



## **2015 Annual Convention Spokane, Washington**

### **RESOLUTION #15 - 57**

#### **“TO PROTECT TRIBAL SOVEREIGNTY AGAINST S. 1984 AND THE EFFORT TO CUT OFF FEDERAL FUNDS FOR TRIBAL MARIJUANA ACTIVITIES”**

#### **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**, there is occurring within the United States a major shift in attitudes, policies, and laws dealing with marijuana and hemp use for medical, recreational, and commercial purposes with 23 states and the District of Columbia allowing use of marijuana for certain purposes, including states where ATNI member nations and tribes are located; and

**WHEREAS**, on October 28, 2014, the U.S. Department of Justice announced that it would enforce the Controlled Substances Act relating to marijuana in Indian Country in a manner similar to that previously announced, regarding enforcement of the Act within the various states; and

**WHEREAS**, said marijuana enforcement policy in Indian Country indicates that the U.S. Department of Justice would defer to tribal government regulation of marijuana and hemp, including legalization for medicinal, adult recreational, or commercial purposes, so long as said regulation ensures that eight defined federal enforcement priorities are satisfied; and

**WHEREAS**, on August 5, 2015, Senator James Lankford of Oklahoma filed legislation that would prohibit any federally-recognized Indian nation or tribe from cultivating, manufacturing or distributing marijuana within their territories and would punish any such tribe that did so by cutting off all of its federal funding (S. 1984); and

**WHEREAS**, S.1984 makes no mention that states that are engaged in the cultivating, manufacturing, or distributing of marijuana should also be prohibited from doing so under penalty of losing all federal funds; and

**WHEREAS**, it is within the inherent sovereign authority of ATNI member nations and tribes to decide for themselves issues of health and social policy affecting their people, including whether marijuana or hemp is legalized or prohibited within their territories for medicinal, recreational, or commercial purposes; and

**WHEREAS**, S.1984 is a direct, hypocritical, and discriminatory attack on the sovereign right of Indian nations and tribes to exercise their inherent authority to determine the health and social policy within their territories but to not impose such a punishment on states engaged in such activity; and

**WHEREAS**, regardless of the issues involved, ATNI has always taken a strong stand to oppose any effort by the U.S. government to undermine the sovereignty and treaty rights of ATNI member nations and tribes; now

**THEREFORE BE IT RESOLVED**, that ATNI declares that S. 1984 is a direct attack on the sovereignty of ATNI member nations and tribes; and

**BE IT FURTHER RESOLVED**, that ATNI declares that S. 1984 is hypocritical and discriminatory because it would prohibit sovereign Indian nations and tribes from engaging in any activity that state governments are allowed to engage in under federal authority; and

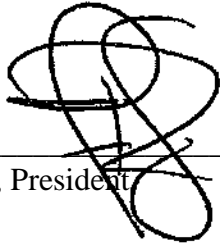
**BE IT FURTHER RESOLVED**, that ATNI shall engage with the Congress to ensure that any federal legislation dealing with marijuana ensures that the sovereignty of ATNI member nations and tribes is fully protected; and

**BE IT FINALLY RESOLVED**, that this resolution be forwarded to regional and national forums, not limited to the National Congress of American Indians (NCAI), United South

& Eastern Tribes (USET), California Association of Tribal Governments, Native American Finance Officers (NAFOA), the Great Plains Tribal Chairman's Association, and the Midwest Alliance of Sovereign Tribes (MAST).


**CERTIFICATION**

The foregoing resolution was adopted at the 2015 Annual Convention of the Affiliated Tribes of Northwest Indians, held at Northern Quest Resort and Casino, Spokane, Washington on September 14-17, 2015, with a quorum present.



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Fawn Sharp, President



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Norma Jean Louie, Secretary