



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #MKE-17-001

TITLE: Supporting Comprehensive Water Rights Settlement for Hualapai Tribe

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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 and the United Nations Declaration on the Rights of Indigenous Peoples, 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 Colorado River is the Northern boundary of the Hualapai Indian Reservation historically since 1883 when the Reservation was established by executive order; and

WHEREAS, the Hualapai Indian Tribe is a federally-recognized sovereign Indian tribe with its seat of government located at Peach Springs, Arizona in Northern Arizona; and

WHEREAS, the Hualapai Tribe has negotiated a comprehensive settlement agreement to settle its water rights with the United States, the Arizona Department of Water Resources, the Central Arizona Water Conservation District, the Salt River Project, and Freeport Minerals, Corp.; and

WHEREAS, the settlement agreement provides it must be ratified, approved, and confirmed by Congress; and

WHEREAS, the settlement agreement includes draft legislation for Congress to enact to approve, ratify and implement the agreement; and

WHEREAS, the legislation approving and ratifying the settlement would allocate 400afy of Central Arizona Non-Indian Agricultural Priority water from the Colorado River to the Hualapai Tribe, and would require the United States and the State of Arizona to "firm" 1,115 acre feet a year of the water through the Year 2108; and

WHEREAS, the legislation in addition would authorize the construction of a water infrastructure delivery to deliver not less than 3,414 acre feet a year of water from the Colorado River to the Reservation, serving both Peach Springs and Grand Canyon West; and

WHEREAS, the legislation also provides that the Tribe may use the Tribe's Economic Development Fund to purchase additional water rights to Colorado River water and that those rights cannot thereafter be permanently alienated but can be leased, stored and transported to the Reservation; and

WHEREAS, the Hualapai Indian people have, since time immemorial, have had spiritual connections with the River and the Canyons before it being named "Grand Canyon" including other natural resources of the River, for physical, cultural and spiritual survival and sustenance; and

WHEREAS, the Nation has an inherent right, and the United States has an unique legal trust obligation, to protect the health and welfare of the Colorado River and Hualapai Tribe; and

WHEREAS, the Hualapai Tribal Council wishes to reaffirm and restates its support for the water rights settlement agreement through the National Congress of American Indians legislation; and

WHEREAS, the Hualapai Tribal Council requests support of NCAI that the Arizona congressional delegation to re-introduce in Congress the legislation approving and ratifying the settlement agreement, and to speedily secure its enactment by Congress.

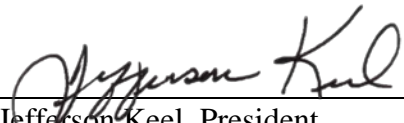
NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) does hereby declare its support for the Hualapai Tribe, its inherent rights to the settlement agreement of the Colorado River; and

BE IT FURTHER RESOLVED, that nothing in this Resolution should be construed as supportive of the inclusion of any reference in the legislation to the historic statute, 25 U.S.C. § 211, which was superseded by the Indian Reorganization Act of 1934; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2017 Annual Session of the National Congress of American Indians, held at the Wisconsin Center in Milwaukee, WI, Oct 15, 2017 - Oct 20, 2017, with a quorum present.



Jefferson Keel, President

ATTEST:



Juana Najel Dixon, Recording Secretary