

2008
AFFILIATED TRIBES OF NORTHWEST INDIANS
WINTER CONFERENCE RESOLUTIONS



JANUARY 22-25, 2008

YAKIMA CONVENTION CENTER
YAKIMA, WASHINGTON

2008 Winter Conference Yakima, Washington Resolution Summary

Res #:	Committee:	Submitted by:	Short Title:
08-01	Executive Board	Jeannie Louise	Recognition of Elyse Umemoto as Miss Washington 2007-08
08-02	Culture/Elders	Juanita Ramirez	Cedar Tree Fund
08-03	Economic Dev	Mike Marchand	Support for Economic Disaster Declaration Fishing Tribes
08-04	Economic Dev	Mike Marchand	Opposition of the Nation Business Center Indirect Cost Rate Decision
08-05	Economic Dev	Mike Marchand	Northwest Tribal Utility Venture
08-06	Economic Dev	Mike Marchand	2008 Federal Renewable Energy Legislation
08-07	Economic Dev	Mike Marchand	2008 Federal Tax Legislation
08-08	Economic Dev	Mike Marchand	Supporting an Inter-tribal Alliance on Climate Changes
08-09	Education	Patricia Whitefoot	Amend Title VII, Indian Education Act to Allow Continued Funding in Aboriginal Indian Communities regardless of Native Student Count After Inception of Initial Grant
08-10	Education	Patricia Whitefoot	Support of the 2008 National Indian Education Association Conference
08-11	Education	Patricia Whitefoot	Support for Pell Student Grant
08-12	Education	Patricia Whitefoot	Recognition of the WA State Liquor Control Board and Safeway Store on the Yakama Reservation
08-13	Education	Patricia Whitefoot	Support for Tribal Consultation with the WA State Governor's Substance Abuse Prevention Plan and Cultural Integration in Prevention Planning
08-14	Education	Patricia Whitefoot	Need to Expand Training and Education on Safety for Indian Women Demonstration Initiative Among Northwest Tribes
08-15	Education	Patricia Whitefoot	To Support the Construction of a Longhouse-Style Facility on the University of WA-Seattle Campus
08-16	Native Vote	Theresa Sheldon	To Support the Get-Out-The-Vote Effort in the White Center and Boulevard Park Neighborhoods Bordering Seattle, WA
08-17	Gaming	Tracie Stevens	Opposing the NIGC's Proposed Amendments to Class II Definitions, MICS, Technical Standards and Game Classification Standards
08-18	Gaming	Tracie Stevens	Call Upon Department of the Interior to Engage in the IGRA Section 20 Rulemaking Process
08-19	Health	Janice Clements	Social Security Eligibility for Tribal Council Members
08-20	Health	Janice Clements	Support for the Increase in Dental Services Funding in the Indian Health Service Budget
08-21	Health	Janice Clements	Opposition to Unilateral Changes to Indirect Cost Rate Calculation Policies and Practices by the National Business Center
08-22	Housing	Elena Bassett	A Revising 'Useful Life' Interpretation by DHUD/ONAP of Section 205(A)(2) of the NAHASDA statute
08-23	Housing	Elena Bassett	Support of Utilizing Tribal Enrollment Records for Allocating Appropriations for Federal Grants
08-24	Housing	Elena Bassett	To Exclude Applicability of Section 504 Requirement to New Residential Construction Development in Indian Country Under 24 CFR 8.22(B)
08-25	Housing	Elena Bassett	Support of Increasing Program Funding Levels for the Indian Housing Block Grant Program

2008 Winter Conference Yakima, Washington Resolution Summary

Res #:	Committee:	Submitted by:	Short Title:
08-26	Housing	Elena Bassett	Support Reinstating the National American Indian Housing Council's Technical Assistance and Training Program Funding
08-27	Indian Child Welfare	Jonette Reyes	Support for S.1956 and H.R. 4688 - Tribal Foster Care and Adoption Access Act of 2007
08-28	Indian Child Welfare	Jonette Reyes	Support for Authorization and Appropriation for the SAMHSA Tribal Circles of Care Grant Program
08-29	Natural Resources	Alfred Nomee	Fee to Trust Land Acquisitions
08-30	Natural Resources	Alfred Nomee	Support for the NW Indigenous Alliance Initiative on Community Wellness and Climate Change - Community Alliance and Peacemaking Project
08-31	Natural Resources	Alfred Nomee	Supporting a National Program to Reduce Climate Change, Stop Global Warming and Promote Renewable Energy
08-32	Natural Resources	Alfred Nomee	Respect for and Incorporation of American Indian Tribal Rights and Interests in Renegotiation of the United States/Canada Columbia River Treaty
08-33	Natural Resources	Alfred Nomee	Opposition to the Use of Certified Federal Surveyors in Indian Country
08-34	Transportation	David Frey	Including National Highway System Routes on the Indian Reservation Road (IRR) Inventory
08-35	Transportation	David Frey	Support for the Tribal Technical Assistance Program in Highway Program Re-Authorization for 2010 to 2015
08-36	Off the Floor Natural Res		Government-to-Government – Centennial Accord's Implementation Process and Responsibilities with Department of Historic, Archaeological Preservation

