



2015 Annual Convention Spokane, Washington

RESOLUTION #15 - 65

“To Request Federal Agency Protection of Indian 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 United States of America entered into treaties with ATNI member nations and tribes in the nineteenth century for purposes of establishing peaceful relations, transferring title to millions of acres of aboriginal Indian-owned land to the U.S. government, defining the boundaries of reserved Indian territory, and securing resource rights and other commitments of the U.S. government to the Indian tribal government signatories of said treaties; and

WHEREAS, as the result of the establishment of the treaty relationship between the U.S. government and Indian nations and tribes, there has evolved a fiduciary trust relationship by which the Federal government has an affirmative legal obligations to protect the treaty-defined lands and reserved rights; and

WHEREAS, despite the promises set forth in said Indian treaties, the U.S. government for much of its history has systematically failed to fulfill its treaty and fiduciary trust obligations to Indian tribal governments and Indian people; and

WHEREAS, in the modern era, U.S. government executive branch agencies such as the Department of Commerce, the Department of Interior, the Department of Defense, the Department of Health & Human Services, the Department of Labor, the Department of the Treasury, and the Environmental Protection Agency (i.e. "Federal Agencies") have been directed by Congress and the President to carry out certain administrative functions many of which routinely involve or affect ATNI member nations and tribes within or in close proximity to their tribal lands; and

WHEREAS, historically said Federal Agencies have proceeded to fulfill their statutory and administrative obligations without regard to taking into account the treaty obligations or fiduciary obligations of the U.S. government to Indian tribal governments and Indian people and, in some instances, have blatantly violated or ignored said obligations; and

WHEREAS, since 1994, U.S. Presidents have issued Executive Orders on Tribal Consultation that have directed that Federal Agencies inform and consult Indian tribal governments on matters that may involve them prior to taking administrative action; and

WHEREAS, the Tribal Consultation Policy has been implemented by Federal Agencies over the years which has served to improve the interaction of Federal Agencies with Indian tribal governments and to fulfill the U.S. government's treaty and fiduciary obligations; and

WHEREAS, despite this progress, more action must be taken ensure that Federal Agencies are fulfilling the treaty and fiduciary obligations of the United States to Indian tribal governments and to Indian people; now

THEREFORE BE IT RESOLVED, that ATNI does hereby request that the U.S. government's Tribal Consultation Policy be amended to require that Federal Agencies not simply consult with Indian tribal governments on matters that may affect them, but to take such affirmative and protective action to ensure that Indian treaty rights and the Federal government's fiduciary obligations to Indian tribal governments and Indian people are fulfilled; and

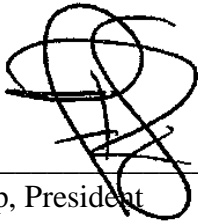
RESOLVED, that ATNI requests that Federal Agencies that are engaged in activities within or that affect Indian Country should (i) independently review the impacts of their actions on Indian treaty rights to ensure that said rights are not negatively affected, and (ii) act in a coordinated manner with each other to ensure that said rights are fully protected and, as need be, fully restored to their original vitality; and

BE IT FURTHER RESOLVED, that ATNI requests that President Barack Obama, the White House Council on Native American Affairs, and relevant Federal Agencies take such action as may be necessary to fulfill the intent of this resolution; and

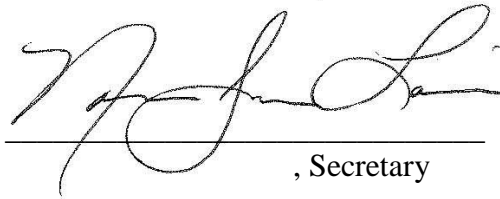
BE IT FINALLY RESOLVED, that this resolution be forwarded to regional and national forums, not limited to the National Congress of American Indians (NCAI), United South & Eastern Tribes (USET), California Association of Tribal Governments, Native American Finance Officers (NAFOA), the Great Plains Tribal 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.



Fawn Sharp, President



, Secretary