

RESOLUTION OF THE SUMMIT LAKE PAIUTE COUNCIL
SUMMIT LAKE PAIUTE TRIBE
OF THE
SUMMIT LAKE PAIUTE RESERVATION, NEVADA

RESOLUTION NO.: SL - 02 - 2009

TITLE: AUTHORIZING COUNCIL CHAIRMAN TO REQUEST ONE YEAR EXTENSION OF TIME FROM THE U.S. DEPARTMENT OF JUSTICE TO COMPLY WITH THE ADAM WALSH ACT

WHEREAS, the Summit Lake Paiute Tribe, is a modern entity of the Northern Paiute People known, in English, as Lake Trout and Wild Onion Eaters who, for thousands of years, controlled 2,800 square miles of land in and around Summit Lake as a tribe with sovereign, unlimited, powers and laws (customs, traditions, usages, etc.); and,

WHEREAS, in 1964, and after much consideration, the members of the Lake Trout and Wild Onion Eaters organized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended, adopting, for certain sovereign purposes, the name "Summit Lake Paiute Tribe" with a tribal constitution titled "Articles of Association," the latter which was approved by the Secretary of the U.S. Department of the Interior on January 8, 1965; and,

WHEREAS, over time the members of the Summit Lake Paiute Tribe have regained a small fraction of their historic land base, including the Tribe's reserved lands (Reservation), and the Indian allotments outside the Reservation boundaries; and,

WHEREAS, the Summit Lake Paiute Tribe's Articles of Association grant to the Summit Lake Paiute Council (see Article II, Section 1) certain sovereign powers, including the power to negotiate with and seek funding from federal agencies like the U.S. Department of Justice (DOJ) to improve the welfare and education of tribal members (see Article II, Section 1 (b), (k)); and,

WHEREAS, the sentencing, monitoring, apprehension, registering and tracking of sex offenders is an important aspect of sovereignty; and,

WHEREAS, federal law now allows the State of Nevada to assume jurisdiction on the Summit Lake Reservation unless the Tribe complies with the amendments to the federal laws governing sentencing, monitoring, apprehension, registering and tracking ("SMART") of sex offenders; and,

WHEREAS, on July 21, 2007, the Council issued a Resolution, SL-15-2007, giving the federal government notice that it would not allow the State of Nevada to assume jurisdiction on the Summit Lake Reservation relative to SMART of sex offenders through the Adam Walsh Act amendments and to preserve tribal sovereignty; and,

WHEREAS, the Adam Walsh Child Protection and Safety Act of 2006 was enacted without tribal input on July 27, 2006. Section 127 of the Act required tribes to either comply with its complex mandates or lose jurisdiction to states; and,

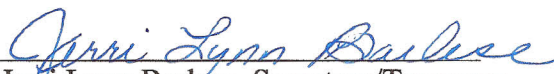
WHEREAS, the Summit Lake Paiute Council must ask for a one year extension for several reasons, including: (1) on April 16, 2009, the federal government finally released the SORNA Compliant Model Tribal Sex Offender Registration Code that the Council must consider adopting and there is not enough time to analyze and adopt same before April 27, 2009; (2) in October 2008, the federal district court of Nevada issued an injunction preventing the State of Nevada from working with Tribes relative to the Adam Walsh Child Protection and Safety Act of 2006; and, (3) under Summit Lake Paiute Tribe law all proposed Ordinances, such as a Tribal Sex Offender Registration Code, must be posted for 45 days before it can take effect,

NOW THEREFORE, BE IT RESOLVED that the Summit Lake Paiute Tribal Council has reviewed and been briefed on the Adam Walsh Act and the requirement of seeking an extension before April 27, 2009, and hereby authorizes the Chairman of the Council to sign a letter this day requesting a one year extension.

CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby certify that the above Resolution, No. SL -02- 2009, was brought before the Summit Lake Paiute Council at a duly held meeting on the 18th day of April 18, 2009, with a quorum present, with the following votes to enact the Resolution: 3 FOR, 0 AGAINST; and 1 ABSTAINING, with the Council Chairman presiding and not voting, and that this Resolution has not been rescinded, revoked or amended.

April 18, 2009
Date


Jerri Lynn Barlese, Secretary/Treasurer
Summit Lake Paiute Council