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OFF THE FLOOR

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CULTURE/ELDERS:

Resolution #:

- Cedar Tree Fund 08-02

ECONOMIC DEVELOPMENT (EDC):

Resolution #:

- Support for Economic Disaster Declaration Fishing Tribes 08-03
- Opposition of the Nation Business Center Indirect Cost Rate Decision 08-04
- Northwest Tribal Utility Venture 08-05
- 2008 Federal Renewable Energy Legislation 08-06
- 2008 Federal Tax Legislation 08-07
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EDC SUBCOMMITTEE - GAMING:

Resolution #:

- Opposing the NIGC’s Proposed Amendments to Class II Definitions, MICS, Technical Standards and Game Classification Standards 08-17
- Call Upon Department of the Interior to Engage in the IGRA Section 20 Rulemaking Process 08-18

EDC SUBCOMMITTEE – TELECOMMUNICATIONS & UTILITY:

- There were no resolutions presented.

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EDC SUBCOMMITTEE - TOURISM:

- There were no resolutions presented.

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- Amend Title VII, Indian Education Act to Allow Continued Funding in Aboriginal Indian Communities regardless of Native Student Count After Inception of Initial Grant 08-09
- Support of the 2008 National Indian Education Association Conference 08-10
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- Recognition of the WA State Liquor Control Board and Safeway Store on the Yakama Reservation 08-12
- Support for Tribal Consultation with the WA State Governor's Substance Abuse Prevention Plan and Cultural Integration in Prevention Planning 08-13
- Need to Expand Training and Education on Safety for Indian Women Demonstration Initiative Among Northwest Tribes 08-14
- To Support the Construction of a Longhouse-Style Facility on the University of WA-Seattle Campus 08-15

HEALTH:

Resolution #:

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- Support for the Increase in Dental Services Funding in the Indian Health Service Budget 08-20
- Opposition to Unilateral Changes to Indirect Cost Rate Calculation Policies and Practices by the National Business Center 08-21

HOUSING:

Resolution #:

- A Revising 'Useful Life' Interpretation by DHUD/ONAP of Section 205(A)(2) of the NAHASDA statute 08-22
- Support of Utilizing Tribal Enrollment Records for Allocating Appropriations for Federal Grants 08-23

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| ➤ To Exclude Applicability of Section 504 Requirement to New Residential Construction Development in Indian Country Under 24 CFR 8.22(B) | 08-24 |
| ➤ Support of Increasing Program Funding Levels for the Indian Housing Block Grant Program | 08-25 |
| ➤ Support Reinstating the National American Indian Housing Council's Technical Assistance and Training Program Funding | 08-26 |

HUMAN RESOURCES:

- There were no resolutions presented.

INDIAN CHILD WELFARE:

Resolution #:

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|---------------------------------------------------------------------------------------------------|-------|
| ➤ Support for S.1956 and H.R. 4688 - Tribal Foster Care and Adoption Access Act of 2007 | 08-27 |
| ➤ Support for Authorization and Appropriation for the SAMHSA Tribal Circles of Care Grant Program | 08-28 |

LAW & JUSTICE:

- There were no resolutions presented.

NATIVE VOTE:

Resolution #:

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| ➤ To Support the Get-Out-The-Vote Effort in the White Center and Boulevard Park Neighborhoods Bordering Seattle, WA. | 08-16 |
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NATURAL RESOURCES/LAND:

Resolution #:

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| ➤ Support for the NW Indigenous Alliance Initiative on Community Wellness and Climate Change - Community Alliance and Peacemaking Project | 08-30 |

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NATURAL RESOURCES/LAND: - (continued)

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| ➤ Respect for and Incorporation of American Indian Tribal Rights and Interests in Renegotiation of the United States/Canada Columbia River Treaty | 08-32 |
| ➤ Opposition to the Use of Certified Federal Surveyors in Indian Country | 08-33 |

TANF:

- There were no resolutions presented.

