposed Congressional bills and legislation that detrimentally affect tribal sovereignty and tribal self-determination; and

WHEREAS, such action to overturn decisions of an inter-tribal

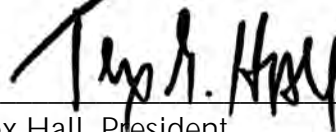
consortium whose members are sovereign tribal governments, much like NCAI, is contrary to the rights and interests of the NCAI; and

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby oppose any legislation that would override decisions of an inter-tribal consortium or a tribe thereby interfering in the conduct of tribal business and the disposition of tribal lands.

BE IT FINALLY 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.