

Chairman Parks,

I write on behalf of the Fallon Paiute Shoshone Tribe.

Please accept the attached as the Tribe's public comments regarding *item VI on the agenda - Presentation concerning the modernization of the Fallon Training Range*.

The Tribe is very grateful for the passage in the 2019 legislative session of AJR 7.

**ASSEMBLY JOINT RESOLUTION**—Expressing the opposition of the Nevada Legislature to the expansion of the Fallon Range Training Complex as described in the Fallon Range Training Complex Modernization Draft Environmental Impact Statement.

Thank you,  
Brian Chestnut  
Attorneys for the Fallon Paiute Shoshone Tribe

Ziontz Chestnut Law Firm  
2101 4<sup>th</sup> Ave #1230  
Seattle, WA 98121  
(206) 448 1230  
[ziontzchestnut.com](http://ziontzchestnut.com)

# **ATTACHMENT:**

## ***Reno Gazette Journal***

“Congress must reject Navy’s expansion of NAS Fallon bombing range”

Len George

Published February 4, 2020

<https://www.rgj.com/story/opinion/voices/2020/02/04/congress-must-reject-navys-expansion-nas-fallon-bombing-range-george/4656999002/>

May 2020

Fallon Paiute Shoshone Tribal Chairman Len George has the following statement regarding the Amodei legislation:

*The Fallon Paiute Shoshone Tribe and other tribes in the area have presented our concerns to Congressman Amodei regarding the monumental impacts a base expansion would have on our way of life and on our cultural sites and burials -- none of which are meaningfully addressed in the proposed legislation. Despite the fact that the bill disposes of thousands of acres of our ancestral homelands, we were not consulted in the development of this bill. We and the National Congress of American Indians stand united in opposition to any expansion of NAS Fallon.*



# INTER-TRIBAL COUNCIL OF NEVADA, INC.

680 GREENBRAE DR., SUITE 284 • SPARKS, NV 89431  
P.O. BOX 7440 • RENO, NV 89510  
PHONE (775) 355-0600 EX. 138 • FAX (775) 284-3407

RESOLUTION NO. 06-ITCN-19

BATTLE MOUNTAIN  
BAND COUNCIL  
CARSON COLONY  
COMMUNITY COUNCIL  
DRESSERVILLE  
COMMUNITY COUNCIL  
DUCK VALLEY  
SHOSHONE-PAIUTE  
BUSINESS COUNCIL  
DUCKWATER  
SHOSHONE  
TRIBAL COUNCIL  
ELKO BAND  
COUNCIL  
ELY SHOSHONE  
COUNCIL  
FALLON BUSINESS  
COUNCIL  
FT. McDERMITT  
PAIUTE-SHOSHONE  
TRIBES  
GOSHUTE BAND  
COUNCIL  
LAS VEGAS PAIUTE  
TRIBAL COUNCIL  
LOVELOCK TRIBAL  
COUNCIL  
MOAPA BUSINESS  
COUNCIL  
PYRAMID LAKE  
TRIBAL COUNCIL  
RENO/SPARKS  
TRIBAL COUNCIL  
SOUTH FORK  
BAND COUNCIL  
STEWART  
COMMUNITY COUNCIL  
SUMMIT LAKE  
PAIUTE COUNCIL  
TE-MOAK TRIBAL  
COUNCIL  
TIMBISHA SHOSHONE  
TRIBE  
WALKER RIVER  
PAIUTE TRIBAL  
COUNCIL  
WASHOE TRIBAL  
COUNCIL  
WELLS BAND  
COUNCIL  
WINNEMUCCA  
COLONY COUNCIL  
WOODFORDS  
COMMUNITY  
COUNCIL  
YERINGTON PAIUTE  
TRIBAL COUNCIL  
YOMBA TRIBAL  
COUNCIL

