



Coalition of Large Tribes

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon
Crow Nation • Duck Valley Indian Reservation Eastern Shoshone Tribe
Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation • Navajo Nation • Northern Arapaho Tribe
Oglala Sioux Tribe • Rosebud Sioux Tribe • Sisseton Wahpeton Sioux Tribe
Shoshone-Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Indian Reservation
Spokane Tribe • Ute Indian Tribe • Walker River Paiute

Resolution: March-9-2024-Resolution #05-2024 (Las Vegas, NV)

Resolution of COLT Support for Establishing a White House Initiative on Advancing Equity, Protection and Preservation of American Indian and Alaska Native Religious and Ceremonial Freedom.

WHEREAS, the Coalition of Large Tribes (COLT) was formally established in early April 2011, and is comprised of Tribes with large land base, including the Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon • Crow Nation • Eastern Shoshone Tribe • Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nations • Navajo Nation • Northern Arapaho Tribe • Oglala Sioux Tribe • Rosebud Sioux Tribe • Sisseton Wahpeton Sioux Tribe • Shoshone Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Reservation • Spokane Tribe • Ute Indian Tribe • Walker River Paiute Tribe and is Chaired by Marvin Weatherwax, Blackfeet Nation; and

WHEREAS, COLT was organized to provide a unified advocacy base on all issues affecting Tribes that govern large trust land bases and that strive to ensure the most beneficial use of those lands for tribes and individual Indian landowners; and

WHEREAS, COLT Tribes are some of the last Native language speaking Tribes, with high participation in cultural, ceremonial, religious practices. These spiritual practices are tied to sacred places where medicines, foods, and natural resources; and

WHEREAS, COLT Tribes hold significant interest in off-reservation sacred places and sites that are on federal, state and private land. These sacred places are often inaccessible and require public-private partnerships to allow for free exercise of American Indian religions; and

WHEREAS, COLT Tribes have diverse religious and ceremonial practices spanning thousands of unique ceremonies and protocols. A unifying ceremony practiced by a super majority of COLT Tribes is the Peyote ceremony, also known as the Native American Church; and



Coalition of Large Tribes

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon
Crow Nation • Duck Valley Indian Reservation Eastern Shoshone Tribe
Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation • Navajo Nation • Northern Arapaho Tribe
Oglala Sioux Tribe • Rosebud Sioux Tribe • Sisseton Wahpeton Sioux Tribe
Shoshone-Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Indian Reservation
Spokane Tribe • Ute Indian Tribe • Walker River Paiute

WHEREAS, Tribes who are now members of COLT supported both the 1978 American Indian Religious Freedom Act (AIRFA) and the 1994 AIRFA amendments which protected members of federally recognized Indian tribes in their legal use of Peyote as a sacrament; and

WHEREAS, AIRFA is now in its 45th year and we are celebrating the 1994 amendments' 30th anniversary, and we observe there is a profound need to review, in coordination with Tribal Nations, the implementation of AIRFA in order to assess its successes and advance policy proposals that will remove persistent barriers to free exercise; and

WHEREAS, the proposed Initiative in the form of an Executive Order was drafted by members of the Native American Church who are members of COLT Tribes. The proposed Executive Order has been vetted throughout Indian Country, including before the Great Plains Tribal Chairmans Association, United Tribes of North Dakota, Rocky Mountain Tribal Leaders Council, United Indian Nations of Oklahoma and the National Congress of American Indians; and

WHEREAS, COLT has long championed such protections including, for example, opposing legalization of mescaline, as indistinguishable from peyote, because such legalization would decimate traditional Native American Church practitioners' access to peyote; and

NOW THEREFORE BE IT RESOLVED THAT, the Coalition of Large Tribes (COLT) supports the proposed White House Initiative and corresponding Executive Order (attached hereto); and

BE IT FURTHER RESOLVED THAT, COLT supports Tribally-driven efforts from both federally recognized Indian Tribes and historic democratic representative bodies of the Native American Church in peyote land restoration, medicine access and advisement to agencies surrounding the removal of barriers to the fullest Free Exercise of American Indian religious freedom; and

BE IT FURTHER RESOLVED THAT, COLT encourages efforts that are Indigenous led and owned, that ensure that Indigenous cultural knowledge and practices are being preserved and shared in ways that honor ancestral wisdom, and that enjoy the maximum available legal protections; and



