



Skokomish Indian Tribe

Tribal Center (360) 426-4232

N. 80 Tribal Center Road

FAX (360) 877-5943

Skokomish Nation, WA 98584

February 5, 2007

Office of Indian Energy and Economic Development
Attention: Section 1813 ROW Study
Room 20 – South Interior Building
1951 Constitution Avenue, NW
Washington, DC 20245

Re: Further comments on the *Draft Report to Congress: Energy Policy Act of 2005, Section 1813 Indian Land Rights of Way Study*

The following comments are submitted on behalf of the Skokomish Indian Tribe and supplement oral comments made by Brian H. Collins at the August 30, 2006 meeting in Albuquerque, New Mexico, and the comment letter dated August 30, 2006 and submitted by Brian H. Collins.

The Skokomish Indian Tribe generally approves of the Departments' recommendations to maintain the status quo with respect to Indian land rights of way. However, the Draft Report continues to be incomplete because there is still very little attention paid to bad faith trespass on Indian lands by energy companies. This is not an insignificant problem. The Skokomish Indian Tribe submits that Congress, in resolving a specific impasse, should consider issues, including but not limited to trespass and unpaid annual charges, resulting from the unauthorized use of tribal lands by energy companies. Congress should ensure that any site-specific legislation preserve tribal sovereignty over Indian lands, as well as be consistent with Congress' fiduciary trust responsibilities toward Indian tribes.

Thank you for this further opportunity to comment on the Draft Report.

Respectfully,

/s/ Lori E. Nies

Lori E. Nies
Tribal Attorney