

**Testimony of Ron Suppah, Vice-Chairman  
The Confederated Tribes of the Warm Springs Indian Reservation  
Before the House of Representatives  
Committee on Appropriations, Subcommittee on Interior  
and Related Agencies  
Hearing on FY 2013 Appropriations  
March 28, 2012**

SUMMARY

Mr. Chairman, I am Ron Suppah, Vice-Chairman of the Confederated Tribes of the Warm Springs Reservation of Oregon. For the Warm Springs, I offer the following recommendations for FY 2013 Bureau of Indian Affairs (BIA) Budget.

- 1) Indian Health Service: Support overall increase in funding:
  - a. Specifically request \$403 million increase to maintain current services.**
  - b. Request \$30 million in assistance funding from Sanitation Facilities Construction Program to implement a much needed water treatment plant and water tower for growing population areas.****
- 2) Oppose “Administrative Cost Savings” cut to BIA TPA Forestry; request \$5 million increase.**
- 3) Oppose implementation of DOI Hazard Fuels Prioritization and Allocation System (HFPAS).**
- 4) Trust Reform – Inter-Tribal Monitoring Association.**
- 5) Oppose cuts to Bureau of Indian Education construction budget.**
- 6) Support the proposed \$6.8 million increase in Contract Support.**
- 7) Public Safety – Detention Facilities**
- 8) Treaty Fisheries Management**

Chairman Simpson, and Ranking Member Moran: Our people are the Warm Springs, Wasco and Paiute tribes. Our over 640,000 acre Reservation in central Oregon ranges from the snow-capped Mt. Jefferson to the salmon-bearing Deschutes River; with forests, farmland and high desert between.

The vast majority of our tribal members live on the Reservation, where we are suffering from almost 60% unemployment. A recent study ranked the town of Warm Springs as having the second highest incidence of poverty in Oregon. Putting our people to work and providing basic social services –especially health care and education -- for our members is extremely challenging at Warm Springs. Possibly more challenging than anywhere in Indian Country, or the nation at large.

Our federal appropriations priorities reflect the circumstances we face, and I deeply appreciate your invitation to speak before you today.

## 1) **Indian Health Service:**

- **Joint Venture:** In 1992 Congress authorized a Joint Venture agreement between the IHS and Warm Springs. The Tribe financed construction of a new clinic and the IHS agreed to fully fund and staff the facility. Unfortunately, federal funding has been far short of its commitment. The Warm Springs support the proposed \$4.422 billion funding level for IHS, an increase of \$115.9 million over the FY 2012 enacted level, but an additional \$287 has been the identified need to maintain existing services and prevent cannibalizing current services to pay for federally mandated increases. This would be an historic funding level. Of that amount, the Warm Springs request a \$1.9 million increase in funding for IHS Hospitals and Clinics to provide full direct services for the Warm Springs Joint Venture. We request full restoration of funding for Community Health programs
- **Indian Health Care Improvement Act:** In addition, the Warm Springs asks for \$100,000 in assistance funding to implement the Indian Health Care Improvement Act, including insurance assistance such as ensuring tribal participation in the Health Insurance Exchange that was recently approved for the State of Oregon. Our Tribe has been engaged with the Affordable Care Act, investing significant amount of time from staff, attorneys, management and Tribal Council.
- **Community Infrastructure:** The Warm Springs Community is currently served by a domestic water treatment system that has exceeded its twenty-five year life expectancy and is in need of major renovation. A conservative estimate to keep it serviceable is an estimated \$7 million, however, the properly configured upgrade will cost an estimated \$30 million. The Reservation's outlying communities need similar consideration and funding for community development, particularly housing. We request these funds from the Sanitation Facilities Construction (SFC) Program.

**2) Tribal Forest Management:** The Warm Springs are concerned about a net cut to the BIA's forest management account. The Tribe, pursuant to contract with the BIA, manages the forest land on the Warm Springs Reservation. Management of our forests has traditionally employed tribal members at our lumber mill. The significant threat from and costs of wildfire make urgent a steady commitment to forest management. Congressional oversight and funding is needed to effectively implement the Tribal Forest Protection Act ("TFPA"), last year, over 100,000 acres of the Warm Springs Reservation burned. Over the past decade, several hundreds of thousands of forestland have been destroyed, many of the fires coming from adjacent federal lands.

