

## **RESOLUTION OF THE AFFILIATED TRIBES OF NORTHWEST INDIANS**

SUPPORT FOR REFORM OF THE 1872 MINING LAW TO PROTECT SACRED SITES AND WATER RESOURCES OF THE AFFILIATED TRIBES OF NORTHWEST INDIANS (ATNI)

WHEREAS, The Affiliated Tribes of Northwest Indians are organized and operated in accordance with the Constitution and By-Laws; and

WHEREAS, the purpose of the Affiliated Tribes of Northwest Indians are stated in the Constitution, Preamble; and

WHEREAS, the Executive Board and body are comprised of elected representatives of the member Tribes and whose Charter is ratified by these same Tribes; and

WHEREAS, the Affiliated Tribes of Northwest Indians thoroughly acknowledges that Tribes have a fiduciary and a trust relationship with the United States Federal Government and for this purpose; acknowledges that Tribes have a government-to-government relationship with the United States Federal government; and

WHEREAS, the Affiliated Tribes of Northwest Indians recognizes there are social, economic and environmental impacts on Tribal Nations from the policies made by municipalities, county, state, and federal governments; and

WHEREAS, the Affiliated Tribes of Northwest Indians are recognized tribes whose lands belong to Indigenous people of the Northwest.

WHEREAS, the Trust Responsibility of the United States

government to the Affiliated Tribes of Northwest Indians requires the Department of Interior to directly and actively consult with Tribal leaders; and

WHEREAS, the Affiliated Tribes of Northwest Indians, as Indigenous People, hold extreme and solemn relations with the Land, Water, Air, and Animals; and

WHEREAS; these Traditional lands contain irreplaceable spiritual, religious, cultural and archaeological significance; and

WHEREAS, the Affiliated Tribes of Northwest Indians have never ceded lands to the United States Government; and

WHEREAS, the 1872 Mining Law was nearly written 150 years ago and still governs the mining of hardrock minerals such as gold, silver, copper, uranium and other metals; and

WHEREAS, the 1872 Mining Law favors hardrock mining over all other land uses, effectively limiting the ability of the Department of Interior to balance mining with competing uses, including the protection of sacred sites; and

WHEREAS, according to the U.S. Environmental Protection Agency (EPA), hardrock mining is the number one source of toxic pollution and pollutes 40% of Western headwaters; and

WHEREAS, the 1872 Mining Law has insufficient environmental standards which do not adequately protect water or wildlife habitats; and

WHEREAS, current law creates no independent dedicated funding source to clean up the estimated 500,000 abandoned mines in the United States,

which will forever threaten both public health and safety, and will cost an underestimated amount of money to clean- up; and

WHEREAS, the Affiliated Tribes of Northwest Indians believe the 1872 Mining Law poses a serious threat to the member Tribe's land, water, cultural resources, traditional properties, and lifeways; and

NOW THEREFORE, BE IT RESOLVED: that the Affiliated Tribes of Northwest Indians have been given the responsibility to be the Caretakers of their ancestral homelands and surrounding areas; in as such, call upon the Congress of the United States to pass robust legislative reform of the 1872 Mining Law and enter into direct and active government-to-government collaboration and consultation, consistent with all relevant laws and orders including but not limited to NAGPRA, the Religious Freedom Act, National Historic Preservation Act section 106, Executive Order 13175, Executive order 13007, with tribal leaders on all aspects of the 1872 Mining Law, including but not limited to monitoring/assessments on surface and groundwater contamination within all impacted watersheds, air quality protection, human cell protection, meaningful consultation for religious, cultural, spiritual, traditional and sacred sites and properties, and the origin stories related thereto, environmental resources, radiological criteria and standards development, remediation, international peace agreements, environmental justice concerns, public health and safety, threatened and endangered species, cell-based life protection; the Affiliated Tribes of Northwest Indians further resolve that reform of the 1872 Mining Law would facilitate the consultation described above and ease implementation of other federal laws applicable to trust federal lands which include mitigation of violations of the Native American Graves Repatriation Act, Freedom of Religion Act, Archaeological Resources Protection Act, National Environmental Protection Act, Public Lands Protection Act, and National Wildlife Refuge Protection Act.

CERTIFICATION The foregoing resolution was adopted at the duly called meeting of the Affiliated Tribes of Northwest Indians Executive Board Meeting held on the \_\_\_\_\_, by a vote of \_\_\_\_\_ FOR, \_\_\_\_\_ AGAINST, AND \_\_\_\_\_ ABSTENTIONS.

\_\_\_\_\_,  
Secretary ATNI Executive Board