

New process will save time and money

SENATE continued from front page

The amendment would allow the Tribe to combine the process for real property that is within the boundaries of its original 69,100-acre reservation.

Merkley opened the testimony in support of the Grand Ronde Reservation Act amendment.

"Unfortunately, as this committee knows well, the current process that a Tribe must follow to restore land to the reservation is not an easy process and has not worked well," Merkley said. "As the committee will hear during testimony this afternoon, the current process is not only cumbersome and expensive for the Tribes to follow, it also will often take years and years for the land, which is owned by the Tribe, to be formally added and recognized as part of the reservation."

"S.356 is a common-sense approach to streamlining the BIA process for putting land in to trust," Kennedy testified about the proposed amendment. "As Senator Merkley articulated, the Tribes of Oregon suffered great injustices, including Termination, which took all of our land holdings and is the basis of our testimony. ...

"Today, the Tribe owns a total of 12,513 acres. ... The Tribe is hampered in its effort to restore land within its original reservation by a lengthy and cumbersome Bureau of Indian Affairs process. The lands that we are talking about are treated as off-reservation designation even though the lands that we have purchased are across from our reservation.

"It means that we go through a

more rigorous process of scrutiny, of filing plans and then, even after that process is through with the BIA, we have to come back to Congress to amend our Grand Ronde Restoration Act to include those lands into our reservation land base.

"In order to make both the fee-to-trust and reservation designation process less cumbersome, Senator Merkley and Senator Wyden introduced Senate 356, which would establish real property located within the boundaries of the Tribe's original reservation. They shall be treated as on-reservation land, a very important point, for the purpose of processing acquisition of real property into trust and deemed a part of the Tribe's reservation once taken into trust."

Kennedy said streamlining the process would save the Tribe and federal government money and time. She added that the Senate Bill, as well as the companion legislation in the House of Representatives, received unanimous support from the boards of commissioners of the two affected counties — Yamhill and Polk.

Also during her testimony, which was delayed by almost four hours because of 18 floor votes that occurred in the U.S. Senate, Kennedy testified against a bill that would expand the Siletz Reservation. She was joined by Robert Garcia, chairman of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, in opposing the Siletz bill.

In addition, the Department of Interior opposes the Siletz legislation as it is currently drafted.

The Grand Ronde Tribe opposes the Siletz bill because it attempts

to re-characterize the Coast Reservation, which was set aside for all western Oregon Tribes, as the Siletz Reservation, and it adds a complex opt-in, opt-out provision for county comments on fee-to-trust applications that would set a bad precedent for Indian Country, said Tribal Attorney Rob Greene.

Kennedy said the Siletz bill would "significantly infringe on the rights of Grand Ronde and other Tribes in western Oregon" by allowing the Siletz to designate land as on-reservation within the original 800,000-acre Coast Reservation outside the boundaries of Lincoln County.

"It is precedent-setting," Kennedy said, "and is not good Indian policy. We support the Siletz objective of taking land into trust in Lincoln County as contained in the Siletz Indian Tribe Restoration Act, but not rewriting history to expand the Siletz Reservation."

Garcia echoed Kennedy's concerns about the Siletz bill, stating that if it passes, the Coos, Lower Umpqua and Siuslaw Tribe would find many of its reservation lands, including its Tribal casino, suddenly in the midst of the Siletz Reservation.

"The complex history of Tribes on the Oregon Coast demonstrates that it would be in error to jump to the conclusion that the reservation created by President (Franklin) Pierce conveyed special status to the Siletz then or supports today Congress extending such unfair advantage," Garcia said.

In conclusion, Garcia invoked George Orwell's "1984," saying that the bill would make some Tribes

— the Siletz — more equal than others.

"We believe S.908 has fairness and equity problems," Garcia said.

The hour-long hearing occurred before Senate Committee on Indian Affairs Chairman Daniel Akaka, D-Hawaii, and members Sen. John Barrasso, R-Wyo., and Sen. Al Franken, D-Minn. The hearing also included testimony about distribution of \$20 million in judgment funds to the Minnesota Chippewa Tribe.

The hearing record will remain open until Feb. 16.

Also traveling to Washington, D.C., for the hearing were Tribal Council Vice Chair Reyn Leno, Tribal Council Secretary Jack Giffen Jr. and Tribal Council members Toby McClary, June Sherer, Valorie Sheker and Kathleen Tom. Tribal Attorney Rob Greene and Director of Development Peter Wakeland also traveled as support staff.

At the Feb. 12 General Council meeting, Leno said that he and Giffen met with U.S. Rep. Don Young, R-Alaska, about scheduling a hearing on the proposed amendment before the House Subcommittee on Alaska Native and Indian Affairs, which Young chairs.

Leno said he is hopeful that the Tribe will succeed in getting a hearing by either powwow or Restoration time.

The Senate hearing can be viewed by going to <http://www.indian.senate.gov/hearings/hearing.cfm?hearingID=f14e6e2889a80b6b53be6d4e41248555> and clicking on "View Webcast." Then move the progress bar to about 238 minutes. ■




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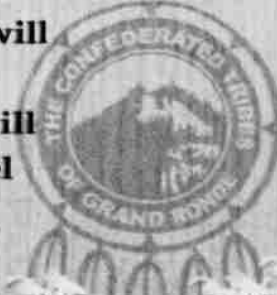
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