



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #SAC-22-044

TITLE: Urging the State of New York and All States to Immediately Enact and Enforce Adequate Unmarked Burial Site Protection Laws

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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 Unkechaug Nation is a Sovereign Nation recognized under federal common law and by the State of New York ; and

WHEREAS, the Shinnecock Indian Nation is a Sovereign Nation recognized under federal common law, by the State of New York, and by the United States Department of the Interior; and

WHEREAS, both the Unkechaug and Shinnecock Nations have faced difficulties safeguarding unmarked ancestral burials because New York State law offers no protection for unmarked graves; and

WHEREAS, New York State is one of few states that offer no protection, while other states offer only inadequate protection of unmarked burial sites from desecration and destruction; and

WHEREAS, adequate unmarked burial site protection laws should prevent the unfettered disturbance of burials and the desecration of human remains and funerary objects on private lands in New York State and elsewhere, and provide criminal penalty for violation; and

WHEREAS, it is a matter of cultural and religious significance, to ensure the proper traditional care and respect for our ancestors, their burial sites, and their funerary objects; and

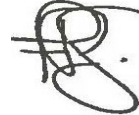
WHEREAS, such protection and treatment is a matter of fundamental human rights, moral dignity, and justice.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians urges the immediate enactment of adequate unmarked burial site protection laws in New York State and elsewhere; 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 2022 Annual Conference of the National Congress of American Indians, held in Sacramento, CA, October 30-November 4, 2022, with a quorum present.



Fawn Sharp, President

ATTEST:



Stephen Roe Lewis, Recording Secretary