ORDINANCE NO. 07-40

ORDINANCE OF THE OGLALA SIOUX TRIBAL COUNCIL
FOR THE OGLALA SIOUX TRIBE
(An Unincorporated Tribe)

ORDINANCE OF THE OGLALA SIOUX TRIBAL COUNCIL ENACTING THE OGLALA SIOUX TRIBE NATURAL RESOURCES PROTECTION ACT OF 2007.

WHEREAS, the Oglala Sioux Tribe has adopted its Constitution and By-Laws by referendum vote on December 14, 1935, in accordance with Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 476), and under Article IV of the Oglala Sioux Tribe Constitution the Oglala Sioux Tribal Council is the governing body of the Pine Ridge Indian Reservation, and

WHEREAS, the Oglala Sioux Tribal Council is vested with authority "to protect and preserve the natural resources of the Tribe, and to regulate the use and disposition of property upon the reservation" under Article IV, Section 1(m) of the Oglala Sioux Tribal Constitution, and (n) "to protect the health and general welfare of the Tribe", and

WHEREAS, the purpose of the Oglala Sioux Tribe's Natural Resources Protection Act of 2007 is to ensure that no damage will come to the people, the culture, the environment, including the air and water, and economy of the Oglala Sioux Tribe because of uranium mining or processing in the region of the Upper Midwestern United States, and

WHEREAS, the Oglala Sioux Tribal Council finds that the wise and sustainable use of the Natural Resources traditionally has been and remains a matter of paramount governmental interest to the Oglala Sioux Tribe and a fundamental exercise of Oglala Sioux Tribal sovereignty, and

WHEREAS, the Oglala Sioux Tribal Council supports preserving and protecting all of the natural resources within the confines of the Pine Ridge Indian Reservation especially the air, water, and earth as these resources are the foundation of life, and

WHEREAS, the Oglala Sioux Tribal Council affirms that it is the duty and responsibility of the Oglala Sioux Tribe to protect and preserve the natural world in its purest form for the life of future generations, and

WHEREAS, the Oglala Sioux Tribal Council upholds the right and freedom of the people to be respected, honored and protected with a healthy physical and mental environment, and

WHEREAS, the Oglala Sioux Tribal Council finds that there is a reasonable expectation that future mining and processing of uranium in the region of the Upper Midwestern United States will generate

economic hardships to the Oglala Sioux Tribe. These economic hardships include but are not limited to the potential damage to the land, air, water, vegetation, and other natural resources of the Oglala Sioux Tribe, now

THEREFORE BE IT ORDAINED, that the Oglala Sioux Tribal Council does hereby declares the Pine Ridge Indian Reservation, including it aboriginal territory boundaries to be a nuclear-free area for the protection of the people and the Natural Resources of the Oglala Sioux Tribe. Any person, agency or entity, including federal, state, and county governments, or corporations, businesses, or companies who shall cause any nuclear pollution or contamination to enter the confines of the Pine Ridge Indian Reservation, including its 1851 & 1868 Treaty boundaries and aboriginal territory boundaries, shall be prosecuted to the fullest extent of the law.

C-E-R-T-I-F-I-C-A-T-I-O-N

I, as the undersigned Secretary of the Oglala Sioux Tribal Council of the Oglala Sioux Tribe hereby certify that this Ordinance was adopted by the vote of: 16 for; 0 against; 0 abstaining; 1 not voting during a REGULAR SESSION held on the 7th day of AUGUST 2007.

Elizabeth Waters
ELIZABETH WATERS
Secretary
Oglala Sioux Tribe

A-T-T-E-S-T:

John W. Yellow Bird Steele
JOHN W. YELLOW BIRD-STEELE
President
Oglala Sioux Tribe

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SUPERINTENDENT
PINE RIDGE AGENCY, SD