TER:

- There were no resolutions presented.

TRANSPORTATION:

Resolution #:

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|------------------------------------------------------------------------------------------------------------|-------|
| ➤ Including National Highway System Routes on the Indian Reservation Road (IRR) Inventory | 08-34 |
| ➤ Support for the Tribal Technical Assistance Program in Highway Program Re-Authorization for 2010 to 2015 | 08-35 |

VETERANS:

- There were no resolutions presented.

YOUTH:

- There were no resolutions presented.



Affiliated Tribes of Northwest Indians

2008 Winter Conference Yakima, Washington

RESOLUTION #08 - 01

"RECOGNITION OF ELYSE UMEMOTO AS MISS WASHINGTON 2007-08"

PREAMBLE

We, the members of the Affiliated Tribes of Northwest 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 rights secured under Indian Treaties and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, the Affiliated Tribes of Northwest Indians is a regional organization comprised of American Indians in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of Affiliated Tribes of Northwest Indians; and

WHEREAS, the Miss Washington pageant is held annually to select an individual who represents the richness and diversity of the State of Washington and will then compete in the January 26, 2008, Miss America contest; and

WHEREAS, Miss Elyse Umemoto, a Yakama Tribal member with a very rich and diverse family background, was selected July 7, 2007, to represent the State of Washington as Miss Washington; and


WHEREAS, Miss Umemoto encourages young women to seriously consider preparing and competing in pageants which provide scholarship opportunities for contestants to pursue their higher education and career; now

THEREFORE BE IT RESOLVED, that the Affiliated Tribes of Northwest Indians honor and appreciate Miss Elyse Umemoto (Yakama) for her integrity, respect and faith demonstrated as a representative of the State of Washington, including the Yakama Nation and diverse tribes and communities of the northwest; and

BE IT FURTHER RESOLVED, the Affiliated Tribes of Northwest Indians urges member tribes and northwest communities to vote on-line for Miss Elyse Umemoto as Miss America while at the contest in Las Vegas, Nevada on January 26, 2008.

CERTIFICATION

The foregoing resolution was adopted at the 2008 Winter Conference of the Affiliated Tribes of Northwest Indians, held at the Yakima Convention Center, Yakima, Washington on January 25, 2008, with a quorum present.


Ernest L. Stensgar, President


Norma Jean Louie, Secretary



Affiliated Tribes of Northwest Indians

2008 Winter Conference Yakima, Washington

RESOLUTION #08 - 02

"CEDAR TREE FUND"

PREAMBLE

We, the members of the Affiliated Tribes of Northwest 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 rights secured under Indian Treaties and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, the Affiliated Tribes of Northwest Indians is a regional organization comprised of American Indians in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of Affiliated Tribes of Northwest Indians; and

WHEREAS, the Potlatch Fund assists Tribes and Native non-profits to be more successful in terms of attracting funding from mainstream foundations; and

WHEREAS, the Potlatch Fund has been successful in receiving grants from mainstream foundations to support the Inter-tribal Canoe Journeys, Native artists and certain community building projects; and

WHEREAS, there is a growing demand from Tribes, Canoe Families, Native non-profits and Traditional Carvers for old growth and large second growth cedar and other suitable trees to be used for carving of canoes and totem poles; and

WHEREAS, there is a need for a pragmatic means to expedite the access to such trees; and

WHEREAS, the Potlatch Fund can assist with facilitating a process to get cedar and other suitable trees to Tribes, Canoe Families, Native non-profits and Traditional Carvers through the development of a grant program; now

THEREFORE BE IT RESOLVED, the Affiliated Tribes of Northwest Indians supports the Potlatch Fund in its efforts to raise and solicit funds from mainstream Foundations and other funding institutions; and that the focus of the funds gathered will be used to assist Tribes, Canoe families, Native non-profits and Traditional Carvers to gain access to Old Growth and large second growth cedar trees and other suitable trees (as outlined in the attached Potlatch Fund Cedar Tree Concept Proposal) to be used for carving of canoes and totem poles; and