## RESOLUTION OF INTER-TRIBAL COUNCIL OF NEVADA, INC.

- WHEREAS,** the Inter-Tribal Council of Nevada, Inc., is organized and operates in accordance with the Constitution and By-Laws, amended November 1974; and
- WHEREAS,** the purpose of the Inter-Tribal Council of Nevada, Inc. (ITCN), are stated in its Constitution, Preamble and
- WHEREAS,** the Inter-Tribal Council of Nevada, Inc., Executive Board, a body comprised of the twenty-seven (27) elected representatives of the member tribes in the State of Nevada, and whose charter is ratified by these same tribes; and
- WHEREAS,** the Inter-Tribal Council of Nevada, Inc., has continuing interest in the health, education and well-being of the Indian People; and
- WHEREAS,** the Inter-Tribal Council of Nevada Inc., Executive Board recognizes the Fallon Business Council ("Council") is the recognized Governing Body of the Fallon Paiute-Shoshone Tribe ("Tribe") and was established to exercise the privileges and powers of self-government, to conserve and develop the Tribe's resources for the social and economic well-being of its members, and to preserve and protect the civil rights of its members;
- WHEREAS,** the Inter-Tribal Council of Nevada Inc., Executive Board recognizes that the Fallon Paiute-Shoshone Tribe is federally recognized by the United States Government and the Secretary of the Interior as a Native American Tribe, and has the authority to take actions necessary to protect Tribal resources;
- WHEREAS,** the Inter-Tribal Council of Nevada, Inc. Executive Board recognizes the Fallon Paiute-Shoshone Tribe's ancestral land were judicially confirmed by the United States Indian Claims Commission as "an area largely in Nevada, with small areas in California . . . which had been exclusively occupied and used in Indian fashion from time immemorial by the bands or groups of Northern Paiute Indians of Nevada who are aboriginally known as the Paviotso or Paiute of western Nevada," *Northern Paiute Nation et al. v. United States*, 7 Ind. Cl Comm. 322, 372 (1959);
- WHEREAS,** the Inter-Tribal Council of Nevada Inc., Executive Board recognizes that the Fallon Paiute-Shoshone Tribe, since time immemorial, have lived, hunted, and prayed on their ancestral lands which encompass many significant areas such as

RESOLUTION NO. 06-ITCN-19

what are now referred to as the Stillwater Range, Stillwater Marsh, Sand Mountain, the Carson Sink, Dixie Valley, Rawhide Hot Springs, Fox Peak, and surrounding areas;

**WHEREAS,** the Inter-Tribal Council of Nevada Inc. Executive Board recognizes that the Fallon Paiute-Shoshone Tribe since the 1940's Naval Air Station Fallon (NASF) has operated on 202,000 acres of ancestral lands that are adjacent to reservation, most recently as authorized by a 1999 Public Land Withdrawal;

**WHEREAS,** the Inter-Tribal Council of Nevada Inc. Executive Board recognizes that the Fallon Paiute-Shoshone Tribe NASF operations on the 1999 Public Land Withdrawal have caused a terrible transformation of ancestral lands and way of life through:

- (1) countless flyovers at low altitudes at all hours;
- (2) aerial bombing, war games and other ground disturbance activities;
- (3) regular sonic booms and other excessive noise; and
- (4) denied access to traditional lands, including spiritual and cultural sites.

**WHEREAS,** the Inter-Tribal Council of Nevada, Inc. Executive Board recognizes that the Fallon Paiute-Shoshone Tribe NASF operations on the 1999 Public Land Withdrawal have resulted in innumerable harms to those lands and way of life and the lifeways of other tribes without meaningful mitigation or dispensation of any kind to the Tribe or its members;

**WHEREAS,** the Inter-Tribal Council of Nevada Inc. Executive Board recognizes that by way of example, the adverse effects of NASF activities include:

- (1) destruction by bombing activities of our origin site known as Jobs Peak, from which Father and Mother dispersed their four children, as documented in the ethnography "In the Shadow of Fox Peak;"
- (2) desecration of other cultural sites, such as burials;
- (3) denial or curtailment of access to important cultural sites;
- (4) denial or curtailment of access for hunting animals and gathering of plant materials used for food and material culture;
- (5) extreme and excessive noise levels have prevented us from the quiet enjoyment that normally accompanies and is essential to ceremonies;





# INTER-TRIBAL COUNCIL OF NEVADA, INC.

680 GREENBRAE DR., SUITE 284 • SPARKS, NV 89431  
P.O. BOX 7440 • RENO, NV 89510  
PHONE (775) 355-0600 EX. 138 • FAX (775) 284-3407

