



Global Indigenous Council

July 15, 2019.

RE: FWS Proposed Delisting of the Gray Wolf.

To Whom It May Concern:

The Global Indigenous Council (GIC) was founded by a resolution of the Great Plains Tribal Chairman's Association (GPTCA). GIC's mission includes membership, representation and participation for all tribal nations in the four hemispheres. The challenges, crises, and legacy of colonial conquest are not unique to the Americas. Throughout Europe, Africa, Asia, Australasia and Oceania, the experience of indigenous peoples replicates that of tribes in North America. The GIC has members from the Americas to Australasia. Amongst other significant objectives, GIC introduced an ID card "to provide primary tribal and sovereign status to tribes and those tribal people with no nation, state, territorial or provincial official identification of standing." As stated in founding GIC resolutions: "Many tribes outside of North America do not have the legal standing afforded by treaties with colonial, nation-states. As a result, the sovereignty of those tribes is consistently threatened, and the rights of those tribal citizens are routinely undermined or ignored, due to a lack of documented legal status."

This letter opposing the proposed delisting of the gray wolf is submitted on behalf of GIC associate tribes and individual members located in the United States. In this process to date, the US Fish and Wildlife Service (FWS) has repeated the errors it made during its failed policy and campaign to delist the grizzly bear, not only another icon species, but more importantly, a sacred being of great cultural and religious significance to tribal people. The wolf has a similarly revered position and is integral to ceremonial practices of countless tribal nations. The list of federally recognized tribal nations that revere the wolf from creation accounts to ceremonies in a living cultural context is too vast to catalog in this submission; and we must also acknowledge the significance of the wolf to other tribal people in the US, such as the Romani, who number some one million citizens.

Sadly, the FWS is again abrogating the federal-Indian trust responsibility the Department of the Interior (DOI) is charged with upholding for the federal government. Government-to-government consultation with tribal nations is not optional nor of a temporary and precarious standing; as former Interior Secretary Zinke stated in testimony to Congress on June 22, 2017, tribal consultation is "not only a right, it's the law." Regrettably, the former Secretary did not heed his own counsel during his tenure at Interior. Government-to-government consultation with tribal nations impacted by potential gray wolf delisting must be initiated; such consultation must adhere to the standards of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), a charter the US endorsed in 2010. From the Clinton Administration's Executive Order 13175 to UNDRIP, it is high time Interior, and in this instance, FWS, honor the standard that tribal

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Rain Bear Stands Last

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consultation must be “meaningful” and “thorough” and that for any federal agency policy to be enacted that impacts tribes, those tribes must have provided “free, prior and informed consent.”

Clearly, gray wolf delisting threatens tribal nations with the same Trojan Horse they faced with grizzly delisting, those consequences being but not limited to: undermining tribal sovereignty, violations of treaty rights and reserved treaty rights, the abrogation of religious liberty, and unconstitutional actions vis-a-viz Article I, Section 8, Clause 3 of the US Constitution and Article VI. Once again, the supreme law of the land cannot be invalidated for political expediency, no matter the modus operandi of the president that is rife throughout this current administration.

The FWS proposal to delist the gray wolf lacks credibility, and this public comment exercise amounts to little more than a smokescreen. The panel of experts FWS charged with reviewing its proposed rule to delist the gray wolf were highly critical. 245-pages of dissent from the scientists it engaged to review the rule should have been enough for FWS to reevaluate this scheme. However, it did not, and is now seemingly set on the course that led FWS to be found guilty of numerous violations by an IG report into its conduct in respect to the Endangered Species Act and the Keystone-XL Pipeline (*Documents show FWS officials repeatedly committed scientific misconduct* <https://www.eenews.net/stories/1059994174>). After reviewing the proposed gray wolf delisting rule, Professor Adrian Treves of the University of Wisconsin said, “It looks like they (FWS) decided to delist and then they compiled all the evidence that they thought supported that decision. It simply doesn't support the decision.”

FWS claims “the range-wide gray wolf population stands at more than 6,000 . . . Now it roams free in nine states and is stable and healthy throughout its current range.” Both the population and territory estimate are a fraction of what the gray wolf population and range was before the government sanctioned states to “manage” gray wolves historically, programs that amounted to eradication. Were FWS to consult with tribal nations and seek Traditional Ecological Knowledge which, under the Obama Administration, it committed to do, its scientists would learn of the true scope of the gray wolf’s historic range, and genuine management practices that enable humans and wolves to coexist. As it is, FWS wants to inflict upon the wolf in the contiguous US what it already has in one portion of the country, the tri-state area of Wyoming, Montana and Idaho. In less than a decade in that area, the removal of Endangered Species Act protections from the gray wolf has resulted in the killing of some 3,500 wolves by trophy hunters and trappers. That death rate is unsustainable among the existing wolf population in the lower 48. At that rate, the wolf would be returned to the brink of extinction within two decades – and that is the likely consequence of this delisting proposal should it be enacted.

Submitted 7/15/2019.


Tom Rodgers (Blackfeet Nation)-
President (Acting).