



## **2015 Mid-Year Convention Warm Springs, Oregon**

### **RESOLUTION #15 - 24**

#### **“MAKAH WHALING TREATY RIGHTS”**

#### **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 Makah Tribe of Neah Bay, Washington, has a treaty right to hunt whales under the Treaty of Neah Bay of 1855; and

**WHEREAS**, when the Gray Whale was removed from the Endangered Species List, the Makah notified the United States Government of its desire to exercise its whaling treaty right; and

**WHEREAS**, a court ruling in 2005 requires the Makah Tribe to obtain a waiver of the take of the moratorium under the Marine Mammal Protection Act (MMPA); and

**WHEREAS**, the Makah Tribe submitted a waiver request to the National Oceanic and Atmospheric Administration (NOAA) on February 15, 2004 seeking approval to harvest an average of four Gray Whales per year; and

**WHEREAS**, the first step to evaluate the waiver request is for NOAA to develop a draft Environmental Impact Statement (EIS) in accordance with the provisions of the National Environmental Policy Act; and

**WHEREAS**, NOAA recently released an EIS for a 90-day public comment period after which the NOAA West Coast Regional Administrator will issue a preliminary decision; now

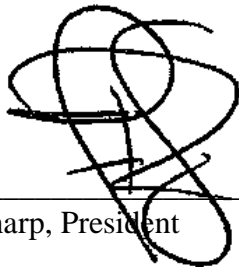
**THEREFORE BE IT RESOLVED** that the Affiliated Tribes of Northwest Indians does hereby go on record to reaffirm ATNI Resolution #98-35 in support of Makah Whaling Treaty Rights; and

**BE IT FURTHER RESOLVED**, that ATNI supports the right of the Makah's to freely exercise their treaty right to hunt whales without threats, intimidation, harassment or interference; and

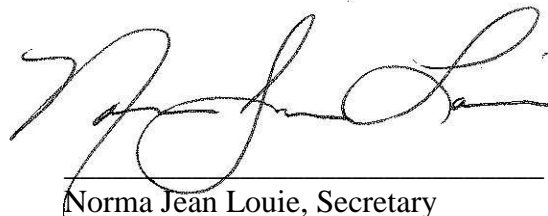
**BE IT FINALLY RESOLVED**, that ATNI calls upon NOAA to expedite the waiver process and fulfill the federal government's trust responsibility to protect and support Makah treaty rights.

### **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.



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Fawn Sharp, President



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Norma Jean Louie, Secretary