



National Congress of American Indians | 1516 P St NW, Washington, DC 20005 | (202) 466-7767 | www.ncai.org

EXECUTIVE COMMITTEE

PRESIDENT

Mark Macarro
Pechongo Band of Indians

1ST VICE PRESIDENT

Brian Weeden
Mashpee Wampanoag

RECORDING SECRETARY

Christie Modlin
Iowa Tribe of Oklahoma

TREASURER

Ashley Cornforth
Shakopee Mdewakanton Sioux Community

REGIONAL VICE PRESIDENTS

ALASKA

Brian Ridley
Native Village of Eagle

EASTERN OKLAHOMA

Joe Deere
Cherokee Nation

GREAT PLAINS

Ryman LeBeau
Cheyenne River Sioux Tribe

MIDWEST

Jameson Wilson
Oneida Nation

NORTHEAST

Rodney Butler
Mashantucket Pequot Tribe

NORTHWEST

Leonard Forsman
Suquamish Tribe

PACIFIC

Geneva Mojado
Soboba Band of Luiseño Indians

ROCKY MOUNTAIN

Martin Charlo
Confederated Salish & Kootenai Tribes

SOUTHEAST

Lora Ann Chaisson
United Houma Nation

SOUTHERN PLAINS

Reggie Wassana
Cheyenne and Arapaho Tribes of Oklahoma

SOUTHWEST

Raymond Aguilar
Pueblo of Santo Domingo

WESTERN

Julius Murray
Ute Indian Tribe

EXECUTIVE DIRECTOR

Larry Wright, Jr.
Ponca Tribe of Nebraska

The National Congress of American Indians Resolution #MEM-26-040

Title: Opposing the Legislative Repeal of the 2001 Roadless Area Conservation Rule and Supporting Its Retention

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 2001 Roadless Area Conservation Rule protects approximately 44.7 million acres of National Forest System lands that encompass the ancestral territories, treaty-reserved resources, sacred sites, and subsistence areas of NCAI member Tribal Governments; and

WHEREAS, NCAI has repeatedly affirmed its support for these protections and its opposition to their weakening or elimination, including through Resolution #[ABQ-19-029](#) (2019), which opposes any rulemaking that weakens or eliminates Roadless Rule protections within Tribal traditional territories and any action affecting traditional lands and waters without the affected Tribal Governments' consent; Resolution #[AK-21-010](#) (2021), which supports lasting protection for inventoried roadless areas; and Resolution #[SEA-25-102](#) (2025), which opposes the administrative rescission of the Rule and demands meaningful government-to-government consultation; and



National Congress of American Indians | 1516 P St NW, Washington, DC 20005 | (202) 466-7767 | www.ncai.org

WHEREAS, on June 23, 2025, the Secretary of Agriculture announced the intent to rescind the Roadless Rule without prior, formal consultation with affected Tribal Governments, and the subsequent Notice of Intent provided only a 21-day public comment period, in violation of USDA Departmental Regulation 1350-002, Executive Order 13175, the U.S. Forest Service (Forest Service) Consultation rules, and the federal trust responsibility; and

WHEREAS, the threat to the Roadless Rule has now moved from the administrative arena into Congress, as on June 10, 2026, the United States Senate Committee on Energy and Natural Resources ordered S. 140, the Wildfire Prevention Act of 2025, reported favorably as amended, by a vote of 11 to 9, after adopting an amendment offered by Senator Mike Lee that would nullify the 2001 Roadless Rule and prevent the USDA from issuing any substantially similar rule; and

WHEREAS, a companion measure in the United States House of Representatives, H.R. 7695, introduced by Representative Harriet Hageman, would likewise repeal the 2001 Roadless Rule and direct road construction on National Forest System lands; and

WHEREAS, repealing the Roadless Rule by act of Congress would extinguish these protections without any environmental review under the National Environmental Policy Act, without public notice and comment, and without the government-to-government consultation required by Executive Order 13175, USDA Departmental Regulation 1350-002, and the federal trust responsibility, thereby eliminating the very processes through which Tribal Governments have sought to be heard and foreclosing the consultation that NCAI has demanded and for which USDA has instituted Departmental Regulations; and