Coalition of Large Tribes

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon
Crow Nation • Duck Valley Indian Reservation Eastern Shoshone Tribe
Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation • Navajo Nation • Northern Arapaho Tribe
Oglala Sioux Tribe • Rosebud Sioux Tribe • Sisseton Wahpeton Sioux Tribe
Shoshone-Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Indian Reservation
Spokane Tribe • Ute Indian Tribe • Walker River Paiute

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

Attest:

Marvin Weatherwax, Chairman, Coalition of Large Tribes

Crystalyne Curley, Secretary, Coalition of Large Tribes

CERTIFICATION

This resolution was enacted at a duly called meeting of the Coalition of Large Tribes held in Las Vegas, Nevada within the home state of the Shoshone-Paiute Tribes of the Duck Valley Reservation on March 9, 2024 at which a quorum was present, with the resolution approved unanimously.

Dated this March 9, 2024.

Addendum to Resolution NO-23-057**WORKING DRAFT****EXECUTIVE ORDER****ESTABLISHING WHITE HOUSE INITIATIVE on ADVANCING EQUITY,
PROTECTION, and PRESERVATION of AMERICAN INDIAN and
ALASKA NATIVE RELIGIOUS FREEDOM**

By the authority vested in me as President by the Constitution and the laws of the United States, in furtherance of Federal treaties, in order to protect and preserve Indian religious practices, in order to reduce the impositions and barriers preventing the full exercise of Indian religious freedoms and to enhance collaboration with tribal officials in the development of Federal policies that have implications on the fullest expression of Indian religious freedom, it is hereby ordered as follows:

Section 1. Policy. The United States has a unique political and legal relationship with federally recognized Tribal Nations, as set forth in the Constitution of the United States, statutes, treaties, Executive Orders, Administrative rules, and judicial decisions. The Federal Government is committed to protecting the rights and ensuring the well-being of Tribal Nations while honoring Tribal sovereignty and inherent rights of self-determination. No right is more crucial to Tribal Nations than the right to free exercise of their religious and ceremonial beliefs. In recognition of the Federal government's commitment to free exercise and the policy declaration contained within the 1978, 1994 (amended) American Indian Religious Freedom Act the Federal government has a solemn duty Tribal Nations. The entire Federal government and the executive departments and agencies are duty bound to advance religious, ceremonial protection, preservation and equity of Tribal Nations and their members to practice their religious and ceremonial beliefs.

Each executive branch agency with statutory or administrative responsibility will engage in government-to-government coordination with Tribal Nations to identify barriers to Tribal religious free exercise. The agencies will further engage in meaningful Tribal consultation to evaluate the implementation of the 1978 American Indian Religious Freedom Act.

For more than two centuries the United States promulgated policies designed to eradicate American Indian and Alaska Native religions and ceremonies. The federally supported boarding schools were not just designed to assimilate Native Children, they were designed to eliminate the transmission of intergenerational religious and ceremonial practices. The Federally funded assimilation and corresponding proselytization of Native children is repudiated by my Administration.

It is the policy of my Administration to advance equity, protection, and preservation of American Indian and Alaska Native religious and ceremonial practices to further Tribal self-governance, Tribal sovereignty, and Tribal well-being. My Administration will aid the expansion of opportunities and provide avenues to assure Tribal religious and ceremonial free exercise by collaborating with Tribal nations and their ceremonial practitioners to identify and remove barriers. This will include the advancement of voluntary public private partnerships to ensure access to sacred lands, plant medicines, ceremonial herbs, ceremonial sites, and traditional foods. My Administration will heighten interagency coordination to avoid adversely affecting the physical integrity of sacred lands including identifying federal investments on private land that destroy or diminish the integrity of sacred sites, sacred lands, and the plant medicines and ceremonial herbs that grown on such lands.

It is the policy of my Administration to revitalize Native languages which are inextricably linked to the fullest practice of Tribal religious free exercise. My Administration is committed to advancing [traditional ecological knowledge](#), this Administration acknowledges the importance of this knowledge which is a precursor to American Indian religious freedom.