RESOLUTION NO. 06-ITCN-19

BATTLE MOUNTAIN  
BAND COUNCIL  
CARSON COLONY  
COMMUNITY COUNCIL  
DRESSERVILLE  
COMMUNITY COUNCIL  
DUCK VALLEY  
SHOSHONE-PAIUTE  
BUSINESS COUNCIL  
DUCKWATER  
SHOSHONE  
TRIBAL COUNCIL  
ELKO BAND  
COUNCIL  
ELY SHOSHONE  
COUNCIL  
FALLON BUSINESS  
COUNCIL  
FT. McDERMITT  
PAIUTE-SHOSHONE  
TRIBES  
GOSHUTE BAND  
COUNCIL  
LAS VEGAS PAIUTE  
TRIBAL COUNCIL  
LOVELOCK TRIBAL  
COUNCIL  
MOAPA BUSINESS  
COUNCIL  
PYRAMID LAKE  
TRIBAL COUNCIL  
RENO/SPARKS  
TRIBAL COUNCIL  
SOUTH FORK  
BAND COUNCIL  
STEWART  
COMMUNITY COUNCIL  
SUMMIT LAKE  
PAIUTE COUNCIL  
TE-MOAK TRIBAL  
COUNCIL  
TIMBISHA SHOSHONE  
TRIBE  
WALKER RIVER  
PAIUTE TRIBAL  
COUNCIL  
WASHOE TRIBAL  
COUNCIL  
WELLS BAND  
COUNCIL  
WINNEMUCCA  
COLONY COUNCIL  
WOODFORDS  
COMMUNITY  
COUNCIL  
YERINGTON PAIUTE  
TRIBAL COUNCIL  
YOMBA TRIBAL  
COUNCIL

**WHEREAS,**

the Inter-Tribal Council of Nevada, Inc. Executive Board recognizes that the Fallon Paiute-Shoshone Tribe as set forth in its November 2018 Draft Environmental Impact Statement (DEIS) for the proposed expansion of NASF, the Navy is proposing to expand these horrible activities four-fold by:

- (1) requesting Congressional renewal of the 1999 Public Land Withdrawal of 202,864 acres;
- (2) requesting Congress withdraw and reserve for military use up to 618,727 acres of additional federal land;
- (3) acquiring approximately 65,153 acres of private or state-owned (non-federal) land;
- (4) constructing range infrastructure to support modernization, including new target areas; and
- (5) expanding and reconfiguring existing special use airspace and establishing new airspace with the current boundary to accommodate the expanded bombing ranges;

**WHEREAS,**

the Inter-Tribal Council of Nevada, Inc., Executive Board recognizes that the Fallon Paiute-Shoshone Tribe, since time immemorial, that the Tribe has engaged in religious and cultural ceremonies and other activities on the 885,000 acres of lands identified above, as established through oral tradition, ethnography, burial practices, material culture, and other evidence;

**WHEREAS,**

the Inter-Tribal Council of Nevada, Inc. Executive Board recognizes that the continuation of the 1999 Public Land Withdrawal and its four-fold territorial expansion would continue the shameful and tragic history of seizing tribal lands, desecrating tribal religious burial and cultural sites, and preventing the tribe and other tribes from engaging in our cultural practices

**WHEREAS,**

the Inter-Tribal Council of Nevada, Inc. Executive Board recognizes that the Fallon Paiute-Shoshone Tribe since the expansion has been proposed, NASF has failed to properly consult with the Fallon Business Council in violation of the sacred trust responsibility the United State owes all tribes, and denied the tribe information and funding needed to fully identify and assess the potential impacts on the proposed expansion;

**WHEREAS,**

the Inter-Tribal Council of Nevada, Inc. Executive Board recognizes that the Fallon Paiute-Shoshone Tribe under the guise of consultation, NASF has repeatedly asked the tribe to do the impossible – identify its cultural sites on a

one-page map that covers the entire 885,000-acre (about 1,375 square miles) expansion area;

