Treaty Tribal Natural Resources Management in the Pacific Northwest

Recommendations to the Obama Administration and the 111th Congress from the 24 treaty tribes represented by the Columbia River Inter-Tribal Fish Commission and the Northwest Indian Fisheries Commission
"Among the many responsibilities Ken will bear as our next Secretary of the Interior is helping ensure that we finally live up to the treaty obligations that are owed to the first Americans. We need more than just a government-to-government relationship; we need a nation-to-nation relationship. And Ken and I will work together to make sure that tribal nations have a voice in this administration."

—Excerpt from President-elect Barack Obama’s announcement of Ken Salazar as nominee as Secretary for the Department of Interior, December 17, 2008.

Tribal nations have the longest memory in this country. Our history, our aboriginal rights, our very survival, has nurtured hope and optimism for each succeeding generation.

The election of Barack Obama as this nation’s 44th President signals a renewal of this country’s hope and optimism when both are needed to confront the challenges America is facing.

In the Pacific Northwest, the 24 treaty tribes coordinated through the Northwest Indian Fisheries Commission and the Columbia River Inter-Tribal Fish Commission, encouraged by the determination of the Obama Administration, have come together to propose a renewed agenda for protecting and managing the natural resources fundamental to the existence of the treaty tribes and character of this nation’s natural identity.

The tribes of NWIFC and CRITFC have the longest history of collaboration in this country from sharing of the harvest of the fisheries to negotiating of treaties with the United States beginning in 1855 and to today where we have built new relations with citizens and governments in the Northwest to protect our common interests. Our tribes sense a new era of respect and collaboration is upon us with the Obama Administration and we are ready to work with a common voice toward a common vision with the Administration.

The tribal salmon fishery at Celilo Falls on the Columbia River was the largest salmon fishery in North America for thousands of years. The falls were inundated in 1957 with the construction of The Dalles Dam.

The tribes call upon the Obama Administration to help us build a better future for the salmon, habitat, and the entire region.
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The waters and lands of the Pacific Northwest have always sustained the fish, wildlife, plants, and people of our region. American Indian nations of these lands negotiated treaties to allow lasting peace, preserve our sovereignty, and secure our homelands. We reserved our fishing and hunting rights forever with language common to each of our treaties:

“The right of taking fish, at all usual and accustomed grounds and stations, is further secured to said Indians, in common with all citizens of the Territory, and of erecting temporary buildings for curing them, together with the privilege of hunting, gathering roots and berries…”

—Treaty of Medicine Creek, 1854

We kept our word when we ceded the lands of the Pacific Northwest to the United States, and we expect the United States to honor its word.

During the past 50 years we, the 24 treaty Indian tribes in the Pacific Northwest, have established ourselves as natural resources management leaders with ever-growing responsibilities and solid records of success. However, for more than 30 years we have worked against a backdrop of flat funding from the federal government. Our base fisheries management funding, when adjusted for inflation, is less than we received 30 years ago. At the same time, our management responsibilities have increased exponentially. This funding shortfall, left unaddressed, threatens the ability of the treaty tribal co-managers to perform even basic fisheries management functions.

Today we are heartened to hear President Obama’s pledge to honor treaty rights and sovereignty through respectful relationships and empowerment of Indian people. This document describes actions critical to protection and exercise of our treaty fishing rights.

1. Support tribal sovereignty with an Executive Order reaffirming and strengthening the Obama Administration’s government-to-government relationship with Indian tribes, particularly regarding tribes’ sovereign governmental authority, treaty rights, and natural resources management including the U.S. government’s commitment to consultation regarding any policy, legislation, or litigation affecting tribes’ rights.

2. Rebuild tribal capacity with an annual base budget increase of $12 million to the Northwest Indian Fisheries Commission and its 20 member tribes and $4.5 million annually to the Columbia River Inter-Tribal Fish Commission and its four member tribes.

3. Protect and restore tribal water rights and implementation of water quality and quantity standards to protect the health of both Indian people and the salmon upon which they rely.

4. Uphold the federal government’s trust responsibility to treaty tribes by ensuring that salmon and other treaty-reserved resources remain available to the tribes for the exercise of their rights.

Traditional tribal canoes ply the waters of the Pacific Coast near the Quinault Indian Nation.
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Reaffirm and strengthen the federal government’s relationship with sovereign Indian tribes.