TFPA Forestry, on its surface, receives a \$1 million increase in the President's budget. However, "Administrative Cost Savings" reduce the budgeted amount by \$1.9 million. Nationwide, this cut is expected to cut 9 Forestry personnel positions, most likely at the reservation level, because this is a reduction to Tribal Priority Allocation funding. Warm Springs opposes this cut. Such a cut could be testing the Bureau's ability to fulfill its trust responsibilities. Recent and successful litigation by Tribes against the Bureau's forest mismanagement demonstrate this point.

The Confederated Tribes of Warm Springs aligns itself with the budget request given today by the Intertribal Timber Council. We request restoration of the \$1.9 million in inequitable ACS cuts in BIA TPA Forestry, and ask that the BIA TPA Forestry program be increased by \$5 million above FY 2012.

**3) DOI Hazardous Fuels Prioritization and Allocation System:** As I mentioned earlier, wildfire is a very real and costly reality at Warm Springs. We request the suspension of the DOI Hazard Fuels Prioritization and Allocation System (HFPAS) until such time as it can be tested and proven reliable and transparent. Current runs of the model project drastic, unprecedented transfers of funding from BIA sponsored Tribes dependent on commercial forests to Bureau of Land Management shrub-grass ecosystems. The new HFPAS model's removal of significant amounts of fuels funding away from tribes will greatly increase fire and health risks to tribal trust forests and pose significant and unjustified threats to tribal forest revenues, subsistence uses, and tribal employment.

**4) Indian School Construction:** Currently, Jefferson County operates a K-5 school at Warm Springs, and older children must travel a significant distance to the town of Madras to attend school. Both the Warm Springs and Jefferson County are submitting referendums to fund construction of an on-reservation K-8 school. As such, the Warm Springs oppose the proposed \$52.8 million cut to the Bureau of Indian Education construction budget. This program was funded at \$140.5 million in FY 2011 and \$70.8 million in FY 2012. The initiative is to replace a BIA owned elementary school facility provided to the local school district, as such, some funding for "Relacement School Construction" would be extremely beneficial to fulfill an intergovernmental agreement.

**5) Trust Reform (ITMA):**

The Bureau of Indian Affairs and Office of the Special Trustee have been confronted with trust mismanagement claims from individual Indian allottees and Tribes for mismanaging both monetary assets and non-monetary or natural resource assets that span many decades. The Inter-Tribal Monitoring Association has provided a very valuable central source of policy-level information and analysis; technical assistance, legal research, and help in facilitating interactions between tribes and federal officials to engender more trust effective relationship and resolutions.

**6) BIA/IHS Contract Support:** Since 1975, Tribal Self-Determination pursuant to P.L. 93-638 has been the keystone of federal Indian policy. Unfortunately, BIA and IHS budgets have failed to completely reimburse tribes for unavoidable administrative expenses. At Warm Springs, we have about \$17 million under BIA and IHS P.L. 93-638 contracts. With declining tribal revenues, we are less able to implement federal policy. As such, we support the proposed \$6.8 million increase in Contract Support which will maintain funding near the 85% level.

## **7) Public Safety – Detention Facilities**

The Warm Springs Detention Center is owned by the BIA. It was upgraded in response to a lawsuit from the U.S. Department of Justice. The useful life of that facility upgrade has exceeded the twenty-five year expectancy and the facility has once again fallen into serious disrepair, community justice and safety cannot be assured nor can inmate life, health and safety be protected. Additionally, the BIA has forbidden its use for housing juvenile offenders which has resulted in having to contract with costly off-reservation juvenile detention facilities and services for criminal acts. The facility replacement and cost must be addressed as a joint obligation of the Bureau of Indian Affairs' Office of Law Enforcement Services and the collateral entities of the U.S. Department of Justice.

**8) Treaty Fisheries Management:** The Confederated Tribes of Warm Springs 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 given 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.