**WHEREAS,** the Inter-Tribal Council of Nevada, Inc. Executive Board recognizes that the Fallon Paiute-Shoshone Tribe despite repeated written requests, NASF has not responded to the tribes' requests for the funding necessary to conduct a survey of the expansion area so that cultural sites can be identified;

**WHEREAS,** the Inter-Tribal Council of Nevada, Inc. Executive Board recognizes that the Fallon Paiute-Shoshone Tribe when the DEIS was published, NASF gave the tribe no advance notice, and in a face-to-face meeting failed to mention its publication was one day away until asked, and then only gave the tribe a mere 60 days to comment; and

**WHEREAS,** the Inter-Tribal Council of Nevada, Inc. Executive Board recognizes that the Fallon Paiute-Shoshone Tribe despite these disadvantages, the Fallon Paiute-Shoshone Tribe has submitted sets of comments specifying many concerns with the expansion, but yet NASF fails to recognize or demonstrate they have read or understood the comments in those meetings with NASF.

**NOW THEREFORE BE IT RESOLVED** that the Inter-Tribal Council of Nevada, Inc. Executive Board supports the Fallon Paiute-Shoshone Tribe as the tribe strongly opposes the expansion of Fallon Naval Air Station as described in the November 2018 Draft Environmental Impact Statement;

**BE IT FURTHER RESOLVED,** the Inter-Tribal Council of Nevada, Inc. Executive Board supports the Fallon Paiute-Shoshone Tribe calls on the United States Navy to engage in meaningful consultation with the Fallon Paiute-Shoshone Tribe and other tribes, share all relevant information, facilitate visits to the expansion site, and fully fund a study that would allow the Fallon Paiute-Shoshone Tribe to identify the cultural sites within the proposed expansion area;

**BE IT FURTHER RESOLVED,** the Inter-Tribal Council of Nevada, Inc. Executive Board recognizes that the Fallon Paiute-Shoshone Tribe and its members as well as other tribes must retain the ability to access cultural and spiritual sites identified by the tribe and other tribes, and these areas should be excluded from any expansion and protected from impacts of Naval training;

**BE IT FINALLY RESOLVED,** The Inter-Tribal Council of Nevada, Inc. Executive Board, on behalf of their membership, hereby support the Fallon Paiute-Shoshone Tribe and other tribes in their opposition to the proposed Fallon Naval Air Station expansion.



# INTER-TRIBAL COUNCIL OF NEVADA, INC.

680 GREENBRAE DR., SUITE 284 • SPARKS, NV 89431  
P.O. BOX 7440 • RENO, NV 89510  
PHONE (775) 355-0600 EX. 138 • FAX (775) 284-3407

RESOLUTION NO. 06 -ITCN-19

## CERTIFICATION

BATTLE MOUNTAIN  
BAND COUNCIL  
CARSON COLONY  
COMMUNITY COUNCIL  
DRESSERVILLE  
COMMUNITY COUNCIL  
DUCK VALLEY  
SHOSHONE-PAIUTE  
BUSINESS COUNCIL  
DUCKWATER  
SHOSHONE  
TRIBAL COUNCIL  
ELKO BAND  
COUNCIL  
ELY SHOSHONE  
COUNCIL  
FALLON BUSINESS  
COUNCIL  
FT. McDERMITT  
PAIUTE-SHOSHONE  
TRIBES  
GOSHUTE BAND  
COUNCIL  
LAS VEGAS PAIUTE  
TRIBAL COUNCIL  
LOVELOCK TRIBAL  
COUNCIL  
MOAPA BUSINESS  
COUNCIL  
PYRAMID LAKE  
TRIBAL COUNCIL  
RENO/SPARKS  
TRIBAL COUNCIL  
SOUTH FORK  
BAND COUNCIL  
STEWART  
COMMUNITY COUNCIL  
SUMMIT LAKE  
PAIUTE COUNCIL  
TE-MOAK TRIBAL  
COUNCIL  
TIMBISHA SHOSHONE  
TRIBE  
WALKER RIVER  
PAIUTE TRIBAL  
COUNCIL  
WASHOE TRIBAL  
COUNCIL  
WELLS BAND  
COUNCIL  
WINNEMUCCA  
COLONY COUNCIL  
WOODFORDS  
COMMUNITY  
COUNCIL  
YERINGTON PAIUTE  
TRIBAL COUNCIL  
YOMBA TRIBAL  
COUNCIL

The foregoing resolution was adopted by a vote of the Inter-Tribal Council of Nevada, Inc.'s Executive Board, on the 3rd day of May, 2019 by a vote 8 FOR; 0 AGAINST; and 1 ABSTENTATIONS.

