



Flandreau Santee Sioux Tribe

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RESOLUTION NO. 14-142

- WHEREAS,** the Flandreau Santee Sioux Tribe (the "Tribe") is a federally recognized Indian tribe organized pursuant to the Constitution and By-laws approved by the Secretary of Interior and Commissioner of Indian Affairs on April 24, 1936, amended February 7, 1941, and further amended November 16, 1967, and further amended November 14, 1984, and further amended May 17, 1997; and
- WHEREAS,** Article III of the Tribe's Constitution and By-laws provides that the governing body of the Tribe shall be the Executive Committee; and
- WHEREAS,** Article VIII, Section (a) provides that the Executive Committee may negotiate with Federal, State, and local governments; and
- WHEREAS,** the Tribe opposes the Federal Government's proposed removal of the Yellowstone grizzly bear from Endangered Species Act protections through the US Fish and Wildlife Service; and
- WHEREAS,** the US Fish and Wildlife Service, Department of the Interior, has so far ignored Executive Order 13175 (Nov. 6, 2000) entitled "Consultation and Coordination with Indian Tribal Governments" signed by President Clinton, and the Memorandum for the Heads of Executive Departments and Agencies (Nov. 5, 2009) issued by President Obama requiring a "complete and consistent implementation of Executive Order 13175"; and
- WHEREAS,** the federal government's determination to remove the grizzly bear from Endangered Species Act protection contravenes the American Indian Religious Freedom Act, 42 U.S.C. § 1996 (2014); and
- WHEREAS,** the American Indian Religious Freedom Act states laws pertaining to "conservation and preservation of natural species and resources" were never intended to impact American Indian religious practices but did "and, therefore, were passed without consideration of their effect on traditional American Indian religions"; and
- WHEREAS,** in its proposed delisting of the grizzly bear the US Fish and Wildlife Service is in contravention of the Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species

Act (ESA) of 1973, 16 U.S.C. § 1531 (2014), which sets forth the framework to be followed when actions taken under authority of the ESA affect tribes; and

WHEREAS, the *American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act Order* states: “The Departments shall take into consideration the impacts of their actions and policies under the Act on Indian use of listed species for cultural and religious purposes”; and

WHEREAS, the Order directs the US Fish and Wildlife Service to “solicit traditional knowledge, and comments from, and utilize the expertise of, affected Indian tribes” during the consultation process, and “cooperate with affected tribes to develop and implement Recovery Plans in a manner that minimizes” social and cultural impacts on tribal people; and

WHEREAS, none of these commitments has been honored; and

WHEREAS, the US Fish and Wildlife Service has refused to release the data it has based its conclusions on for independent scientific review, that data being the basis for the federal government’s proposal to remove the grizzly bear from Endangered Species Act protections; and

WHEREAS, when considering the intent of the Endangered Species Act, a species cannot be considered sufficiently recovered to warrant removal from Endangered Species Act protection if it presently only survives on approximately 2% of its original range; and

WHEREAS, throughout the US Fish and Wildlife Service’s process proposing a new Rule to delist the Yellowstone grizzly bear there has been no discussion related to the impact delisting the grizzly, and the subsequent trophy hunting of the bear, will have on American Indian spirituality, namely the religious practices of traditional tribal people; and

WHEREAS, the grizzly bear holds a unique position in traditional Dakota culture and the cultures and ceremonial lifeways of the traditional spiritual practitioners of tribes also identified by the federal government as possessing centuries old, and in some instances, millennia-long connections to the lands where the grizzly now survives; and

WHEREAS, those cultural imperatives and the preservation of sovereignty require a repudiation of the federal government’s desire to delist the grizzly bear from Endangered Species Act protections; and the legislative resolve to deny the states’ determination to see trophy hunting of grizzlies on reservations and the extirpation of the grizzly bear from swathes of reservation and ancestral

homelands; and

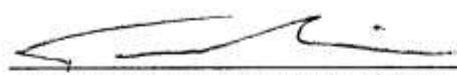
NOW THEREFORE BE IT RESOLVED, that the Executive Committee hereby officially adopts this position in respect to delisting the Yellowstone grizzly bear, and authorizes President Anthony Reider to sign a letter for support for the cause on the Tribe's behalf.

CERTIFICATION

The foregoing Resolution was duly enacted and adopted on this 11th day of December, 2014 by the Executive Committee of the Flandreau Santee Sioux Tribe during a duly called meeting with a quorum was present of 6 In Favor, 0 Opposed, 0 Abstaining, and 1 Not Voting, as follows:

Vice President, Cynthia J. Weddell:	<input checked="" type="radio"/> YES	NO	ABSTAIN	NOT PRESENT
Secretary, Gordon Jones, Jr.:	<input checked="" type="radio"/> YES	NO	ABSTAIN	NOT PRESENT
Trustee I, Jean Paul Roy:	<input checked="" type="radio"/> YES	NO	ABSTAIN	NOT PRESENT
Trustee II, Roxee Johnson:	<input checked="" type="radio"/> YES	NO	ABSTAIN	NOT PRESENT
Trustee III, Michael Weston:	<input checked="" type="radio"/> YES	NO	ABSTAIN	NOT PRESENT
Trustee IV, Kenny Weston:	<input checked="" type="radio"/> YES	NO	ABSTAIN	NOT PRESENT
President, Anthony Reider (<i>If Required</i>):	YES	NO	ABSTAIN	NOT PRESENT


Gordon Jones, Jr., Tribal Secretary


Anthony Reider, Tribal President