



Walker River Paiute Tribe

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RESOLUTION OF THE GOVERNING BODY OF THE WALKER RIVER PAIUTE TRIBE

RESOLUTION NO. WR-10-2020

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2020 JAN 31 PM 3:05

BUREAU OF INDIAN AFFAIRS
CARSON CITY NV 89701

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE WALKER RIVER PAIUTE TRIBE THAT:

WHEREAS, the governing body of the Walker River Paiute Tribe is organized under the provisions of the Indian Reorganization Act of June 1934 as amended, to exercise certain home rule and be responsible for the promotion of economic and social welfare of its members; and

WHEREAS, the Walker River Paiute Tribe ("Tribe") is committed to protecting its land within the boundaries of the Reservation, specifically the land that is south and adjacent to Bravo 19, which is one of the training areas for the Fallon Naval Air Station ("FNAS"); and

WHEREAS, the FNAS has been using the Bravo 19 area for training since the 1940's; the Tribe has documentation of such contamination since 1959, where Naval jets have been dropping live and inert ordnance onto the reservation; and

WHEREAS, the FNAS does not dispute the historical contamination of reservation lands and wants to work cooperatively with the Tribe in resolving issues surrounding this travesty; the Naval officials refer to this as the "Legacy" issue, and

WHEREAS, that the Tribe believes that the only way that the Tribe will be able to be compensated by the Navy and to deal with the past environmental injustices is to have a sound strategy set out immediately, especially during the time that the Navy Environmental Impact Statement expansion request will be presented to Congress in 2020, and

WHEREAS, the Tribe is interested in hiring Hilary Tompkins, a Partner with Hogan Lovells' Law Firm, Columbia Square, 555 Thirteenth Street, NW, Washington, DC 20004 as she has expansive experience in natural resources and environmental law at the

highest levels of government; she oversaw litigation in support of Interior decisions, including cases before the U.S. Supreme Court and issued landmark legal opinions; she is also a leader in federal Indian law, where she led the historic settlement of the largest class action lawsuit in U.S. history – the Cobell tribal trust litigation; she began her career as an honors program trial attorney in the Environmental and Natural Resources Division of the U.S. Department of Justice; she is also a member of the Navajo Nation; and

BE IT FURTHER RESOLVED THAT, the identified law firm of Hogan and Lovells will provide the Tribe with general advice and a comprehensive, written summary that sets forth a strategy for addressing these issues, with regard to past damages to the Tribe and the pending federal legislation to authorize the expansion of the FNAS; and

BE IT FURTHER RESOLVED THAT, the Tribe will retain such law firm and pay no more than \$10,000.00 and that such funding will be allocated from the Tribe's Ramah Settlement (BIA Contract Support) funds; and

BE IT FINALLY RESOLVED THAT, the Tribal Council hereby agrees to retain such law firm and requests that the Tribal Chairman, Vice-Chairman or designated representative sign a letter of engagement and the General Terms of Representation.

CERTIFICATION

It is hereby certified that the foregoing Resolution of the Walker River Paiute Tribal Council, composed of seven members, of whom 5, constituting a quorum, were present at a meeting held on the 24th day of January, 2020, and that the foregoing resolution was adopted by the affirmative vote of 4 FOR, 0 AGAINST, and 0 ABSTENTIONS, pursuant to the authority contained in Article VI, Section 1(e), of the Constitution and By-Laws of the Walker River Paiute Tribe, approved March 26, 1937.



Gina Wachsmuth, Tribal Council Secretary
WALKER RIVER PAIUTE TRIBE