  
Chad Malone, Secretary  
ITCN Executive Board





# INTER-TRIBAL COUNCIL OF NEVADA, INC.

680 GREENBRAE DR., SUITE 265 • SPARKS, NV 89431

P.O. BOX 7440 • RENO, NV 89510

PHONE (775) 355-0600 • FAX (775) 355-0648

RESOLUTION NO. 03-ITCN-20

## RESOLUTION OF INTER-TRIBAL COUNCIL OF NEVADA, INC.

### IN SUPPORT OF THE NO ACTION ALTERNATIVE IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE FALLON RANGE TRAINING COMPLEX MODERNIZATION DATED JANUARY 2020

- WHEREAS,** the Inter-Tribal Council of Nevada, Inc. ("ITCN") is a nonprofit tribal organization formed under the laws of the State of Nevada on February 23, 1966, and organized and operated in accordance with its Articles of Incorporation filed on February 23, 1966 and its First Amended and Restated Bylaws adopted on December 17, 2019; and
- WHEREAS,** the purpose of ITCN is stated in the First Amended and Restated Bylaws adopted on December 17, 2019; and
- WHEREAS,** ITCN operates for the benefit of its twenty-seven (27) Member Tribes and their people; and
- WHEREAS,** ITCN's Board of Directors ("the Board") is comprised of one elected representative from each of ITCN's twenty-seven (27) Member Tribes; and
- WHEREAS,** the Fallon Paiute-Shoshone Tribe, the Lovelock Paiute Tribe, the Walker River Paiute Tribe, the Yomba Shoshone Tribe, the Pyramid Lake Paiute Tribe, the Duck Valley Sho-Pai Tribe, and the other federally recognized Tribes in Nevada have properties that are being affected by the planned renewal and expansion of the Naval Air Station Fallon (NASF), which is also referred to as the Fallon Range Training Complex (FRTC) in the Final EIS for the Fallon Range Training Complex;
- WHEREAS,** the NASF has operated on 232,000 acres of ancestral lands and reservations of several federally recognized tribal nations, as authorized by a 1999 Public Land Withdrawal; and
- WHEREAS,** the Final Environmental Impact Statement (EIS) for the Fallon Range Training Complex Modernization (FRTCM), which is the planned expansion of the NASF, has three Alternatives for the Proposed Action, and a No Action Alternative; and

