

**Testimony of Les Minthorn, Chairman of the Board of Trustees
The Confederated Tribes of the Umatilla Indian Reservation
Before the House of Representatives
Committee on Appropriations, Subcommittee on Interior
and Related Agencies
Hearing on FY 2013 Appropriations
March 28, 2012**

Chairman Simpson, and Ranking Member Moran: I am Les Minthorn, Chairman of the Board of Trustees, the governing body of the Confederated Tribes of the Umatilla Indian Reservation of Oregon.

Summary

- 1) Support the President's budget request for the BIA;**
- 2) BIA Water Rights Protection – increase \$5 million**
- 3) Contract Support: support \$6.8 million increase in budget;**
- 4) Oppose “Administration Cost Savings” provision in budget;**
- 5) Law Enforcement Activities: support proposed \$3.5 million increase;**
- 6) Tribal Courts: Support proposed \$1 million increase;**
- 7) IHS: Support proposed \$20 million increase in Contract Health Services;**
- 8) Treaty Fisheries Management: Congress should reset allocation formula.**

The Confederated Tribes consist of 2,835 members who primarily live on our Reservation. In 1855, our tribes signed a treaty with the U.S. government ceding over 6.4 million acres to the United States. We reserved rights to fish, hunt, and gather foods and medicines within the ceded lands, which today is northeastern Oregon and southeastern Washington. These lands are in the current congressional districts of Congressmen Greg Walden, Doc Hastings and Cathy McMorris Rodgers.

Before I get into specific requests, I want to thank the Committee for recognizing the needs in Indian Country and maintaining -- and in some instances increasing -- funding levels. This recognition of the government's earliest historic commitments is a great service to Indian Country, particularly in this difficult budget climate.

1) Support the President's budget request for the Bureau of Indian Affairs

Overall, the CTUIR are pleased that the President's budget request for BIA and tribal related programs has held its ground from last year's enacted level. There are key increases for core programs of critical importance. One example is the \$4.422 billion budget request for the Indian Health Service -- an increase of \$115.9 million over the 2012 enacted level.

2) BIA Water Rights Protection -- Litigation Support/Attorney's fees

The CTUIR is actively pursuing a water rights settlement for its tribal homeland in the Umatilla Basin and in the adjacent Walla Walla Basin where agricultural diversion have seriously impacted once-abundant salmon runs. In the near future we will be requesting the appointment of a federal negotiations team for the Umatilla Basin.

The CTUIR supports the proposed \$1.5 million increase in litigation support for water rights protection. We respectfully request a further increase to at least \$3 million. Many requests were either unfunded or underfunded in 2011 at an enacted funding level of \$2.1 million level. There was no funding for this line-item in 2012, so we expect a significant backlog of requests for this funding.

The CTUIR also supports the \$8.6 million budget for water rights negotiation/litigation line item, which is the same as the 2012 enacted level. This technical funding is critical to doing the technical work to achieve a Tribal water rights settlement.

3) Contract Support

The CTUIR is a significant participant in self-determination contracts with the federal government. We support the proposed \$6.8 million increase in Contract Support which will maintain funding near the 100% level. We also support the \$2 million increase for the Indian Self-Determination Fund to pay contract support for new and expanded compacting/contracting of programs. For the CTUIR, we are planning on adding Realty/Probate to our existing compact in 2013, and availability of funds are critical to carry out this function.

4) Administrative Cost Savings

The CTUIR is opposed to the proposed reductions for unexplained and undefined Administrative Cost Savings. \$16.1 million of the BIA total reduction of \$28.2 million comes from Tribal Priority Allocation (TPA) line items. These are the funds spent at the tribal level, many of which are compacted/contracted by tribes and tribes have identified and implemented any available cost savings in the management of their programs. For the CTUIR, these cuts could result in an \$80,000 reduction to our base funding amount.

5) Law Enforcement activities

The CTUIR support the proposed \$3.5 million increase for law enforcement activities. In particular, the addition of Conservation Officers is an important area that has not been addressed in the past. For our tribe, this improvement will assist the CTUIR in enforcing Tribal fish and wildlife codes both on and off our Reservation. Such law enforcement is important for our exercise of our Treaty reserved fishing and hunting rights.

6) Tribal Courts

The CTUIR also supports the \$1 million proposed increase to the Tribal Courts line item.

While this does not get court funding back to the 2011 enacted level, it is a step in the right direction. The passage of the Tribal Law and Order Act has added responsibilities to our court system. Any increase in funding is needed to help deal with these new responsibilities.

7) Indian Health Service

The CTUIR support the \$20 million increase in Contract Health Services (CHS). Our Yellowhawk Tribal Health Center, located on our Reservation, operates under a compact agreement with IHS. Yellowhawk provides outpatient health care, as well as alcohol/drug treatment, nutrition programs, senior meals and caregiver services. Due to shortfalls in our CHS funding, there have been times when we have had to ration certain treatments that we do not provide in-house or put off treatment until the new fiscal year. Increased funding will help our Tribal program address serious challenges with overall health issues including mental health, substance abuse, women's health and aging issues.

8) Treaty Fisheries Management

The CTUIR is a founding member of the Columbia River Inter-Tribal Fish Commission, our policy and technical coordinating agency for treaty fisheries management for Columbia River and International Fisheries. We support the testimony you will hear today from CRITFC Chairman Gerald Lewis. While we support the funding increases to Rights Protection Implementation, we are concerned with the way allocations from that account have been made since 2009. Individual accounts have been reduced by as much as 40% or raised as much as 67% without explanation or rationale. We ask, Chairman Simpson, that your committee direct the Bureau to return to the 2008 allocation formula.

In conclusion, I want to again thank the Committee for your commitment to funding these important programs to the Confederated Tribes of the Umatilla Indian Reservation. Your work here continues the solemn trust obligations of the United States.