

Charter of the Compact of the Upper Snake River Tribes

POLICY

"The Compact of the Upper Snake River Tribes will work to ensure the protection, enhancement, and restoration of natural and cultural resources, activities, and rights of the Compacting Tribes that are reserved by Treaties and Executive Orders, protected by federal laws and agreements, or are the subject of aboriginal claims asserted by the Tribes."

PREAMBLE

At a time when the dominant society continues to consume natural resources without due consideration of the consequences that will befall future generations, guidance from native people is imperative. We, as the original inhabitants of these lands, look inward, and to the past, for future resolutions to dominant society's abuses that threaten the Compacting Tribes' resources, cultures and traditions.

Where issues that affect tribes are common, it is to their benefit that they unite to strengthen their respective voices. The tribes of the Upper Snake have come together and formed the Compact of the Upper Snake River Tribes (USRT). This Charter is developed in accordance to the 1997 Motherhood Document to facilitate, coordinate and assist implementation of the USRT's Policies and Principles.

Through this Charter, the USRT will pursue, promote and initiate efforts to restore the Upper Snake River Basin, its affected tributaries and lands to a natural condition. In addition, the Compact Tribes will work to ensure the protection, enhancement and restoration of the Tribes' Rights, resources, and activities that are reserved by Treaties and Executive Orders, protected by federal laws and agreements, or are the subject of aboriginal claims asserted by the tribes, which include but are not limited to hunting, fishing, gathering and subsistence uses. The primary goal of this Charter is to facilitate Tribal unity to protect and nurture all Compacting Tribes' Rights, Languages, Cultures and Traditions.

**ARTICLE 1
PARTICIPATION**

Section 1. Name

As stated in the 1997 Motherhood document, the name of the organization shall be the Compact of the Upper Snake River Tribes.

Section 2. Membership

To ensure the collective interests of the USRT are expressed and to apply Tribal Unity to protect and nurture Tribal Rights and Traditions, Compact Membership shall be open to federally recognized Indian Tribes of the Upper Snake River Basin, which have agreed through resolution to the Policies and Principles of the 1997 Motherhood Document of the Compact of the Upper Snake River Tribes and to the Charter of the Upper Snake River Tribes, and which have appointed by resolution commissioners to serve pursuant to this Charter.

**ARTICLE 11
GOVERNING BODY**

Section 1. Member Tribes

Membership in the Compact of the Upper Snake River Tribes is presently as follows:

Burns Paiute Tribes
Shoshone-Bannock Tribes
Shoshone-Paiute Tribes
Fort McDermitt Paiute-Shoshone Tribe

Section 2. Commission

- (a) The Commission shall be the governing body of the Compact of the upper Snake River Tribes.
- (b) Member representation on the Commission shall be limited to two elected officials from the governing body of each member tribe and one alternate elected official from the same governing body of each member tribe.
- (c) A policy representative authorized by the member tribe can serve as a commissioner on an interim appointment

Section 3. New Member Tribes

Commission Membership shall be open to federally recognized Indian Tribes of the Upper Snake River Basin, which have agreed to the USRT membership (as per Article I, Section 2 of this Charter) through resolution to the Policies and Principles of the 1997 Motherhood Document of the Compact of the Upper Snake River Tribes and to the Charter of the Upper Snake River Tribes.

ARTICLE 111 GUIDING PRINCIPLES

The following principles shall guide USRT's work:

- a) *"Use the best information over a broad scope and coordinate with all actions in order to provide definitive and proactive policies, planning, and principles for management."*
- b) *"Sustain a stronger, unified Tribal voice for clear policy and technical direction."*
- c) *"Help member tribes assert their management authority by providing advice and assistance and coordinating agreements with tribal, federal and state resource co-managers and private land owners."*
- d) *"Share and coordinate management resources, through the Compact of the Upper Snake River Tribes, to increase the permanency and scope of Tribal actions."*

ARTICLE IV OBJECTIVES

The USRT shall coordinate and pursue the following objectives and strategies through information gathering and dissemination, facilitation of technical and policy meetings, and drafting of technical and policy statements to meet the policy and guiding principles of the Compact.

- 1) **GOAL: Fish and Wildlife** — Provide technical assistance and coordination of fish, wildlife and habitat issues to ensure informed decisions by USRT and its member tribes.
 - a) Participate in regional forums and other tribal, federal and state fish and wildlife regulatory and planning processes.
 - b) Provide policy and technical analysis of regional and national fish and wildlife issues.
 - c) Assist member tribes with local fish and wildlife issues.
- 2) **GOAL: Land, Water and Air** — Provide technical assistance and coordinate land, water and air issues to ensure informed decisions by USRT and its member tribes.