RESOLUTION NO. 03-ITCN-20  
Page 1 of 6

BATTLE MOUNTAIN  
BAND COUNCIL

CARSON COLONY  
COMMUNITY COUNCIL

DRESSERVILLE  
COMMUNITY COUNCIL

DUCK VALLEY  
SHOSHONE-PAIUTE  
BUSINESS COUNCIL

DUCKWATER  
SHOSHONE  
TRIBAL COUNCIL

ELKO BAND  
COUNCIL

ELY SHOSHONE  
COUNCIL

FALLON BUSINESS  
COUNCIL

FT. McDERMITT  
PAIUTE-SHOSHONE  
TRIBES

GOSHUTE BAND  
COUNCIL

LAS VEGAS PAIUTE  
TRIBAL COUNCIL

LOVELOCK TRIBAL  
COUNCIL

MOAPA BUSINESS  
COUNCIL

PYRAMID LAKE  
TRIBAL COUNCIL

RENO/SPARKS  
TRIBAL COUNCIL

SOUTH FORK  
BAND COUNCIL

STEWART  
COMMUNITY COUNCIL

SUMMIT LAKE  
PAIUTE COUNCIL

TE-MOAK TRIBAL  
COUNCIL

TIMBISHA SHOSHONE  
TRIBE

WALKER RIVER  
PAIUTE TRIBAL  
COUNCIL

WASHOE TRIBAL  
COUNCIL

WELLS BAND  
COUNCIL

WINNEMUCCA  
COLONY COUNCIL

WOODFORDS  
COMMUNITY  
COUNCIL

YERINGTON PAIUTE  
TRIBAL COUNCIL

YOMBA TRIBAL  
COUNCIL

**WHEREAS,** Alternative 1 (Modernization of the Fallon Range Training Complex) would be the expansion of NASF except for Site B-19 and the Shoal Site, and consist of the withdraw and reserve for military use of up to 618,727 acres of additional federal land for the term of 25 years, and acquisition of approximately 65,159 acres of private or state-owned (non-federal) land, and require construction of new range infrastructure to support modernization, including new target areas, and expand and reconfigure existing special use airspace within FRTC airspace to accommodate expanded Bravo ranges; and

**WHEREAS,** Alternative 2 (Managed Access) would expand the FRTC to the same extent as described in Alternative 1 and continue to allow certain public uses within certain specified areas when ranges are not optional, and allow a bighorn sheep hunting program, as described in the Draft Memorandum of Agreement between the Navy and Nevada Department of Wildlife (NDOW); and, conditionally allow: geothermal and salable exploration and development, water development, academic research, ceremonial and cultural visits, land management activities, and large event off-road races would be allowed on all ranges, subject to coordination with the Navy; and

**WHEREAS,** Alternative 3 (Preferred Alternative) would expand the FRTC to the same extent as described in Alternative 1, except for specific areas identified in the Final EIS for the FRTCM; and will define two areas as public lands under the jurisdiction of the Bureau of Land Management (BLM) that would not be withdrawn by the Navy, and continue to allow certain public uses within certain specified areas and those zones would remain open to public access and available for all BLM-allowable uses such as mining, grazing, hunting, and recreation, under the stipulation that BLM will consult with the Navy before issuing any decisions on projects, permits, leases, studies, and other land uses; and

**WHEREAS,** the No Action Alternative consists of not renewing the 1999 Public Land Withdrawal of 202,864 acres, which is scheduled to expire in November 2021, and not withdrawing or acquiring any new land; and

**WHEREAS,** FRTC operations on the 1999 Public Land Withdrawal have caused a terrible transformation of Native American ancestral lands and ways of life through:

- (1) damage to many spiritual and cultural sites from bombing, munitions, sonic booms, and fire;
- (2) denied access to spiritual and cultural sites and traditional tribal lands;

- (3) countless flyovers at low altitudes over the several Reservations and traditional tribal lands at all hours; and
- (4) regular sonic booms and other excessive noise; and

**WHEREAS,** by way of example, the adverse effects of FRTC activities include:

- (1) destruction by bombing activities of the Paiute origin site known as Fox Peak, from which the Father and the Mother dispersed their four children;
- (2) desecration of other cultural sites, such as burials, through air and ground training with live munitions;
- (3) denial or curtailment of access to important cultural sites;
- (4) denial or curtailment of access for hunting animals and gathering of plant materials used for food and material culture;
- (5) extreme and excessive noise levels preventing quiet enjoyment that accompanies, and is essential to, tribal ceremonies and use of natural resources; and
- (6) has offered no actual compensation for the costs suffered by the Tribes for the military activities in the past; and

**WHEREAS,** the United States Navy is proposing to expand these horrible activities four-fold by:

- (1) continuing use of approximately 30,000 acres of permanently withdrawn federal land;
- (2) requesting Congressional renewal of the 1999 Public Land Withdrawal of 202,864 acres;
- (3) requesting Congress withdraw and reserve for military use up to 618,727 acres of additional federal land;
- (4) acquiring approximately 65,153 acres of private or state-owned (non-federal) land;
- (5) constructing range infrastructure to support extensive training, including new target areas; and

- (6) expanding and reconfiguring existing special use airspace and establishing new airspace with the current boundary to accommodate the expanded bombing ranges; and

**WHEREAS,** since time immemorial, the Fallon Paiute-Shoshone Tribe, the Lovelock Paiute Tribe, the Walker River Paiute Tribe, the Yomba Shoshone Tribe, the Pyramid Lake Paiute Tribe, the Duck Valley Sho-Pai Tribe, and the other 21 federally recognized Tribes in Nevada have engaged in religious and cultural ceremonies and other activities on or near the 915,880 acres (1,431 square miles) of lands identified above, as established through oral tradition, ethnography, burial practices, material culture, and other evidence, and as recognized by the United States Claims Commission; and

