

WHEREAS, the undersigned tribes have treaties with the United States Government which impose on the Federal Government a Federal Trust Responsibility requiring the United States to protect sovereign rights of Indian Governments within their remaining land bases; and

WHEREAS, President Reagan's recent statement on Indian Policy affirms the right of self-determination for Indian Tribes; and

WHEREAS, Washington tribes are faced with decreasing levels of Economic Support and services provided to tribes by Federal Agencies; and

WHEREAS, Tribes are increasingly being forced to rely upon tribal development of Economic Enterprises; and

WHEREAS, President Reagan's statement on Indian Policy pledges Federal support for Tribal Economic Development Enterprises in order to achieve Economic Self Sufficiency; and

WHEREAS, many Tribes rely heavily on Tribal Liquor Enterprises for revenues to support Tribal Programs and services including Health, Education, and Law Enforcement among others; and

WHEREAS, the recent Supreme Court Case in Rice vs. Rehner on Liquor Sales in California implies that it be the responsibility of Indian Tribes to comply with much more restrictive and comprehensive Washington State Regulations subjecting tribes to the State Monopoly over Wholesale Liquor Sales; and

WHEREAS, the Rice decision, while brought against an individually owned Indian Enterprise in California, is now being utilized to cripple Tribal government-owned enterprises including liquor stores, convenience stores, lounges, restaurants and lodging facilities in Washington where the sale of packaged liquor and/or liquor-by-the-drink is a major factor in the profit margin and ultimate viability of these tribal enterprises; and

WHEREAS, all of the above outlets are operated under Tribal Ordinance, reviewed by the United States Solicitor's Office and the Bureau of Indian Affairs, approved by the Secretary of Interior and published in U. S. Federal Register; and

WHEREAS, the State of Washington is now mandating regulations which will give nearly all of the economic advantage from the operation of tribal liquor facilities to the State thereby destroying the tribes' abilities to establish and maintain an income base for Governmental, Social, Health and Welfare Programs; and

WHEREAS, the State of Washington's pending regulations propose to intervene in and violate tribal pursuits and rights of attaining a Self-Sufficient State of Economy by monopolizing wholesale distribution of Liquor Products to the tribes who are currently purchasing from free market wholesales; and

WHEREAS, the State of Washington has given Washington tribes an immediate October 1, deadline for compliance with this regulation in apparent disregard of Tribal Sovereignty; and

WHEREAS, Washington State Enforcement defiles the principles of Tribal Sovereignty and Self-Sufficiency as well as President Reagan's stated Indian Policies,

NOW THEREFORE BE IT RESOLVED, that the tribes listed below do herein direct the Secretary of Interior to intervene on behalf of the tribes of Washington and of any other state where tribal governments or enterprises are similarly affected, and

BE IT FURTHER RESOLVED, that the Secretary of Interior demand a stay of any Enforcement Action by State or Federal Agencies, until this issue of Tribal Sovereignty and Self-Sufficiency can be adequately arbitrated through appropriate Congressional, Judicial, and/or Governmental channels, and

BE IT FURTHER RESOLVED, that as a first step in this process the Secretary of Interior for Indian Affairs support the tribes in obtaining an amendment to 18 U.S.C. 1161, changing its devastating language which ultimately resulted in this Rice vs. Rehner Decision.