- a) Assist coordination of activities with tribal, federal, state and private land, water and air managers, which impact trust assets and/or tribal cultural properties held in trust by the federal government.
 - b) Participate in regional forums and other tribal, federal and state land, water and air regulatory and planning processes.
 - c) Assist member tribes with local land, water and air issues.
- 3) **GOAL: Cultural Resources** — Provide technical assistance and coordinate Cultural Resource issues to ensure informed decisions by USRT and its member tribes.
- a) Coordinate activities of tribal, federal, state, and private land managers, which impact trust assets and/or tribal cultural properties held in trust by the federal government.
 - b) Protect confidentiality of sensitive tribal information.
 - c) Participate in regional forums and other tribal, federal and state cultural resource regulatory and planning processes.
 - d) Ensure inclusion of an expanded tribally defined definition of Cultural Resources, which includes tribal language, cultural and traditional values, in decision-making regarding Cultural Resources.
- 4) **GOAL: Federal Trust Responsibility** — Provide technical assistance and coordinate federal trust responsibility issues to ensure informed decisions by USRT and its member tribes.
- a) Participate in Federal family regulatory and planning processes to provide for protection, enhancement and restoration of natural and cultural resources.

ARTICLE V COMMISSION AUTHORITY

Section 1. The Commission's authorities are defined as follows:

- a) Help implement the Compact of the Upper Snake River Tribes Policy Statement.
- b) Act in accordance with the Guiding Principles of the Charter defined in Article III.
- c) Coordinate and pursue the Charter objectives, defined in Article IV.
- d) Establish an information gathering and dissemination system that includes technical, legal and legislative actions.
- e) Establish policy, regulations, and committees necessary to carry out the functions of the USRT
- f) Create natural resource programs that will provide for the protection, restoration and enhancement of a natural riverine ecosystem.

- g) Establish cultural resource programs that will provide for the protection, restoration and enhancement of cultural resources.
- h) Establish USRT as a non-profit organization that will solicit funds and grants through local, state, federal, tribal, and private organizations to work toward the policies, principles, and objectives of the USRT.
- i) Approve and modify contracts and grants of USRT.
- j) Assist member tribes with natural and cultural resource issues, while ensuring all member tribes are treated fairly.
- k) Approve the appointment and/or the removal of the Executive Director of USRT and the duties of the Executive Director.
- l) Develop USRT's organizational structure.
- m) Create a public outreach program that will provide for the education and information of the member tribes, governmental agencies and the public.
- n) Lease, buy, own and sell real property for the benefit of the USRT.
- o) Provide the overall policy direction and operational guidelines, through consensus decision-making, to USRT's Executive Director and Committees, when established.
- p) Retain, assign, or recall issues to Committees, as appropriate.
- q) Formally represent the USRT only with respect to issues that have consensus.

Section 2. Limitations of Power

The Compact was formed to protect and enhance the inherent and aboriginal rights and resources of the member tribes. This Charter is intended to strengthen our voice, which protects our sovereignty, and will not reduce or eliminate any responsibility or authority of its member tribes.

ARTICLE VI COMMISSION OFFICERS

Section 1. Officers

- a) The Chairperson, Vice-Chairperson, Secretary and Treasurer of the Commission shall each be an elected official of the Governing Body of a membership.
- b) The election of the Chairperson shall be conducted bi-annually during an official meeting of the Commission, and will be elected by consensus.

- c) The election of the Vice-Chairperson, Secretary and Treasurer shall be conducted annually during an official meeting of the Commission, and will be elected by consensus.
- d) The Commission appointed by individual member tribes shall have consensus voting authority.
- e) All candidates for office positions must be nominated by the Commission.
- f) Voting will be done by a show of hands and must carry a consensus of the votes

Section 2. Commissioners, Alternates, and Interim Appointments

- a) Member tribes shall appoint through resolution an elected official from the Governing Body of their respective tribes to represent them on the Commission and as their alternate to the Commission.
- b) A policy representative from a member tribe may be appointed on an interim basis in the event that the Commissioner and alternate is unavailable to represent the individual member tribe. This appointment will carry all authority of the Commission unless otherwise stated by the individual member tribe.

ARTICLE VII DUTIES OF COMMISSION OFFICERS

Section 1. Chairperson

- a) The Chairperson shall be responsible for presiding over all Commission meetings and all other duties delegated by the Commission.
- b) The Chairperson shall be responsible for signing consent documents, contracts, and/or written statements approved by the Commission.
- c) The Chairperson shall be responsible for oversight of the financial management to ensure implementation is efficient and effective.
- d) The Chairperson shall be responsible for coordinating policy issues with USRT Commissioners.
- e) The Chairperson shall be responsible for supervision of the USRT Executive Director.
- f) The Chairperson shall be the official spokesperson for the USRT, but shall formally represent USRT only on issues that have consensus.

Section 2. Vice-Chairperson

- a) The Vice-Chairperson shall be responsible for those duties and delegated authorities of the Chairperson in their absence or if the Chairperson's office is vacated.
- b) The Vice-Chairperson shall be responsible for duties delegated by the Chairperson and Commission.

Section 3. Treasurer

- a) The Treasurer shall be responsible for duties delegated by the Chairperson and Commission.
- b) The Treasurer shall be responsible for coordinating with the Commission's Executive Director and staff to complete financial reviews.
- c) The Treasurer shall be responsible for development of monthly and annual financial reporting with assistance from the Executive Director and staff.
- d) The Treasurer shall be responsible for presiding over Commission meetings during the absence of the Chairperson and Vice-Chairperson and shall be afforded all duties and delegated authorities of the Chairperson.

