



2016 Executive Board

RESOLUTION #16 - 42

“OPPOSE OFFICE OF MANAGEMENT AND BUDGET’S REVIEW PROCESS FOR PROPOSED INDIAN WATER RIGHTS SETTLEMENTS”

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, Executive Orders, 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 to 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 and tribes 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 the ATNI; and

WHEREAS, the conservation and preservation of our tribal land and water resources is a priority and a critical component of the federal trust responsibility; and

WHEREAS, water is a sacred resource and is essential to tribal self-determination, economic development and the exercise of our cultural and spiritual beliefs;

WHEREAS, the United States has recognized and continues to recognize its trust responsibility to protect tribes' rights and water resources; and

WHEREAS, many previous and the current Administration(s) support(s) resolution of Indian water rights claims through negotiated settlement in lieu of protracted and costly litigation; and

WHEREAS, Executive Order 13175 requires all executive department and federal agencies consult with Indian Tribes and respect tribal sovereignty as they develop policy on issues that impact Indian tribes; and

WHEREAS, the Administration has taken significant steps to promote and require open government and transparency of all executive departments and agencies (M10-06 - Memorandum for the Heads of Executive Departments and Agencies (December 8, 2009)); and

WHEREAS, the resolution of longstanding disputes is a key pillar of President Obama's priorities for restoring the United States' relationship with American Indians and Alaska Natives; and

WHEREAS, the stated mission of the Office of Management Budget is to implement and enforce the President's policies and priorities across the Executive Branch; and

WHEREAS, on June 23, 2016, the Office of Management and Budget issued a Memorandum to the Departments of Interior and Justice providing a new process for review of proposed Indian water rights settlements without consultation, transparency or recognition of the United States' trust responsibility and obligations to work on a government-to-government basis with Indian tribes; and

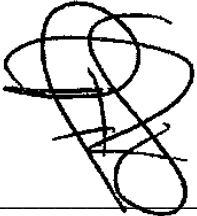
WHEREAS, the Office of Management and Budget Memorandum impinges on tribal sovereignty and disrespects the government-to-government relationship with Indian tribes by making significant changes and requirements in a way in which the Departments of the Interior and Justice can negotiate with tribes in derogation of both agencies' discretionary authority in resolving Indian water rights claims; now

THEREFORE BE IT RESOLVED, that ATNI does hereby; opposes unilateral issuance of the Office of Management and Budget June 23, 2016 Memorandum and purported attempt to usurp and diminish the authority of the Secretary of the Interior, the Attorney General, and their employees in the determination of how each agency will implement and execute the President's policy for transparency and open government, to resolve long-standing legal disputes through negotiation involving Indian water rights, and to consult with tribal governments on policy directly impacting Indian tribes; and

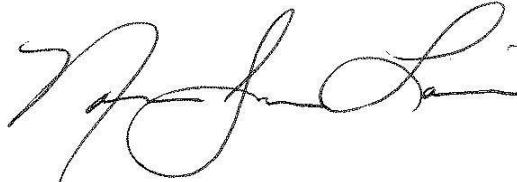
BE IT FURTHER RESOLVED, that ATNI requests that the Office of Management and Budget Memorandum be withdrawn and consultation with Indian tribes on the OMB Memorandum begin immediately and include the Office of Management and Budget, Department of the Interior and Department of Justice.

CERTIFICATION

The foregoing resolution was adopted by the ATNI Executive Board on August 23, 2016, with a quorum present.



Fawn Sharp, President



Norma Jean Louie, Secretary