My Administration recognizes the heroic unparalleled patriotic service of American Indian and Alaska Native veterans who fought for and defended liberties and freedom throughout the world that they themselves did not enjoy here in America.

To these ends my Administration is committed to the fullest implementation of the 1978 American Indian Religious Freedom Act and commits to carrying out our trust responsibility under this statute. This order establishes a means to better coordinate, increase engagement and expand opportunity to sustain prosperous and resilient Tribal communities.

Section 2. *Establishment of the White House Initiative on Advancing Equity, Protection and Preservation of American Indian and Alaska Native Religious and Ceremonial Freedom*

- (a) There is established in the Department of the Interior within Indian Affairs the White House Initiative on Advancing Equity, Protection and Preservation of American Indian and Alaska Native Religious and Ceremonial Freedom (Initiative).
- (b) This initiative is to ensure the free exercise of American Indian and Alaska Native religious and ceremonial practices, to protect and preserve all American Indian and Alaska Native religions and ceremonial practices, and to fulfill our commitment to our Federal trust obligations to all Tribal Nations pursuant to our respect and recognition of Tribal sovereignty.
- (c) The Initiative shall be led by three co-chairs whom, shall be the Secretary of the Interior, Secretary of Agriculture, and U.S. Attorney General. The Secretary of the Interior shall, in consultation with the other co-chairs of the initiative, designate an Executive Director for the Initiative. The Executive Director will chair a new committee (Committee) of the White House Council on American Indian Affairs (WHCAIA), established by Executive Order 13647 on June 26, 2013. The Committee will have a purview surrounding religious, ceremonial issues, sacred sites, cultural and language issues, public private partnerships in protection of sacred lands, and

implementation of existing statues and greater Tribal Nation inclusion in Federal programs and initiatives.

(d) The Initiative or committee shall consult and engage in meaningful consultations throughout Indian Country in collaboration with Tribal Nations, Alaska Native entities, religious and ceremonial leaders (medicine men and medicine women), historic representative bodies of federally recognized Tribal Native American Churches (Peyote practitioners), Tribal Historic Preservation officers, elders and designated surrogates of Tribal Nations, federally recognized Tribal researchers/scholars to advance equity, protection and preservation of American Indian and Alaska Native religious freedom by furthering the following policy goals:

(1) Breaking down barriers and impediments to Tribal religious and ceremonial free exercise including access to medicines, prayer sites, sacred lands, and traditional foods.

(2) Strengthening the capacity of volunteer public private partnerships and their access to Federal programs that invest in conservation strategies, encourage and develop Federal partnerships with public, private, philanthropic, and non-profit entities to improve access to sacred lands, sites, and culturally significant landscapes.

(3) Creating opportunities for strategic partnerships and coordination among agencies and working closely with the Executive Office of the President on key Administration priorities related to Tribal religious and ceremonial free exercise.

(4) Serving as a liaison with other agencies, advise those agencies on implementation and enforcement of the American Indian Religious Freedom Act

(5) Monitoring state incursions on the American Indian Religious Freedom Act through legislative proposals such as legalization and/or decriminalization of Peyote (*Lophophora williamsii*) and mescaline (3,4,5-trimethoxyphenethylamine).

(6) Collaborating with states, private landowners, Tribes, conservationists, Tribal researchers/scholars and other interested parties toward shared stewardship of sacred sites, medicines and traditional food ecosystems, culturally significant sites and sacred lands that respects private property rights, Tribal sovereignty, and state interest in wildlife management.

(7) Prioritizing Tribally led opportunities to establish new conservation efforts that protect and restore sacred lands, sites, medicine, ceremonial habitat, culturally significant places.

(8) Exploring policies that have Tribal implications and legislative proposals to expand opportunities for Tribal Nations' inclusion in Federal programs for the purpose of conserving sacred lands, places, sites, and culturally significant places.

(9) Furthering Tribal sovereignty by supporting efforts to cooperatively identify Tribal nations unique religious, ceremonial, and cultural needs, concerns, and viewpoints. Using the instruments of the Federal government to address these needs as permitted by law.

(10) increasing the understanding of systemic causes preventing access and protection of sacred places, lands, sites, medicines and traditional foods and protection of these places.