Tribal sovereignty, treaty rights, strong leadership and traditional knowledge make us unique partners in effectively addressing natural resources management issues. Tribal natural resource efforts are intertwined with health, education, culture, justice, and all other systems of modern tribal government. Increasingly, tribes are taking on costly actions such as land management, environmental protection, hatchery operations, laboratory responsibilities, and conservation enforcement. Envision of federal and state support for core natural resources management functions not only impacts the natural resources that we manage, but also the sovereignty we exercise to protect these precious resources.

Operating from a strong foundation of state/tribal cooperation, tribal co-managers have sought and secured consensus and success in resolving important natural resources management issues. The solutions we develop happen on the ground in local watersheds. We have always lived in these watersheds and always will. Our steady leadership presence in the region’s watersheds is essential to create local solutions that work to address tough natural resources management issues.

We work with our neighbors to develop consensus-based solutions. We are guided in our efforts by the belief that we must act in the best interests of those who will follow seven generations from now. Among all natural resources managers in the region, the treaty tribes in the Pacific Northwest are able to help craft solutions that are legally, politically, and technically feasible.

Hallmarks of Tribal Co-management

- A culture of stewardship and thousands of years of traditional knowledge combined with a steady management presence in each watershed geared to improving overall ecological health.
- The legal authority, reaffirmed by the U.S. Supreme Court, to defend natural resources for the benefit not only of tribes, but all citizens of the Pacific Northwest.
- The expertise and desire to rebuild the region’s salmon resources and benefit a sustainable economy.
- Sophisticated tribal technical knowledge and capabilities improving management through monitoring and evaluation.
- A commitment to cooperation in managing the region’s natural resources. Cooperative management—a coordinated approach of governments, agencies, industry and the public—has led to improved integration of management responsibilities and more efficient use of limited funds and staff.
- Sovereign management through comprehensive and integrated governance—managerial, regulatory, and enforcement.

We know that cooperation is the only way we will all be able to meet the many challenges we face including declining salmon runs, global warming, and the need for developing sustainable energy sources and economies. The treaty tribes in the Pacific Northwest have developed cost-effective solutions with other governments, interest groups, industry and the public can agree with. Tribes are leaders in the green economy of environmental restoration that bring good jobs to rural communities and economies hard-hit by the recession. Tribes also are active in development of alternative energy sources ranging from recovery of methane gas at dairies, to wind and wave energy. Improved salmon runs and other results of a healthier environment multiply the benefit of these actions further contributing to a sustainable economy.

To protect and restore resources of national interest, it is critical that the Obama Administration preserves and strengthens the fundamentals of tribal natural resources management capacities.

We urge the Obama Administration to support tribal sovereignty by taking the following actions:

1. Issue an Executive Order reaffirming and strengthening the Obama Administration’s government-to-government relationship with Indian tribes, particularly with regard to the tribes’ sovereign authority, treaty rights, and natural resources management and the U.S. government’s commitment to consultation regarding any policy, legislation, or litigation affecting tribes’ rights.
2. Appoint officials (preferably American Indian) to serve in this administration who understand and respect treaty hunting, fishing, and gathering rights, tribal sovereignty, and the federal trust responsibility.
3. Establish a special cabinet-level policy position in the White House to coordinate Indian affairs across all agencies of federal government.
4. Adopt a formal Department of Interior policy posture supporting the leadership of the tribes in management of the Northwest’s salmon resources.
5. Appoint Department of Interior assistant secretaries for Indian Affairs and Policy Management and Budget who are knowledgeable and supportive of tribal natural resources programs.


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Adjoining Alutiiq tribal counselor Allison Gottfriedson is arrested during a “Fish In” on the Nisqually River in the late 1960s. Tribes were forced to commit acts of civil disobedience to defend their treaty reserved fishing rights. The U.S. v. Oregon and U.S. v. Washington court rulings that followed reaffirmed the rights of the 24 Pacific Northwest treaty tribes and established them as co-managers of the region’s natural resources.