WHEREAS, inventoried roadless areas protect treaty-reserved rights to hunt, fish, gather, and conduct traditional and ceremonial practices, and encompass Traditional Cultural Properties, Traditional Cultural Districts, sacred sites, burial grounds, and cultural landscapes integral to Tribal identity, as well as subsistence resources protected for Alaska Native Tribal Governments under Title VIII of the Alaska National Interest Lands Conservation Act; and

WHEREAS, inventoried roadless areas sustain the headwaters and riparian systems on which treaty-reserved fisheries depend, where roads contribute up to 90 percent of the sediment pollution that degrades spawning habitat and water quality, and store approximately 445 million tons of sequestered carbon essential to Tribal climate resilience; and



National Congress of American Indians | 1516 P St NW, Washington, DC 20005 | (202) 466-7767 | www.ncai.org

WHEREAS, the wildfire-prevention rationale advanced for repeal is contradicted by the best available science and Indigenous Knowledge, which establish that humans cause nearly 90 percent of wildfire ignitions, that such ignitions cluster near roads and access, and that road construction spreads the invasive species that intensify fire frequency and severity, such that repealing roadless protections would increase, rather than reduce, the wildfire risk to Tribal communities, sacred sites, and treaty-reserved resources; and

WHEREAS, the 2001 Roadless Area Conservation Rule, by its own terms, permits hazardous-fuels reduction and vegetation management within inventoried roadless areas, and Forest Service records show that the absence of roads has not prevented such work, as fuel-management activities in roadless areas have occurred more frequently, on a per-square-kilometer basis, than elsewhere in the National Forest System, such that, where needed treatments are not occurring, the limiting factors are agency capacity and funding rather than the protections of the Rule; and

WHEREAS, NCAI's opposition to repeal of the 2001 Roadless Rule does not diminish the access, reserved and treaty rights, subsistence rights, or stewardship responsibilities of Tribal Governments within inventoried roadless areas, and the site-specific access, road maintenance, hazardous-fuels reduction, prescribed and cultural burning, and restoration needs that Tribal Governments may identify are properly addressed through government-to-government consultation, Tribal co-management, and existing legal authorities, including the Tribal Forest Protection Act and Secretarial Order 3403 on Joint Stewardship, rather than through the blanket legislative repeal of national roadless protections; and

WHEREAS, the inventoried roadless areas at issue lie within the ancestral homelands of many Tribal Governments whose treaty rights, cultural resources, subsistence practices, landscapes, and stewardship needs differ from place to place, and whose experience with the implementation of the Rule has likewise differed, such that a uniform repeal imposed by Congress would override that diversity wholesale and foreclose the place-based, government-to-government determinations through which each affected Tribal Government can shape the management of the specific areas within its ancestral lands; and

WHEREAS, the repeal of the Roadless Rule would create unresolved conflicts with the Tribal Forest Protection Act, Section 106 of the National Historic Preservation Act, the Cultural and Heritage Cooperation Authority, and Forest Service forest plan components developed through years of collaboration with Tribal Governments; and



National Congress of American Indians | 1516 P St NW, Washington, DC 20005 | (202) 466-7767 | www.ncai.org

WHEREAS, the Forest Service’s own “Strengthening Tribal Consultations and Nation-to-Nation Relationships Action Plan” commits to a minimum 120-day Tribal consultation period for national-level actions, and meaningful consultation requires leadership-level engagement, adequate time for Tribal review, regional sessions, written documentation of outcomes, and a demonstration of how Tribal input influenced the decision; and

WHEREAS, the Senate Committee’s action and the adoption of the repeal amendment occurred on June 10, 2026, well after the NCAI Winter Session, meaning that the legislative threat is immediate and S. 140 can now be brought to the Senate floor at any time while its companion measure, H.R. 7695, is actively pending; and

WHEREAS, Congress may act on the repeal in the interim, foreclosing NCAI’s opportunity to register the position of Tribal Governments at the moment it matters most, before a Senate floor vote and before the House acts; and

WHEREAS, an emergent response now allows NCAI to communicate to the full Senate, the House, and the Administration that repeal would extinguish protections for treaty-reserved resources, sacred sites, subsistence areas, and clean water without the consultation owed to Tribal Governments.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) opposes any legislative repeal of the 2001 Roadless Area Conservation Rule within Tribal ancestral territories, as previously expressed in NCAI Resolutions [ABQ-19-029](#), [AK-21-010](#), and [SEA-25-102](#); and

