



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #ANC-14-005

TITLE: Urge Congress to Pass Meaningful Federal Chemicals Policy Reform to Protect Our Present and Future Generations

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Tlingit

NCAI HEADQUARTERS

1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

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, 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, the conservation of tribal resources and promotion and preservation of tribal members' health and welfare is a priority for all tribes; and

WHEREAS, the NCAI membership continues to support implementation of NCAI Resolution #PSP-09-02 — *Protection of Health and Human Rights of Present and Future Generations through Ratification and Implementation by the United States of the Stockholm Convention on Persistent Organic Pollutants*; and

WHEREAS, toxic exposures continue to threaten our health and well-being due to ineffective and outdated federal law—the Toxic Substances Control Act of 1976 (TSCA) and the Federal Insecticide, Fungicide and Rodenticide Act of 1972 (FIFRA), which regulates chemicals used in commerce; and

WHEREAS, FIFRA allows the production and export of pesticides that are banned for use in the United States, harming communities where they are produced as well as where they are used and where they travel due to global transport through the environment—particularly in the arctic; and

WHEREAS, today there are more than 80,000 chemicals on the market, most of which have never been tested for safety for human health and the environment; and

WHEREAS, many of these chemicals contaminate our traditional foods, environment, bodies, and homes and negatively impact our reproductive health; and

WHEREAS, research has demonstrated that American Indian and Alaska Native Peoples are at higher health risk from certain substances that are toxic, persistent, and bioaccumulate in the environment, the food web, and in the human body; and

WHEREAS, studies show that developing children, youth, elders, and those with chronic illnesses are particularly vulnerable to health-harms caused by exposure to persistent and toxic chemicals; and

WHEREAS, Indigenous Peoples are exposed to these chemicals without our free prior and informed consent, resulting in a number of violations of our human rights and treaty rights including our rights to health and subsistence; and that can cause harm current and future generations; and

WHEREAS, American Indian and Alaska Native peoples are concerned about a greater exposure to health risks due to our reliance on traditional, subsistence foods integral to our physical, spiritual, and cultural sustenance.

NOW BE IT THEREFORE RESOLVED, NCAI calls upon Congress to amend, strengthen and clarify Toxic Substances Control Act and the Federal Insecticide, Fungicide and Rodenticide Act by including provisions that:

1. require expedited action to eliminate the worst chemicals;
2. ensure the protection of Indigenous Peoples and our most vulnerable members and require swift action to address “hotspot” communities that are disproportionately exposed to toxic chemicals through air, water, and land contamination, as well as through our traditional foods;
3. require that chemical manufacturers prove the safety of their products before they are introduced into the environment and require substitution of safe alternatives to replace harmful chemicals;
4. recognize tribal authority, same as state authority, to regulate protection from toxic exposures to chemicals that endanger human health and well-being, and the human rights of tribal citizens and future generations;
5. allow tribes and states to adopt and enforce their own chemical laws, and protect the ability of tribes and states to enact stricter standards where local conditions warrant; and
6. are consistent with the rights affirmed in the United Nations Declaration on the Rights of Indigenous Peoples to subsistence, health and free prior and informed consent, and other relevant provisions; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of the National Congress of American Indians until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2014 Mid-Year Session of the National Congress of American Indians, held at the Dena'ina Civic & Convention Center, June 8-11, 2014 in Anchorage, Alaska, with a quorum present.

President

ATTEST:

Recording Secretary