(c) To fulfill its mission and objectives, the Initiative (or Committee), shall be consistent with applicable law:

(1) Engage in regular and meaningful consultation with Tribal Nations and religious ceremonial practitioners who are appropriately authoritative representative of an Indian religion and a federally recognized Tribal Nation.

(2) Develop, lead, and coordinate the Administration's policy agenda affecting American Indian religious freedom. Ensuring that policy decisions and programs throughout the Federal government are consistent with the Policy set forth in Section 1 of this order, the AIRFA of 1978, 1994, and EO 13175 Consultation and Coordination with Tribal Governments.

(3) Report concerns and solutions and recommend policy options to the Administration leadership and WHCAIA for assisting, strengthening, and replicating partnerships.

Section 3. *Promoting Inclusive and Responsible Federal Engagement Practices and Reporting.*

(a) Section 2 of this Order establishes the co-chairs, Executive Director and committee of the WHCAIA. Each executive branch agency with statutory or Administrative responsibility shall promote the policy in section (1) of this order and to implement and enforce the American Indian Religious Freedom Act, including but not limited to, Department of Health and Human Services, Department of Defense, Department of Homeland Security, Department of State, Department of Justice, Department of Interior, Department of Agriculture, Office of Management and Budget, Environmental Protection Agency, Office of National Drug Control Policy, Drug Enforcement Administration, Food and Drug Administration, Bureau of Indian Education, Office of Indian Education, U.S. Fish and Wildlife Service, and the Domestic Policy Council Advisory and Council on Historic Preservation.

(b) Within 120 days of the effective date of this order relevant Executive agencies will develop written plans for evaluating implementation of the 1978, 1994 American Indian Religious Freedom Act. These same agencies will further provide a schedule for meaningful consultation with Tribal Nations to ascertain their viewpoints on implementation of AIRFA both successes and recommendations for heightened implementation of the statute. Within six months the Administration will have completed the first round of Tribal Nation consultations and within one year the Initiative will have issued a report containing findings from Tribal nation consultations and Executive agencies internal evaluation of the Administrations implementation of the American Indian Religious Freedom Act securing the first review of the statute in 45 years.

(c) To further the goals of the Initiative and the policy objectives in Section 1, the Initiative shall monitor and evaluate each Federal agency's progress to ensure that its "Agency Plan" includes measurables and action-oriented goals.

(d) The Department of Interior shall provide funding and administrative support for the Initiative, to the extent permitted by law.

(e) Each relevant agency with representation on the WHCNAA shall prepare a plan (Agency Plan) outlining measurable actions the agency will take to both implement fully AIRFA and support maximum feasible Tribal religious free exercise and report to the Co-Chairs of the Initiative and the Director of the Initiative.

(f) Each participating agency shall bear its own expenses for participating in the Initiative.

Section 4. Definitions. For purposes of this order:

(a) “Tribal Nation” “Indian Tribe” means an American Indian or Alaska Native Tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges as a federally recognized Tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. 5130,5131.

(b) “Tribal Official” means elected or duly appointed officials of Indian Tribal governments or authorized intertribal organizations.

(c) “Native American” and “Native” mean members of one or more federally recognized Tribal Nation as defined in 4(a) above.

(d) “Indian Country” means land that is located within the exterior boundaries of an Indian reservation.

(e) “Agency” means any authority of the United States that is an “agency” under 44 U.S.C. 502 (1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(5).

(f) “Tribal Religious Free Exercise” means American Indian Alaska Native religious and ceremonial freedom.

(g) “Ceremonial Practitioners” means enrolled members of federally recognized Tribes, Tribes who are authorized or ordained to practice, or lead bona fide Tribal ceremonies.

(h) “Historic Representative Bodies of the Native American Church” means long standing democratic organizations who are practitioners of the Peyote religion/ceremony and advocates on behalf of their respective constituency base.

(i) “Policies that have Tribal implications” refers to regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

(j) “Sacred site(s), lands” and “Culturally significant places/lands” means any specific and or geographic area, landscape, bodies of water, place on Federal,

state, Tribal or private land that is identified by an Indian Tribe(s) or individual Indian determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion.

Section 5. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

- (1) The authority granted by law to an executive department or agency, or the head thereof; or
- (2) The functions of the Director of the Office of Management and Budget relate to budgetary, administrative, or legislative proposals.
- (3) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.