Section 4. Secretary

- a) The Secretary shall be responsible for duties delegated by the Chairperson and Commission.
- b) The Secretary shall be responsible for presiding over Commission meetings during the absence of the Chairperson, Vice-Chairperson and Treasurer and be afforded all duties and delegated authorities of the Chairperson.

ARTICLE IX COMMISSION VACANCY AND REMOVAL

Section 1. Officers

A Commission office may be vacated or a Commission officer may be removed from office for the following reasons:

- a) Resignation:
- b) End of Term for tribal elected official; or
- c) Death.

Section 2. Commissioners

Commissioner representatives may be vacated or removed for the following reasons:

- a) Resignation;
- b) End of Term for tribal elected official; or
- c) Death.

Section 3. Procedures for Filling Vacated or Removed Officer and Commission Positions

- a) Officer positions will be filled for the remaining term through a special election held by the Commission at the next quarterly meeting.
- b) Commission positions vacated or removed will be filled by the member tribe for the balance of the remaining term, pursuant to Article II, Section 2.

**ARTICLE X
COMMISSION MEETINGS AND DECISION MAKING**

Section 1. Commission Meetings

Meetings of the Commission shall occur by the following guidelines:

- a) The Commission shall hold its regular meetings on a quarterly basis or as needed.
- b) A quorum shall exist when at least one Commission member from each of the member tribes is present at the Commission meeting; conference calls are acceptable.
- c) Special meetings can be called by the Chairperson with the consent of all Commission representatives. All actions taken at a special meeting must be ratified at a regular Commission meeting.
- d) Any member tribe may request agenda items and additional information to ensure informed decision-making.

Section 2. Decision Making

The Compact Tribes will make decisions through consensus. For purposes of this Charter, consensus shall mean that all participants have reached an accord on a given issue.

Section 3. Rules of Order

Commission shall adopt rules of order to govern all meetings.

Section 4. Dispute Resolution

To ensure that positive dialogue among the USRT remains a high priority all disputes shall be handled most expeditiously. The Executive Director will facilitate technical disputes in order to fairly and completely define the issue. If the Executive Director and Management group do not reach resolution, then issues will be elevated to the Commission to reach an accord.

At times, the Commission may experience difficulty in reaching consensus resolution regarding a policy level issue. All policy level disputes that the Commission can not reach an accord upon will be tabled and forwarded to the member tribes governing body to define a position on the disputed policy issue and respond in writing to the Commission within 30 days. In the spirit of the primary goal of the USRT, which is to apply tribal unity to protect and nurture all tribal rights and traditions, any policy level issue that does not reach an accord through the process identified above, shall be tabled by the Commission until new information is presented and may provide for tribal unity.

Section 5. Funding

The USRT shall work together to seek funding for specific consensus projects to protect, enhance, and restore cultural and natural resources. They will coordinate efforts to develop, operate and maintain a USRT office, executive director, and support staff. Annual dues of \$1 ,000 from each member tribe may be collected and utilized as necessary by the Commission.

Section 6. Charter Amendments

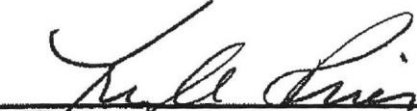
Any amendments to the USRT Charter will be done by consensus of the Commission. Any USRT member tribe can request a Charter amendment. A proponent's submission of draft amendments and supporting justification shall be provided in writing to the Executive Director, at least 60 days prior to a regularly scheduled Commission meeting. The Executive Director shall submit, to the formal Commission's agenda, a draft resolution for a Charter amendment and provide supporting information to the Commission. Prior to the next regularly scheduled Commission meeting, the member tribes shall review the draft amendment, supporting justification, and recommendations, and shall provide a position to the Commission for discussion revision and final approval of the charter amendment. If an Executive Director has not yet been appointed, the Chairperson shall fulfill the duties of the Executive Director as set forth in this section.

Section 7. Terms for Compact Tribes Withdrawal

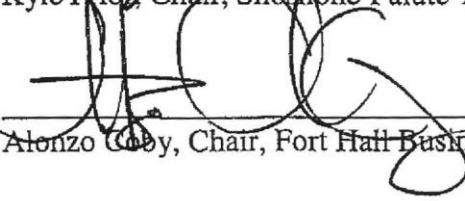
Any member tribe may withdraw its membership from the USRT by providing 30 days written notice to the USRT.


Wanda Johnson, Chair, Burns-Paiute Tribe

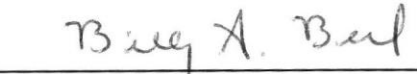
3/13/07


Kyle Fricz, Chair, Shoshone-Paiute Tribes of Duck Valley

3/13/07


Alonzo Goby, Chair, Fort Hall Business Council, Shoshone-Bannock Tribes of Fort Hall

3/13/07


Bill Bell, Chair, Fort McDermitt Paiute-Shoshone Tribe

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