



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #ECWS-23-005

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### TITLE: Offshore Wind Moratorium

**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 government has a legal obligation to consult with Tribal Nations on any activities that may affect their lands or resources; and

**WHEREAS**, the Biden administration encourages through the January 26, 2021 Memorandum, “Tribal Consultation and Strengthening Nation-to-Nation Relationships” to improve tribal engagements; and

**WHEREAS**, the Biden administration in the November 30, 2022 Memorandum requires “Uniform Standards for Tribal Consultation”; and

**WHEREAS**, the Biden Administration has embraced the need to expand tribal consultation to incorporate the essential importance of tribal co-stewardship and co-management of traditional tribal lands and waters as recently as Assistant Secretary Bryan Newland’s statement before the General Assembly of NCAI on February 22, 2023; and

**WHEREAS**, President Biden issued a Memorandum on December 1, 2022, titled, “Implementation of Guidance for Federal Departments and Agencies on Indigenous Knowledge,” requires federal agencies to integrate Indigenous Knowledge as a line of evidence in federal decision-making; and

**WHEREAS**, incorporating tribal Indigenous Traditional Ecological Knowledge, through co-management of traditional lands and the associated life forms is critical to protecting tribal environment and is essential to Biden Administrations’ stated goal of respecting and including Indigenous Traditional Ecological Knowledge in decision making; and

**WHEREAS**, these policies must apply to energy development projects that may impact their traditional territories, cultural resources, or sacred sites; and

**WHEREAS**, Tribal Nations must be included in the management, permitting and development of power purchase agreements and both consulted and included in determining the terms and conditions of the agreements; and

**WHEREAS**, this includes negotiating fair compensation for the use of their lands and resources, inclusion in any revenues associated with such development of their traditional resources as well as ensuring that the development does not harm their environment or cultural heritage.

**NOW THEREFORE BE IT RESOLVED**, NCAI resolves to support shared tribal jurisdictional authority over and tribal management of offshore renewable energy activities, aimed at empowering Native communities through socio-economic benefits such as job opportunities, revenue sharing, and support for tribal energy development projects; and

**BE IT FURTHER RESOLVED**, that NCAI strongly urges the Department of the Interior and the Bureau of Ocean Energy Management to halt all scoping and permitting for offshore wind projects until completion of a comprehensive and transparent procedure adequately protecting tribal environmental and sovereign interests is developed and implemented; and

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

### CERTIFICATION

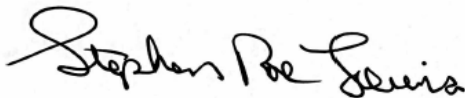
The foregoing resolution was adopted by the General Assembly at the 2023 Executive Council Winter Session of the National Congress of American Indians, held February 20-23, 2023, in Washington, D.C., with a quorum present.



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Fawn Sharp, President

**ATTEST:**



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Stephen Roe Lewis, Recording Secretary