BE IT FURTHER RESOLVED, that NCAI opposes the repeal of the 2001 Roadless Rule through S. 140, the Wildfire Prevention Act of 2025, as amended, through H.R. 7695, and through any other measure that would nullify or curtail the Rule, because legislative repeal would extinguish these protections without environmental review under the National Environmental Policy Act, without public notice and comment, and without the government-to-government consultation required by Executive Order 13175, USDA Departmental Regulation 1350-002, and the federal trust responsibility; and

BE IT FURTHER RESOLVED, that NCAI calls upon the United States Senate to reject any provision of S. 140, or any other measure, that would repeal the 2001 Roadless Rule, and calls upon the United States House of Representatives to reject H.R. 7695 and any similar measure; and



National Congress of American Indians | 1516 P St NW, Washington, DC 20005 | (202) 466-7767 | www.ncai.org

BE IT FURTHER RESOLVED, that NCAI reaffirms its demand, as set forth in Resolution [SEA-25-102](#), for immediate and meaningful government-to-government consultation on any action affecting the Roadless Rule, including direct consultation between Tribal leadership and the Secretary of Agriculture, a minimum 120-day consultation period, regional sessions accessible to all affected Tribal Governments, funding for Tribal participation, written documentation of all consultation outcomes, and designation of requesting Tribal Governments as cooperating agencies under the National Environmental Policy Act, and insists that no repeal of the Rule proceed, whether by regulation or by statute, absent the free, prior, and informed consent of affected Tribal Governments; and

BE IT FURTHER RESOLVED, that NCAI reaffirms its call, as set forth in Resolution [SEA-25-102](#), for a formal Forest Service mechanism enabling federally recognized Tribal Governments to identify specific inventoried roadless areas of concern within or adjacent to their ancestral lands and to request management or co-management of those areas, including place-based approaches to Tribal access, road maintenance, strategic decommissioning, hazardous-fuels reduction, prescribed and cultural burning, cultural resource protection, and restoration that reflect local conditions and are consistent with the protection of cultural and natural resources, with equitable standing with states, and for the full use of Tribal Forest Protection Act authority and the honoring of Secretarial Order 3403 on Joint Stewardship; and

BE IT FURTHER RESOLVED, that NCAI affirms that the protection of cultural resources, sacred sites, subsistence resources, water quality, fish and wildlife habitat, and forest health is best secured through approaches that preserve Tribal sovereignty, Tribal access, and place-based Tribal co-management, and that any national policy affecting inventoried roadless areas, whether the existing Rule, its rescission, or any legislative measure, must respect the authority of each affected Tribal Government to shape the management of the specific areas within its ancestral lands; and

BE IT FURTHER RESOLVED, that nothing in this resolution shall be construed as NCAI finding that the 2001 Roadless Area Conservation Rule has been uniformly protective or uniformly implemented in all Tribal homelands, or as limiting the right of any Tribal Government to respond to the roadless rule in a manner that protects, manages, or enhances its local cultural and natural resources including by seeking local forest plan amendments, site-specific management direction, access protections, co-management agreements, road maintenance, strategic decommissioning, fuels treatment, prescribed or cultural burning, restoration, or other stewardship actions necessary to protect Tribal lands, ancestral homelands, cultural resources, reserved rights, subsistence resources, and current Tribal use areas; and



National Congress of American Indians | 1516 P St NW, Washington, DC 20005 | (202) 466-7767 | www.ncai.org

BE IT FURTHER RESOLVED, that this resolution shall be transmitted to the President of the United States, the Secretary of Agriculture, the Chief of the Forest Service, the Majority Leader and Minority Leader of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, the Chair and Ranking Member of the Senate Committee on Energy and Natural Resources, the Senate Committee on Indian Affairs, and all Members of the United States Congress; 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 unanimously by the NCAI Executive Committee on June 17, 2026, following recommendations of adoption by the relevant Committees and referral from the Resolutions Committee at the 2026 Mid Year Convention of the National Congress of American Indians, held June 14 to 17, 2026, in Memphis, Tennessee.

Mark Macarro, President

ATTEST:

Christie Modlin, Recording Secretary