

**CONFEDERATED TRIBES OF  
THE WARM SPRINGS RESERVATION  
OF OREGON**

***DECLARATION OF SOVEREIGNTY***

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**O**ur people have exercised inherent sovereignty, as nations, on the Columbia Plateau for thousands upon thousands of years, since time immemorial. Our sovereignty is permeated by the spiritual and the sacred, which are, and always have been, inseparable parts of our lives, for the Creator leads us in all aspects of our existence.

The Wasco Tribe, a Chinooktan linguistic group of people, occupied the lower Columbia River. A hereditary *tyee stumchk*, or Principal Chieftain, acting either personally or by delegation to village chiefs of the bloodline of the *tyee stumchk*, exercised full authority over all aspects of life — political, spiritual, family, subsistence, and military. The sovereign position of the *tyee stumchk* carried with it not only the power to regulate and punish but also the duty to take actions to assure that the people would have food, shelter, cultural and social well-being, and protection from outside forces.

The Warm Springs Tribe, an *Iciskin* (Sahaptin) -speaking people, lived further up the Columbia, and on the Deschutes and John Day Rivers and their tributaries, during aboriginal times. They possessed the sovereign prerogative of *ne-shy-chut*, which meant that Native Warm Springs people were rooted in the soil of their ancestral domain and were free of any outside forces, free to follow their own culture and religion. For millenia, Warm Springs people followed an elaborate structure of sovereign tribal responsibilities embodied in the Sahaptin phrase, *tee-cha-meengsh-mee sin-wit na-me ah-wa-ta-man-wit*, which means "at the time of creation the Creator placed us in this land and He gave us the voice of this land and that is our law."

In 1855, the Warm Springs and Wasco Tribes entered into a treaty with the United States of America. We were not a vanquished people and this was not a truce agreement; rather, all parties entered into the treaty with full recognition of the sovereign authority of the other parties. In the treaty, the two tribes ceded certain aspects of their aboriginal title to more than 10 million acres of land but retained a reservation of more than 600,000 acres including full control over all lands and waters, as well as extensive off-reservation rights. Both tribes also reserved their national sovereignty. The United States assumed trust duties that included a high obligation to protect the reservation and all off-reservation rights from outside forces.

In 1879 and 1884, the United States moved groups of Northern Paiutes to the southern part of the reservation. Before being located on the reservation, the Northern Paiutes had traditionally roamed a vast territory, which included parts of the Deschutes and John Day river valleys and high desert lands to the east and south; sovereign Paiute law ways and religious mores were established by custom and administered by a principal chief and headmen. After being located on the reservation, the Paiutes received allotments of reservation land and became residents of the reservation.

The two treaty tribes, the Warm Springs and the Wasco, eventually invited the Paiutes to join their government. In 1938, the Warm Springs, Wasco, and Northern Paiute Tribes officially formed a confederacy, established a common government, and adopted a written constitution. The constitution created a tribal council for administrative purposes and reserved all other sovereign powers to the people. In the years since, the Confederated Tribes have amended the 1938 constitution, enacted a great many tribal laws, established judicial and enforcement authorities, engaged in extensive and sophisticated economic development, and entered into many agreements with the United States of America, other Indian tribes, the state of Oregon, local governments, private business organizations, and other entities and individuals. These and other progressive actions have been taken to preserve, protect, and strengthen our national sovereignty that has existed, along with our songs, dances, prayers, and longhouses, on the Columbia Plateau for countless generations.

Today, the people of the Confederated Tribes continue to assert and exercise sovereign authority over the tribal reservation, over other territory within tribal jurisdiction, over territory that may come under tribal jurisdiction in the future, and over the protection of our rights and our people and their welfare in all places. This complete sovereign power encompasses legislative authority, such as the power to define individual conduct, to regulate business enterprises, to zone land, to tax, to regulate the use of natural resources, to protect the environment, to make provisions for education, health, and social welfare, to protect our right to worship according to our own religions and to follow our traditional ways, and to make other laws appropriate to the exercise of the full range of lawmaking authority possessed by any nation. The Confederated Tribes' sovereign powers also include executive authority to implement tribal legislation and judicial authority to enforce valid legislative and executive orders. Our sovereign authority includes the right to choose not to adopt formal, written laws, procedures, or policies governing particular subjects; formal laws can be intrusive and inflexible, and we have learned that some issues are best addressed by informal, traditional ways.

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Ultimate sovereignty is vested in the people, who received that sovereign authority in the form of laws given by the Creator and by the land itself. Our people have delegated only limited authority to the tribal council and have reserved the rest of our national sovereignty to ourselves.

