



2015 Mid-Year Convention Warm Springs, Oregon

RESOLUTION #15 - 18

“SUPPORT FOR DEPARTMENT OF INTERIOR AND PARK SERVICE PROCESS”

PREAMBLE

We, the members of the Affiliated Tribes of Northwest 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 rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and

WHEREAS, the Native American Graves Protection and Repatriation Act (NAGPRA) was signed into law on November 16, 1990; and

WHEREAS, 2015 marks the 25th anniversary of NAGPRA, yet not all of the regulations implementing the law have been adopted; and

WHEREAS, one of the last regulations remaining to be adopted are 43 CFR § 10.7 that would implement the provisions of NAGPRA regarding disposition of Native American human remains collected since November 16, 1990; and

WHEREAS, the Section 10.7 regulations would govern numerous remains that have been collected since 1990 and that are Native American, yet cannot be definitively identified as culturally affiliated with an individual tribe; and

WHEREAS, the lack of the Section 10.7 regulations is unnecessarily delaying or preventing repatriation of ancestral Native American human remains which Congress intended to repatriate by enacting NAGPRA; and

WHEREAS, the National Park Service held numerous consultations on the regulations, including three consultation meetings in 2005, seven consultation meetings in 2007 and numerous discussions at the Native American Graves Protection and Repatriation Review Committee meetings since initiating consultation on the Section 10.7 regulations ten years ago; and

WHEREAS, draft regulations were issued on October 29, 2013 and comments were due on December 30, 2013; and

WHEREAS, there were at least 17 comments submitted, yet the National Park Service decided to delay issuance of the Section 10.7 regulations pending a review of the entirety of the 43 CFR § 10 regulations, which will occur no earlier than 2016; and

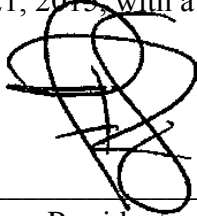
WHEREAS, there is no way of telling when these regulations will be issued if they are relegated to the federal bureaucracy that has withheld their issuance for a quarter century; and

WHEREAS, NAGPRA was enacted to restore ancestral Native American Human Remains to tribes and the lack of these regulations, 20 years after their statutory due date, has delayed and will continue to delay repatriation of Native American ancestral human remains; now

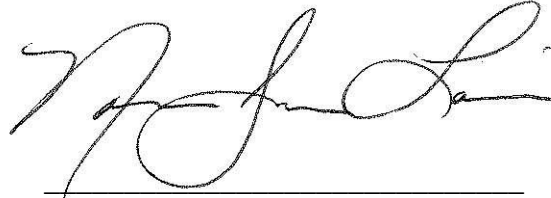
THEREFORE BE IT RESOLVED, that the Affiliated Tribes of Northwest Indians does hereby call upon the Bureau of Indian Affairs Department of the Interior and the National Park Service to move forward immediately with the issuance of the 43 CFR § 10.7 regulations, rather than forcing tribal ancestors to continue to await repatriation of Native American remains held in federal, state and private repositories.

CERTIFICATION

The foregoing resolution was adopted at the 2015 Mid-Year Convention of the Affiliated Tribes of Northwest Indians, held at the Kah-Nee-Ta Resort and Spa, Warm Springs, Oregon on May 18-21, 2015, with a quorum present.



Fawn Sharp, President



Norma Jean Louie, Secretary