Jeff Victor “Papa” Shull, a Quinault Indian Nation member, tends his net near the mouth of the Quinault River on the Washington Coast.
creates the backbone for tribal management programs. In 1975, Bureau of Indian Affairs’ contract funding provided under P.L. 93-638 was intended only to cover the minimal responsibilities initially identified by the courts as necessary tribal fisheries management functions. When adjusted for inflation, base fisheries management funding for the tribes is far less than that received 30 years ago. Meanwhile, tribal management responsibilities have increased exponentially during these decades of flat-funding and will continue to grow.

The Obama Administration has the opportunity to restore the original intent of tribal self-determination effort by adequately funding federal and tribal natural resource programs, projects, and agreements.

Adequately and efficiently fund federal treaty obligations through tribal natural resource programs, projects, and agreements.

All federal departments, agencies, and offices have a treaty trust responsibility to tribes to assure protection of treaty right commitments resulting in abundant and healthy fish and wildlife resources to treaty harvest in perpetuity. Unique among all federal agencies, the Department of Interior’s Bureau of Indian Affairs implements its trust responsibility through self-governance compacts and self-determination contracts with Indian tribes under the Indian Self-Determination and Education Assistance Act of 1975 (P.L. 93-638), as amended.

In the Northwest, the BIA provides base funding for tribes to manage their fisheries and related natural resources that

Tribal Natural Resources Management Capacity

**Issue Focus: Tribal and other federally funded hatcheries**

Most tribal hatcheries operating today were built with the aid of federal funding when the tribes started their fisheries programs in the 1970s following court decisions reaffirming the tribes’ treaty-reserved right to 50 percent of the harvestable salmon.

Federal funding has not kept pace with the ongoing maintenance and rehabilitation needs for these aging facilities. The funding shortfall threatens not only the ability of the tribes to implement much-needed projects to help protect wild salmon stocks, but also each tribe’s basic ability to produce hatchery salmon for harvest.

Tribal and federally-funded hatcheries need consistent funding to ensure facilities are safe, effective, and operating with the best management practices. Funds also are needed to ensure that hatchery operations are biologically compatible with regional salmon recovery efforts and are in compliance with the latest regulatory and legislative mandates. Third-party litigation is possible if these hatcheries are unable to meet standards for ESA-listed wild salmon in the Pacific Northwest. If tribes are forced to close their hatcheries, sport and commercial fisheries would also be closed.

Clashes of tribal hatcheries would breach the federal government’s trust responsibility to the tribes. The federal government, through the Bureau of Indian Affairs, has a responsibility to maintain these facilities in good operational condition to ensure compliance with treaty and ESA mandates.
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To make matters worse, the lack of full funding of contract support costs has undermined the effectiveness of operating these programs. The tribes and the natural resources they depend on are being caught in a squeeze between reduced funding for management by state and federal agencies and the diminishment of the tribes’ base infrastructure funding.

Other related funding cutbacks under the Bush Administration have been severe and problematic. Since 2002, funding for Pacific coastal salmon recovery has dropped 40 percent from $110 million annually to $66.5 million. The President’s FY2009 budget recommends a further reduction to $35 million. The President’s FY2009 budget also proposes a 25 percent cut ($3.8 million) in the Mitchell Act hatchery programs, as well as elimination of other critically needed programs to protect and enhance fisheries.

The Obama Administration has the opportunity to restore the original intent of tribal self-determination effort by adequately funding federal and tribal natural resource programs, projects, and agreements.

[Top] Quileute tribal fisheries staff gather chinook for spawning in the Sol Duc River on the Washington Coast.
[Bottom] Yakama Nation fisheries staff conduct research on adult salmon returning to the Klilukut River at Ryle Falls.
Protect the waters of the Pacific Northwest for the benefit of the natural resources and people dependent on them.

Degraded water quality and quantity in the Northwest’s rivers and streams are among the greatest threats to our tribal natural resources. These threats are being exacerbated by the inadequately controlled growth associated with the expanding human population in this region, which demands more and more water. Rivers and aquifers run low while salmon search for cold, clean water or die in the effort. Leg- acy pollutants affect fish and human health. These pollutants often affect the tribal population to a greater extent than the general public due to their elevated consumption of fish.

Protection and restoration of tribes’ water rights also continues to be a critical policy priority. The Obama Administration has the opportunity to commit to protecting and preserving the most valuable natural resource upon everything else depends: clean water.

