

‘The United States has not lived up to this obligation’

**FUNDING continued
from front page**

2016 and 2018, respectively, on the same issue.

“The Confederated Tribes of Grand Ronde has suffered severe injustices,” Kennedy said in her five-minute oral testimony before the subcommittee. “Back in the treaty-making era in the 1850s, the government approached us and entered into seven treaties. We have seven ratified treaties. We are a strong people. We occupied the area of western Oregon, a vast land area. ... I wanted you to know that through that treaty-making era, in exchange for our lands we pre-paid for certain things through those treaty obligations. And those were to have a homeland; they were to have health, education. We were to have a place where we could live and raise our families. A place where we could remain self-sufficient.”

Kennedy outlined the issue that Terminated Tribes, like Grand Ronde, Siletz, Coquille and Cow Creek in Oregon, face after being Terminated and then Restored. Those Termination years denied the Tribes benefits allocated to other Tribes through federal funding, such as BIA monies for police services.

“Due to the unavailability of recurring public safety funding, Grand Ronde and other restored Tribes must apply for grants, primarily those from the Department of Justice,” she said in her written testimony. “These funds have helped, but they are not available every year nor are they sufficient. Grants pit Tribes against each

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other for limited funding and come with restrictions that condition how funds can be used.”

Kennedy said Terminated Tribes face special circumstances, especially Tribes in Public Law 280 states, such as Oregon, where the state was given the authority to prosecute crimes in Indian Country. However, because of “slow response” by police to incidents on the Grand Ronde Reservation, the Tribe entered into an enhanced services agreement with Polk County in 1997. Under the agreement, the Tribe through Spirit Mountain Community Fund allocated more than \$6 million for increased police coverage by the Sheriff’s Office in the area between 1997 and 2014.

In 2011, the Tribe started its own police department and a year later assumed primary responsibility for enforcing criminal law on Tribal lands. In addition, passage of Senate Bill 412 granted Tribal police officers the ability to enforce Oregon state law, which means Tribal police are now supplementing county and state law enforcement efforts instead of vice versa.

Currently, Grand Ronde’s annual police department budget is \$1.1 million with the Tribe supplying more than 70 percent of the cost.

“Relying on grants, however, is not a viable long-term strategy for the Tribe,” Kennedy said in her pre-

pared testimony. “Grants are not always available for the equipment and personnel the Tribe needs and, when available, provide funding for no more than a few years.”

Kennedy said that adequate Tribal police funding also would be one of the most effective ways of preventing violence against Native women.

“Our Tribal police are sensitive to our culture and ways of living,” she said. “As such, they are easily approached by residents who know of situations that may soon lead to violence.”

Kennedy also cited the other Terminated and Restored Tribes in Oregon. She said the Coquille Indian Tribe spends \$700,000 annually on its police department, which has four sworn officers. Sixty-six percent of the Coquille’s calls are for cases not on Tribal lands.

In addition, the Cow Creek Band of Umpqua Indians contract with Douglas County for 2.5 officers and the Siletz Indians could use Bureau of Indian Affairs funding to assist in providing adequate public safety.

The BIA does not recognize a federal responsibility to fund Tribes in Public Law 280 states.

“The United States has not lived up to this obligation,” Kennedy said. “The funding available for Tribal police and courts is grossly inadequate, spread across multiple federal agencies with different requirements, and primarily distributed through short-term competitive grants that cannot be used

to fund basic operations.”

In closing, Kennedy said a “robust” Tribal police force is critical to the health of Reservation communities.

“Tribal police forces are terribly underfunded and Tribes nationwide are suffering from staggering violent crime and victimization rates,” she said. “PL 280 Tribes and those facing the challenges of Termination and Restoration are disproportionately impacted by this underfunding. As Congress determines how to best allocate funds, Grand Ronde asks that increased and targeted funding for these Tribes be given a high priority.”

Kennedy also touched on two other funding issues in her submitted and oral testimony – more funding for the Indian Health Service to improve health care for Native Americans and for the Army Corps of Engineers to improve habitat for winter steelhead.

Ranking Republican Rep. David Joyce of Ohio thanked Kennedy for pointing out that the General Accounting Office found that the Indian Health Service spends \$4,078 per patient while Medicaid spends more than \$8,000 per beneficiary and Medicare spends more than \$13,000 per person annually.

Other Tribal leaders who testified along with Kennedy included Puyallup Vice Chairman David Bean and National Congress of American Indians President Jefferson Keel.

Kennedy was joined by Tribal Council Secretary Jon A. George, Tribal Council Chief of Staff Stacia Hernandez and Tribal Attorney Rob Greene on her trip to testify. Before testifying, they visited with several members of the Oregon congressional delegation, including Sen. Ron Wyden and Reps. Kurt Schrader and Suzanne Bonamici. ■

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