The Confederated Tribes shall always exercise our sacred national sovereignty in order to achieve the highest of all goals: to preserve our traditional cultural ways that have existed for so many centuries in harmony with our homeland; and to provide for the well-being of our people for the many centuries that lie ahead. We shall, as we always have, live in balance with the land and never use more of our precious natural resources than can be sustained forever. We shall, as we always have, give respect to all persons; acknowledge the special wisdom of our elders and religious leaders; nurture the bright hopes for the future that reside within our young people; and accept full personal responsibility for all of our actions, as our basic religious teaching is that we are fully accountable to the Creator for our conduct.

Today the ancient spirit of the Creator still dwells in all the places of our homeland, as it always has and always will. Our national sovereignty protects that spirit, our land and waters, our people, and our vibrant culture, religion and language.

**NOW THEREFORE LET IT BE DECLARED AS FOLLOWS:**

**WE**, THE MEMBERS of the Confederated Tribes of the Warm Springs Reservation of Oregon, comprised of the Wasco, Warm Springs, and Northern Paiute Tribes, hereby declare our national sovereignty. We declare the existence of this inherent sovereign authority — the absolute right to govern, to determine our destiny, and to control all persons, land, water, resources and activities, free of all outside interference — throughout our homeland and over all our rights, property, and people, wherever located.

The geographic reach of our sovereignty includes the whole area within the borders of our tribal reservation, reserved by the Warm Springs and Wasco Tribes in their 1855 Treaty with the United States. This inspiring reservation, located on the east flank of the Cascade Range, is a spiritual place of juniper, sage, and thick mountain forests; of the strong and deep Deschutes, of the Metolius River, Seekseequa Creek, Shitike Creek, the Warm Springs River, Oak Creek, White Water River, and all their tributaries; of our sacred foods, salmon, deer, roots, berries, elk and other plants, fish, and game, and water, which is the giver of life; and of lava flows, hot springs, and uplifting table-top mesas and mountains, all watched over by our sacred Mount Jefferson.

Our homeland also encompasses, and our sovereignty extends to, tribal off-reservation rights in our historic ancestral domain, a vast region that includes the Columbia Plateau and far beyond. These off-reservation rights include rights attaching to our usual and accustomed fishing grounds and stations; to in-lieu fishing sites; to burial sites and other sacred sites; to lands on which tribal members can hunt, gather roots and berries, and pasture stock; to acquired lands; and to other areas over which our tribes now possess, or may later establish, rights of any kind.

Our people, as the custodians of our sovereignty, revere all of those things and declare that they shall be protected absolutely and forever.

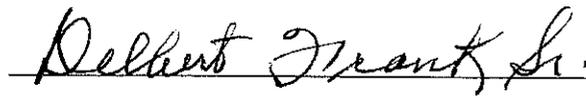
## CERTIFICATION OF ADOPTION

We recognize that this declaration may not perfectly state the full and complete extent of our sovereignty. Our sovereignty is based, not on the laws of human beings, but on natural laws given to us by our Creator; these natural laws are as they are, not as human beings may define them. In addition, these natural laws are best expressed in our traditional languages and not in the language brought here by newcomers. In spite of these limitations, and without waiving any additional attributes of sovereignty that may not be expressly described in this document, we make this declaration in order to inform all who deal with us, and future generations of tribal members, of the essential nature of our national sovereignty. Thus, with lasting pride in our heritage and with confidence in our future, we set our hands to this declaration.

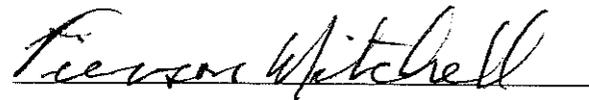
Duly signed and adopted, on behalf of the members of the Confederated Tribes, after community district hearings convened by the elected governing body of the Confederated Tribes of the Warm Springs Reservation of Oregon, this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

  
 ZANE JACKSON  
 Chairman, Tribal Council  
 Agency District Representative

  
 NELSON WALLULATUM  
 Wasco Chief

  
 DELBERT FRANK, SR.  
 Vice Chairman, Tribal Council  
 Simnasho District Representative

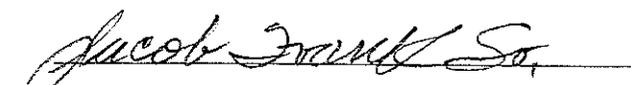
  
 DELVIS HEATH, SR.  
 Warm Springs Chief

  
 PIERSON MITCHELL  
 2nd Vice Chairman, Tribal Council  
 Simnasho District Representative

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 VERNON HENRY  
 Northern Paiute Chief

  
 BERNICE MITCHELL  
 Member, Tribal Council  
 Agency District Representative

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 BRENDA SCOTT  
 Member, Tribal Council  
 Seekseequa District Representative

  
 JACOB FRANK, SR.  
 Member, Tribal Council  
 Simnasho District Representative

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 KAREN WALLULATUM  
 Member, Tribal Council  
 Seekseequa District Representative

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 RITA SQUIEMPHEN  
 Member, Tribal Council  
 Agency/Sidwalter District Representative