We urge the Obama Administration to build tribal capacity by taking the following actions:

1. Significantly increase the funding provided to the BIA for contracting tribal efforts through the Resources Management, Wildlife & Parks, Rights Protection Implementation account, and the Self-Governance Compacts account to restore the tribes’ buying power to a level commensurate to required management responsibilities.

2. Provide an annual increase of $12 million to the NWIFC and its 20 member tribes and $4.5 million to the CRITFC and its 4 member tribes.

3. Include funding support for the Pacific Salmon Treaty agreement and related budget commitments in the FY2010 budget.

4. Create multi-year funding commitments for recurring programs such as the Washington Timber/Fish/ Wildlife agreement, the marking of hatchery fish and the Salmon and Steelhead Habitat Inventory and Assessment Program.

5. Develop a cross-department budget approach to salmon restoration in collaboration with tribes.

6. Restore funding eroded during the Bush Administration, including BIA Rights Protection, PCSR, Mitchell Act, and other key salmon programs.

7. Fully fund hatchery reform, capital infrastructure needs, as well as harvest management and emergency response programs.

8. Support tribal fish and wildlife legislation that clearly articulates tribal management authorities and provides for the authorization to fund the necessary tribal management infrastructure.


Erosion of Bureau of Indian Affairs funding

Tribal fisheries management and coordination responsibilities have increased exponentially over the past few decades. The spending power of funding received from the Bureau of Indian Affairs, however, has not kept pace with the increased responsibilities of the tribes. When adjusted for inflation, funding to the treaty tribes is actually less than that received 30 years ago.

Effect of Inflation on BIA Base Funding to CRITFC

NWIFC Base Funding Difference from 1978 Base (1978 to 2007)

Major responsibilities added, left to right: CWT Program; Pacific Salmon Treaty; Fish Health Program; Timber, Fish, and Wildlife; Water Quality Program; Wildland Resources; Sheehan Decision; Salmon Recovery Planning; ESA Listings; Wildlife Program; Hatchery Reform; SSHIAP; Genetics Program; OCNMS Intergovernmental Policy Council; and Puget Sound Partnership.

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We urge the Obama Administration to protect Northwest water resources by taking the following actions:

1. Dedicate staff and funding to tribes for water rights settlement negotiations.
2. Provide direction and leadership in the region to support necessary water quantity and quality requirements that are necessary for the implementation of ESA and other salmon recovery plans.
3. Coordinate water and watershed conservation by all federal agencies to achieve salmon restoration.
4. Fully implement total maximum daily loads (TMDLs) for the Columbia River, Puget Sound, and their tributaries.
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Issue Focus: Hoh River Coho Salmon

Last year thousands of young coho salmon from five different tributaries to the Hoh River on Washington’s Olympic Peninsula spent the winter in one large side channel connected to Braden Creek about four miles from the river’s mouth.

Puget Salmon Treaty funding and an innovative new tracking approach helped the Hoh Tribe discover where Hoh River Valley coho travel to survive the winter. The tribe had earlier captured and tagged thousands of young coho in the river’s five tributaries.

The tribe set up traps on four of the tributaries, downstream ponds, and side channels to recapture the tagged fish to find out where they had traveled.

“It was pretty amazing to see so many fish from so many different locations all end up in this one place,” said Joe Gilbertson, Hoh tribal fisheries biologist. He noted that some of the tagged coho had traveled more than 25 miles to reach the Braden Creek side channel.

“Many young coho die during their first winter,” he said. “The tagging will help the tribe identify important coho over-wintering habitat and also help prioritize its restoration and preservation.”

Uphold the federal government’s trust responsibility to honor the treaty promises made to the tribes.

The trust responsibility is a primary cornerstone of federal Indian law and policy. It recognizes a substantive federal duty to protect treaty rights, lands, and resources retained by Indian tribes. Each federal agency is bound by this trust responsibility. The federal government bears unique stewardship responsibilities for tribal treaty fishing rights that require affirmative actions to uphold these rights and restore the resources on which they depend. These actions include implementing salmon recovery plans, proactively consulting with tribes, implementing climate change solutions, and ensuring equitable distribution of the conservation burden across all entities. Simply put, salmon recovery and the exercise of tribal treaty rights must occur in a complementary manner.