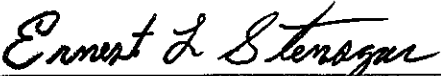
BE IT FURTHER RESOLVED, that it be formally recorded that support of this proposal is in no way an abrogation of Treaty rights or a waiver of the sovereign immunity held by Tribes; and

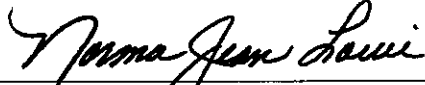
BE IT FURTHER RESOLVED, that it also be recorded that every effort should be made when harvesting cedar, and other suitable trees, to honor traditional practices associated with the taking of trees and to also utilize all parts of the tree for appropriate cultural purposes; and

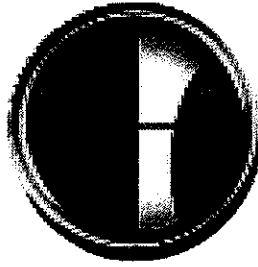
BE IT FINALLY RESOLVED, that due consideration of conservation processes, educational opportunities and utilization of the trees be considered by the grant committee as a part of the process of deliberating on grant requests.

CERTIFICATION

The foregoing resolution was adopted at the 2008 Winter Conference of the Affiliated Tribes of Northwest Indians, held at the Yakima Convention Center, Yakima, Washington on January 25, 2008, with a quorum present.


Ernest L. Stensgar, President


Norma Jean Louie, Secretary



1. Problem Statement

The Washington State Department of Natural Resources (DNR) is charged, amongst other things, with the preservation, sustainable use and sale of trees from the forests under its control. These forests include old growth cedar trees and large re-growth cedar trees.

The DNR from time to time receives applications from Tribes for permission for Cedar Trees to be extracted for the purposes of building canoes, for Totem Poles and for other cultural purposes.

The DNR believes that the demand for Cedar Trees may increase in the near future.

The DNR wishes to find a way to support such requests which also balances the needs of its various stakeholders and the environment.

It is thought that other forest owners/stewards may also be in a similar situation.

2. Potlatch Fund's perspective

Potlatch Fund (PF) is a Native led leadership development and grant making organization that currently operates in Washington, Montana, Oregon and Idaho States.

Potlatch Fund presently runs three granting programs in the following areas:

- a. Operating support for canoe families participating in the canoe journeys.
- b. Community Building Grants.
- c. Native Arts grants.

Potlatch Fund is well respected for the roles that it plays both within Indian Country and also amongst the general funding community.

Potlatch Fund anticipates that there will be demand for cedar trees in each of the four states that it operates in. It would also expect that demand would be the highest in both Washington and Oregon States.

Potlatch Fund also expects that Cedar Trees may be sourced from State, Federal and Private forests from within its four state region.

3. Potential solution

PF could seek grants from private foundations, the Natural Resource Departments, States, the Federal Government and private timber companies. These grants would be sought with the intention of re-granting the funds to Tribes and Native groups that wish to purchase and extract Cedar Trees.

PF has the systems in place to apply for these funds.

In consultation with stakeholders PF would form a Cedar Tree Granting committee which would include volunteer representatives from key stakeholders (a committee, say, of 9 – 11 people). This Committee would receive the applications for Tree purchase and extraction costs and make recommendations to the PF Board in terms of any grants to be made.

Any such grant applications would need to include:

- a. estimates of costs.
- b. estimates of the benefits that will accrue from the proposed purchase/extraction. This could include the education, cultural and other community benefits to be derived from the project.
- c. a statement of the type of tree desired (or a statement about the actual tree desired, if this is known).
- d. evidence of legal, environmental and sustainability approvals.
- e. other matters that could be decided in conjunction with the proposed Committee.

Following the receipt of a completed grant application PF staff would assess the request, and then forward it to the proposed Committee for review. Once a grant has been approved then a grant contract will be completed and the grant would be paid out. The grants would most likely be paid out in two installments.

The Tribe/group would then produce a final report which PF will be used to support further grant applications to external funders.

4. Points of clarification

Potlatch Fund is a Native led organization. Potlatch Fund can only make grants to organizations which are in turn Native led.

Similarly groups to whom we provide grants need to be Tax exempt or have a tax exempt fiscal sponsor. For the avoidance of doubt we note that Tribes are tax exempt.

Potlatch Fund covers (at this stage) a four state region. There is a potential that we may broaden to also cover Alaska. Therefore at this time we would only be interested in pursuing this Cedar Tree fund if it was open to all Native groups within our four State region. If funds are received that are limited to any particular geographic area then any such donor's wishes will be adhered to.

