



Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

April 11, 2011

Sent via Email and U.S. Certified Mail

Ms. Liz Luce, Director
Department of Licensing
Post Office Box 9020
Olympia, Washington 98507-9020
[REDACTED]

RE: Yakama Nation Fuel Tax Consent Decree

Dear Ms. Luce:

I am writing in response to your March 16, 2011 letter invoking the dispute resolution process in the amended fuel tax consent decree between the Yakama Nation and the State of Washington. The letter asked that the Nation respond within thirty days and provide times when the Nation is available to meet in person with representatives of the State to discuss a number of issues, specified in your letter, regarding implementation of the decree.

The Yakama Nation welcomes the opportunity to meet and to discuss ways to improve and to clarify the relationship between the Nation and the State with regard to fuel sales and taxation. The Yakama people have always been traders, and fuel sales are an important part of our current tribal economy. Our experience with the decree shows that some of its provisions are challenging for both the Nation and the State to implement. Obviously, discussions between the Nation and the State will need to address the specific issues identified in your letter. The Nation has some questions regarding the State's positions as set out in that letter, and we may have some disagreements to work through regarding them. In addition, the Nation hopes to discuss ways to adjust the relationship between the State and the Nation in the future, so as to resolve all parties' concerns simplify tax administration, and minimize future disagreements.

We suggest that we meet in Toppenish on May 25, 2011 at 9 a.m. during a Special Tribal Council Session dedicated to this issue. If possible, we would like to meet here in Toppenish because a number of tribal officials involved in these matters have difficulty traveling. I encourage you to invite all relevant state participants to this special meeting to work together on these issues.

Mr. Julio Carranza of the Yakama Nation Office of Legal Counsel will be contacting Josh Johnston, the Department's Tribal Liaison this week to verify the State's availability and finalize scheduling and location.



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In conclusion, I regret that events within the Nation have delayed our discussions, and look forward to a productive meeting and resolution of outstanding issues concerning the State's fuel taxes.

Respectfully,

Harry Smiskin,
Chairman
Yakama Nation

cc: Josh Johnston, Department of Licensing
Julio Carranza, Office of Legal Counsel