

**THE NATIONAL CONGRESS OF
AMERICAN INDIANS**

RESOLUTION #SPO-01-005

Title: To Oppose the Implementation of Washington State SB 6188 as it Relates to Tribal Participation in the Transportation Permit Efficiency and Accountability Committee

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, 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 Muckleshoot Indian Tribal Council is the duly constituted governing body for the Muckleshoot Indian Reservation retains jurisdictional rights on its reservation as well as access and management rights to treaty protected resources as well as cultural resources; and

WHEREAS, on May 29, 2001, the Governor of the State of Washington signed SB 6188 into law the Environmental Permit Streamlining Act which establishes a Transportation Permit Efficiency and Accountability Committee; and

WHEREAS, the Transportation Permit Efficiency and Accountability Committee failed to provide any meaningful participation of Indian Tribes, including the Muckleshoot Indian Tribe, when many of those projects may impact tribal resources; and

WHEREAS, on September 20, 2001, the Affiliated Tribes of Northwest Indians approved Resolution #01-84 which opposed implementation of SB 6188 because it provides for no tribal

participation in the process and ignores the obligation of the State of Washington to consult on a Government to Government basis with tribal governments; and

WHEREAS, on November 16, 2001, Muckleshoot Indian Tribal Council approved Resolution #01-366 To Oppose the Implementation of SB 1688 as it Relates to Tribal Participation in the Transportation Permit Efficiency and Accountability Committee; and

WHEREAS, there is a need for the State of Washington and the federal government to acknowledge and respect Tribal rights, and to collaborate with the Tribe on transportation issues on a government to government basis.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby opposes implementation of the Transportation Permit Efficiency and Accountability Committee (known as TPEAC) as consulted under the SB 6188 because it fails to provide for adequate Tribal participation in the process that may impact Tribal resources, ignores the obligation of the State of Washington to consult on a government to government basis with tribal governments and ignores the Tribal governmental authority over its reservations and resources; 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 at the 58th Annual Session of the National Congress of American Indians, held at the Spokane Convention Center, in Spokane, Washington on November 25-30, 2001 with a quorum present.

Tex Hall, President

ATTEST:

Colleen Cawston, Recording Secretary

Adopted by the General Assembly during the 58th Annual Session of the National Congress of American Indians, held at the Spokane Convention Center, in Spokane, Washington on November 25-30, 2001.