Endangered Species Act. This is the advent of Endangered Species Act listings of salmon and other species in our region has been both a curse and a blessing. The ESA often stands between tribes and their traditional and cultural foods, and frequently imposes huge increases in management responsibilities. In 1997, after a year of consultation with affected Indian tribes, the Secretaries of Commerce and the Interior adopted Secretarial Order 3206: “American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act” intended to harmonize federal treaty duties, trust responsibility, and the administration of the ESA. During the last eight years, federal recognition of that Secretarial Order fell by the wayside. The Obama Administration has the opportunity to reinvigorate the federal government’s commitment to its trust responsibilities while implementing its other legal duties.

Issue Focus: Castile Falls Salmon Tunnel

Castile Falls, on southern Washington’s Klickitat River is an impressive display of nature’s power. The series of eleven falls drops 120 feet in elevation in just under a mile. Over 50 miles from the river’s mouth at the Columbia River, the falls effectively blocked almost all fish passage.

Above Castile Falls is habitat essential to the survival and recovery of fish species listed under the ESA. In 1960, the Washington Department of Fisheries designed a series of tunnels to move migrating fish around the falls giving them access to this unused habitat.

However, the tunnels failed to accomplish their goal and any passage occurred over the falls, not the bypass system. Forty years after the original tunnels were completed—and armed with federal funding and a modern understanding of effective fish ladder design—the Yukon Nation embarked on a five-year project to complete the vision of the Castile Falls tunnels.

Today Castile Falls is no longer a barrier to salmon in the Klickitat River. The functioning tunnels and bypass system have opened up 45 miles of prime habitat for spring Chinook salmon and 60 miles of threatened mid-Columbia steelhead habitat. Shortly after completion, tribal staff witnessed listed steelhead using the new ladder system to move upstream.

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We urge the Obama Administration to protect Northwest water resources by taking the following actions:

1. Dedicate staff and funding to tribes for water rights settlement negotiations.
2. Provide direction and leadership in the region to support necessary water quantity and quality requirements that are necessary for the implementation of ESA and other salmon recovery plans.
3. Coordinate water and watershed conservation by all federal agencies to achieve salmon restoration.
4. Fully implement total maximum daily loads (TMDLs) for the Columbia River, Puget Sound, and their tributaries.
5. Establish water quality standards that recognize the higher use of natural resources by Indians.
Climate Change. Climate change is real and its effects are already being felt in the rivers and streams of the Pacific Northwest. Tribes are leaders in the region in restoring riparian habitat, which is a key measure to address climate change effects. Natural resources management, climate change, and energy independence are closely linked as the Northwest endevors to safeguard salmon and other species.

We urge the Obama Administration to fulfill its trust responsibilities by taking the following actions:

1. Uphold the Interior and Commerce department’s commitments to abide by the terms of Secretarial Order 3206: American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act.

2. Implement salmon recovery plans and other natural resource restoration plans while supporting and harmonizing the exercise of tribal treaty rights.

3. Develop and coordinate with tribes a national energy policy to address climate change that is compatible with treaty rights and fish habitat (e.g. reduce peak demands through conservation and offset climate change pressures on salmon).

4. Involve tribes in climate change solutions in Indian Country, including carbon offsets, habitat protection, and energy conservation.

5. Reach out to tribes as governmental partners to address climate change.

PENDING LEGISLATION

The U.S. Constitution recognizes the separate sovereign status of Indian tribes. Each branch of the federal government has a unique relationship with tribal governments. We ask that the Obama Administration consult with tribes as it frames its position on legislation that affects tribal natural resource interests.

Legislation affecting fisheries that arose in the 110th Congress is likely to reemerge in the 111th. Among others, proposals are likely to include these or similar bills:

• FY2009 Appropriations (Continuing Resolution is through March 6, 2009)

• S. 1870 Clean Water Restoration Act of 2007

• S. 3036 Lieberman-Warner Climate Security Act

• S. 3552 National Fish Habitat Conservation Act

• S. 3608 Pacific Salmon Stronghold Conservation Act of 2008

• S. 2301 Native American Fish and Wildlife Management Act

• H.R. 1907 Acquiring Land to Improve Coastal Estuarine Areas Act (mark-up was June 17, 2003)

• H.R. 2421 The Clean Water Restoration Act

• H.R. 5263 Encouraging Collaborative Restoration of Federal Forests

• H.R. 5451 Reauthorizing the Coastal Zone Management Act of 1972

• H.R. 5741 Amending the High Seas Driftnet Fishing Moratorium Protection Act

• H.R. 6186 Investing in Climate Action and Protection Act

• H.R. 6537 Sanctuary Enhancement Act of 2008

• H.R. 6689 Chinook Nation Restoration Act

The Stateline Wind Project in the Umatil-La Tribes’ ceded area near Walla Walla, Washington.