**WHEREAS,** the United States Treaty with the Western Shoshoni (1863) did not give the United States authority to own the air space over lands identified in the Treaty, and Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied; or otherwise used or acquired, and

**WHEREAS,** the renewal of the 1999 Public Land Withdrawal and its four-fold territorial expansion would continue the shameful and tragic history of seizing tribal lands, desecrating tribal religious, burial and cultural sites, and preventing tribal nations from engaging in our cultural practices; and

**WHEREAS,** since the renewal and expansion has been proposed, the Department of Defense has failed to properly consult with affected tribal nations in violation of the sacred trust responsibilities the United States owes all tribal nations including through Executive Order 13175 and the Department of Defense American Indian and Alaska Native Policy, 32 C.F.R §775 et. seq., and denied tribal nations information and funding needed to fully identify and assess the potential impacts of the proposed renewal and expansion; and

**WHEREAS,** the Department of Defense has held multiple meetings regarding FRTCM with non-elected tribal representatives who do not officially and legally represent their respective nations in the role of tribal consultation, and these past meetings were not adequately recorded in order for the impacted nations to review the proceedings of these meetings; and

**WHEREAS,** despite repeated written requests, NASF has not responded to the Fallon-Paiute Shoshone Tribe's requests for the funding necessary to conduct

surveys of the proposed expansion area so that cultural sites can be identified and excluded from any renewal and expansion; and

**WHEREAS,** the Inter-Tribal Council of Nevada (ITCN), which represents the 27 member tribal nations in Nevada, through Resolution No. 06-ITCN-19, supports the Fallon Paiute Shoshone Tribe, including their request for meaningful consultation, the receipt of all relevant information, and a fully-funded cultural resources inventory of the proposed expansion area; and

**WHEREAS,** the Inter-Tribal Council of Nevada (ITCN), supports Resolution WR-65-2019 of the Walker River Paiute Tribe, which identifies areas impacted and contaminated by NASF activities, and speaks of the “Legacy” issue that identifies financial damages owed to the Tribe and land lease issues that need to be resolved, and that the request in the Resolution will be submitted for legislative language development for such amendment that will be presented to Congress in 2020; and

**WHEREAS,** NASF public land withdrawal is but one example where the United States military has failed to properly consult and seek tribal consent for the establishment, renewal, or expansion of installations affecting tribal lands, resources, or areas of cultural or historic significance.

**NOW THEREFORE BE IT RESOLVED,** that the member Tribes of ITCN support the No Action Alternative the Final Environmental Impact Statement for the Fallon Range Training Complex Modernization because of the impacts these expansions would have on tribal cultural resources and life ways; and

**BE IT FURTHER RESOLVED,** ITCN calls on the United States military to engage in meaningful consultation with tribal nations affected by such expansions, share all relevant information, facilitate visits to the expansion site, fully fund studies that would allow affected tribal nations to better identify the cultural and spiritual sites within the proposed expansion area; and

**BE IT FURTHER RESOLVED,** ITCN calls on the United States military to ensure that all affected tribal nations secure the ability to access cultural and spiritual sites identified by the affected tribal nations, and to protect these sites by excluding them from any renewal and/or expansion of military installations without the free, prior and informed consent of the affected tribal nations; and



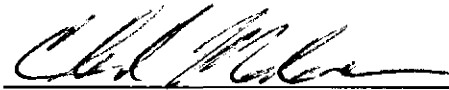
**BE IT FURTHER RESOLVED**, ITCN call on Nevada elected Congressional Representatives to take the concerns of the Nevada nations to Congress for action; and

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

**CERTIFICATION OF ADOPTION**

The foregoing Resolution was adopted at the duly called Meeting of the Board of Directors of the Inter-Tribal Council of Nevada held on January 31, 2020, by a vote of 13 FOR, 0 AGAINST, and 1 ABSTENTION.

Dated: 2-7-20



Chad Malone

Secretary, Inter-Tribal Council of Nevada, Inc.