



2010 MID-YEAR CONFERENCE GRAND RONDE, OREGON

RESOLUTION #10 - 15

“SUPPORTING SECRETARIAL PROCEDURES IN LIEU OF COMPACT”

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, ATNI is a regional organization comprised of American Indians/Alaska Natives 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 ATNI; and

WHEREAS, the Constitution of the United States, through the Treaty, Commerce, and Apportionment Clauses and the 14th Amendment, recognizes the sovereign status of Indian Tribes as Native nations established prior to the United States; and

WHEREAS, the Indian Gaming Regulatory Act (“IGRA”) acknowledged and confirmed the inherent sovereign powers of tribal governments; and

WHEREAS, Indian nations and tribes are recognized by the U.S. Constitution as prior sovereigns, with inherent and treaty protected rights to self-government and self-determination; and

WHEREAS, on August 17, 2007, in *State of Texas v. United States of America et al and the Kickapoo Traditional Tribe of Texas*, the Secretarial Procedures in Lieu of Compact Regulation (25 C.F.R. Part 291) was challenged; and

WHEREAS, administrative amendment and congressional approval of this regulation could meet the concerns raised in that case; now

THEREFORE BE IT RESOLVED, that ATNI calls on the Secretary of Interior to issue revised regulations concerning procedures in lieu of a compact; and

BE IT FURTHER RESOLVED, Congress should instruct the Secretary to consult with tribal governments in the development of the revised regulation and approve the regulation; and

BE IT FURTHER RESOLVED, the federal government in accordance with its trust responsibility should support tribes through any and all means in their efforts to resolve the inequities that arise from states that refuse to negotiate Class III gaming compacts, including bringing bad faith claims on behalf of tribes; and

BE IT FURTHER RESOLVED, the federal government should not hinder the Department of the Interior's current efforts with tribes who are seeking Secretarial Procedures under the existing regulations; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of ATNI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted at the 2010 Mid-Year Conference of the Affiliated Tribes of Northwest Indians, held at the Spirit Mountain Casino in Grand Ronde, Oregon May 17-20, 2010 with a quorum present.


Brian Cladoosby, President


Norma Jean Louie, Secretary