Issue Focus: Climate change
On December 50, 2006, the Columbia River Inter-Tribal Fish Commission, Columbia Basin Fish and Wildlife Authority and the Affiliated Tribes of Northwest Indians hosted the second of two conferences in 2006 for Pacific Northwest tribal leaders on “Developing a Northwest Tribal Climate Change Strategy.” Well attended by tribal leaders, the conference addressed issues from tribal involvement in the Western Climate Initiative to modeling future snowfall and river conditions in relation to known salmon habitat. Proceedings of the conference are available from CRITFC.

Issue Focus: Fraser Sockeye Fishery Disaster
Returns of Fraser River sockeye—increasingly poor for the last several years—declined to the point that the U.S. Secretary of Commerce declared a fishery disaster in November 2008, the second time since 2002. Fraser River sockeye originate in British Columbia and are harvested by Indian and non-Indian fishers as they pass through U.S. waters. Poor ocean conditions, shifting currents, and climate change are blamed as potential causes for the run’s decline.

Nine treaty Indian tribes in western Washington have reserved rights to harvest sockeye in U.S. waters before they move upstream to spawn. “We had one day of fishing, but no one caught anything,” said Lorraine Loomis, fisheries director for the Swinomish Tribe and tribal representative to the Pacific Salmon Commission. “It’s been a disaster for several years now.”

In the 1990s, sockeye numbers were plentiful and prices were high, making the fish an important part of tribal fishers’ incomes. The run has gone from more than 20 million sockeye returning to the Fraser River in 1990, to only 1.6 million fish returning in 2007. The decline of the fishery is detrimental to all tribal members, not just the fishers who depend on the income. “Our people are so hungry for sockeye, and we couldn’t even get any for the table,” said Loomis.

Hundreds of Indian and non-Indian fishers will share $2 million in disaster relief funding through the recent declaration. “We need to look at this as a partial remedy,” said Henry Cagney, chair of the Lummi Nation, adding that the tribe has more than 600 fishers.
Climate Change. Climate change is real and its effects are already being felt in the rivers and streams of the Pacific Northwest. Tribes lead the region in restoring riparian habitat, which is a key measure to address climate change effects. Natural resources management, climate change, and energy independence are closely linked as the Northwest endevors to safeguard salmon and other species.

We urge the Obama Administration to fulfill its trust responsibilities by taking the following actions:

2. Implement salmon recovery plans and other natural resource restoration plans while supporting and harmonizing the exercise of tribal treaty rights.
3. Develop and coordinate with tribes a national energy policy to address climate change that is compatible with treaty rights and fish habitat (e.g. reduce peak electricity prices).
4. Involve tribes in climate change solutions in Indian Country, including carbon offsets, habitat protection, and energy conservation.
5. Reach out to tribes as governmental partners to address climate change.

The Stateline Wind Project in the Umatilla Tribe’s ceded area near Walla Walla, Washington. Pending Legislation

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My strength is from the fish; my blood is from the fish, from the roots and berries. The fish and game are the essence of my life. I was not brought from a foreign country and did not come here. I was put here by the Creator.

…I was at the [Treaty Council of 1855] at Walla Walla with my father… The Indians and Commissioners were many days talking about making the treaty. One day Governor Stevens read what he had written down… General Stevens wanted to hear from the head chief of the Yakamas [Chief Kamiaken]…

“Something has been said about more and more whites coming into the Indian Country and then the Indians would be driven away from their hunting grounds and fishing places.” Then Governor Stevens told the Indians that when the white man came here the rights of the Indians would be protected.

The Chief Kamiaken said, “I am afraid that the white men are not speaking straight; that their children will not do what is right by our children; that they will not do what you have promised for them.”

—Chief Weninock, Yakama, 1915

It is the hope of the tribes of the Pacific Northwest that the new leadership guiding the United States will restore the faith and trust so cautiously placed upon this nation by the signers of those treaties more than 150 years ago.