A grant will only be made if and when there is clear evidence of all necessary approvals being granted for the extraction of a tree. We would see a process similar to the following being used:

- Group determines that they need a tree.
- They work with forest owners to determine the tree or the type of tree that they desire.
- A price is agreed for the purchase and extraction.
- All necessary statutory approvals are granted.
- Group applies to PF for a grant for the purchase/extraction.
- PF staff review the application and make a recommendation to the Cedar Tree granting committee (CTGC).
- The CTGC in turn reviews the application and makes a recommendation to the PF board which in normal circumstances should be approved.
- PF staff complete a grant contract with the group and will pay out the grant in installments as set out in the grant contract and when key stages have been reached.
- Group purchases/extracts tree, completes project and produces a final report to PF.
- PF uses these reports to assist with future fundraising.

Potlatch Fund would need to cover its own costs as a component of the above work, and these costs will be included within any grant applications made for this project.

It is possible also that Potlatch Fund could provide a register of trees that are available. Such a register could also include a listing of windfall and fire damaged trees that may also have use for carving projects.



Affiliated Tribes of Northwest Indians

2008 Winter Conference Yakima, Washington

RESOLUTION #08 - 03

"SUPPORT FOR ECONOMIC DISASTER DECLARATION FISHING TRIBES"

PREAMBLE

We, the members of the Affiliated Tribes of Northwest 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 rights secured under Indian Treaties and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, the Affiliated Tribes of Northwest Indians is a regional organization comprised of American Indians in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of Affiliated Tribes of Northwest Indians; and

WHEREAS, all tribes of the Pacific Northwest are dependent on fisheries directly or indirectly through inter-tribal commerce for their social, economic, and cultural livelihood; and

WHEREAS, due to historical lack of funding, mismanagement, unforeseen natural and environmental causes, lack of science and resources, native spawned

fisheries harvests have been severely reduced thus mandating harvesting restrictions by tribes; and

WHEREAS, Northwest tribal communities are in extreme economic distress due to the dynamic world market, unprecedented low prices resulting from U.S. and foreign farmed and genetically modified salmon, and low returns of native spawn due to the lack of appropriate and effective actions to carry out the trust and fiduciary responsibilities of the Federal Government to tribal governments for watershed management and resource protection, resulting in the Federal listing of threatened and endangered species; and

WHEREAS, tribes and/or states can request an Economic Disaster Declaration from the Department of Commerce in accordance to provisions under section 312(a) of the Magnuson/Stevens Act (16 U.S.C. 1861a(a)) to expedite funding assistance to mitigate the economic losses due to seasonal fishing closures; and

WHEREAS, the 1999 Endangered Species Act (ESA) listings of the Chinook Salmon, Summer Chum, and Bull Trout initiated a collaborative effort by Federal, State, Tribal and local governments, along with various industries to develop a long term plan for salmon recovery; and

WHEREAS, in 2005 the shared strategy presented its regional plan for ESA-listed Puget Sound Chinook Salmon to National Oceanic and Atmospheric Administration (NOAA); and

WHEREAS, in January 2007, the final plan was approved by NOAA for recovery of Puget Sound Chinook Salmon; and

WHEREAS, a socio-economic impact analysis of the Treaty Tribes directly impacted by conformance to the Puget Sound salmon recovery plan and regulated closures by the Pacific Salmon Council, due to reduction of Sockeye in the Fraser River, is necessary to quantify the damages and develop a mitigation plan due to these losses; now

THEREFORE BE IT RESOLVED, that the Affiliated Tribes of Northwest Indians hereby approves the recommendation of the Natural Resource Committee to support Tribal Declarations of Emergency Fisheries Disaster for the effected fishing Treaty Tribes within the ATNI region, and to endorse the Economic Development Corporation Board to work with the sponsors to pursue all forms of funding to research, assist, plan, and quantify the damages of the fisheries in accordance to section 312(a) of the Magnuson/Stevens Act (16 U.S.C. 1861a (a)), and to assist the effected Treaty Tribes in mitigating these losses.

CERTIFICATION

The foregoing resolution was adopted at the 2008 Winter Conference of the Affiliated Tribes of Northwest Indians, held at the Yakima Convention Center, Yakima, Washington on January 25, 2008, with a quorum present.

Ernest L. Stensgar

Ernest L. Stensgar, President

Norma Jean Louie

Norma Jean Louie, Secretary