



Sent electronically: Scott_Aikin@fws.gov

July 1, 2022

U.S. Fish and Wildlife Service
United States Department of the Interior
Attn: Scott Aikin, National Native American Programs Coordinator
1211 SE Cardinal Court
Suite 100
Vancouver, WA 98683

Re: Jamestown S'Klallam Tribe Request to Initiate the Negotiation Process with the United States Fish and Wildlife Service to Enter into a Management Agreement for the Dungeness National Wildlife Refuge

Dear Mr. Aikin:

On behalf of the Jamestown S'Klallam Tribe and in accordance with Title IV of the Indian Self-Determination and Education Assistance Act (ISDEAA), I write to request that we initiate a negotiation process with the United States Fish and Wildlife Service that will culminate in an agreement for the Tribe to manage programs, services, functions, and activities (PSFAs) or portions thereof located at the Dungeness National Wildlife Refuge as authorized under Title IV of the ISDEAA. We would like to enter these negotiations with a goal of finalizing an agreement by October 1, 2022.

We know that the President and his Administration have taken action to promote Tribal stewardship and Self-Governance by empowering Tribes to enter into agreements with the Fish and Wildlife Service pertaining to the stewardship of Federal lands and waters under its jurisdiction, and we stand fully committed and ready to engage with you on these matters of mutual interest. Tribal self-governance is rooted in the government-to-government relationship that exists between Tribes and the United States of America as sovereign nations. It recognizes that tribal leaders and tribal citizens are in the best position to understand the needs and priorities of their communities and Self-Governance is the most successful policy in the history of Tribal/Federal relations that has resulted in greater self-reliance for Tribal governments.

As you know, in 1994, Congress added a new Title IV to the ISDEAA that established a permanent self-governance program within the Bureau of Indian Affairs. Under the Self-Governance Program, certain programs, services, functions, and activities (PSFAs) or portions thereof are eligible to be compacted and administered by

Tribal governments. There are two categories of non-BIA programs under sections 403(b)(2) and 403(c) of the Act that are eligible for Self-Governance compacting. Section 403(b)(2) establishes that any non-BIA program, service, function, or activity that is administered by the Department that is otherwise available to Indian Tribes or Indians can be administered by a Tribe through a Self-Governance funding agreement. Section 403(c) further provides that the Secretary may include other programs, services, functions and activities or portions thereof that are of “special geographical, historical or cultural significance” to a Self-Governance Tribe.

There is no question that the Tribe is eligible under Sections 403(b)(2) and 403(c) to enter into an Agreement with the United States Fish and Wildlife Service to manage the Dungeness National Wildlife Refuge. The Dungeness Wildlife Refuge is the traditional homelands and waterways of our people, and we remain steadfast in our desire to be fully engaged in the management of our food and our natural and wildlife resources that we depend on for the continuity of our lifeways, our language, our traditional and cultural ways of being, our medicine, our spirituality, and the survival of our people. The Tribe’s history is closely tied to the Refuge and over the years the Tribe’s track record and years of experience in Tribal governmental program development and natural and cultural resource management at the Refuge underscores our unique connections to the Refuge. The Tribe also has received assurances of support from our sister Tribes, the Lower Elwha Klallam Tribe, and the Port Gamble S’Klallam Tribe that they support our efforts to enter into this agreement with DOI. We are happy to provide written documentation reflecting that support upon request. We are also happy to provide evidence of the primary role we have played in habitat preservation, conservation, and environmental stewardship of our ancestral homelands, traditional waterways, and resources since time immemorial.

As required by Title IV of the ISDEAA we stand ready to demonstrate that we have the financial stability and financial and program management capability to fulfill these responsibilities as evidenced by over thirty years of experience implementing self-governance authority at the Department of the Interior Bureau of Indian Affairs and Department of Health and Human Services Indian Health Service. Starting in 1989, the Tribe was one of the first seven Tribes in the country to sign a self-governance compact and funding agreement with DOI. The Tribe was also one of the original fourteen Tribes that entered the self-governance program in the Department of Health and Human Services’ Indian Health Service in 1994. For close to 30 years the Tribe has been recognized as a national leader on the forefront of implementing and promoting Self-Governance.

In preparation for upcoming negotiations, we request the Fish and Wildlife Service to provide us complete and accurate information on all of the available programs, services, functions, activities, and portions thereof, as well as organizational charts, position and program descriptions and the associated funding streams that may be included in a self-governance agreement. We would appreciate receiving this information within the next 4 weeks.

The Tribal Chairman/CEO, Natural Resources Director, Chief Financial Officer, Self-Governance Legislative Associate, and Legal Counsel courtesy copied on this letter will make up the Tribe's negotiation team. We are happy to send you any documents that you think will assist you in determining the Tribe's eligibility status. Please let us know how we should proceed on this front.

If you have any additional questions and/or concerns, please feel free to contact me at rallen@jamestowntribe.org or via phone at 206-369-6699. Thank you.

Sincerely,

A handwritten signature in black ink that reads "W. Ron Allen". The signature is written in a cursive, flowing style.

W. Ron Allen, Tribal Chairman/CEO, Jamestown S'Klallam Tribe

Cc: Hansi Hals, Natural Resources Program Director
Diane Gange, Chief Financial Officer
Jennifer McLaughlin, Self-Governance Legislative Associate
Geoff Strommer, Legal Counsel and Partner, Hobbs, Straus, Dean and Walker,
LLP