



**CONFEDERATED TRIBES OF  
COOS, LOWER UMPQUA AND SIUSLAW INDIANS  
TRIBAL GOVERNMENT**

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April 3, 2017

Senate Committee on Judiciary

Re: Comments on Senate Bill 144

I write on behalf of the Confederated Tribes of the Coos, Lower Umpqua & Siuslaw Indians (“Tribes”) in regard to proposed Senate Bill 144 currently before the Senate Committee on Judiciary. The Tribes are concerned that the proposed senate bill, which the Tribes view as a step in the right direction, may come under scrutiny or attack. Therefore, the Tribes seek to make their general support of Senate Bill 144 known.

**A Brief History of the Confederated Tribes**

Stewardship and protection of our lands, waters, treaty rights, and sacred places is a way of life for the Confederated Tribes, and has been for thousands of years.

Our ancestral homeland encompasses approximately 1.6 million acres of resource-rich lands lying along a 75-mile long (as the Raven flies) section of the Oregon coast, and extending inland across the Coast Range to Oregon’s interior valleys. Our ancestors were the stewards and caretakers of all these lands since time immemorial, and they continued in that role until the late 1850s when our people were rounded up, imprisoned, and removed from our lands under force of arms under color of a dishonored and unratified treaty.

After more than 125 years of struggle and sacrifice, however, in 1984 Congress swept away the effects of 1950s-era termination, restored all rights and privileges, and extended federal recognition to the Confederated Tribes.

Since restoration, our people have worked tirelessly to rebuild our relationship with our lands, resources, and distinct Tribal cultures. We have also built a modern system of government and administration, with thriving commercial operations which employ hundreds of members and non-members in living-wage jobs across our five-county service area in southwestern Oregon.

Through our Department of Culture and Natural Resources (Department), we have resumed our roles of stewards and caretakers of the lands and resources that were once managed by our ancestors. The Department embraces our Tribe’s lessons and lifeways to protect, inform, and enhance the lives of our people, the health of our environment, and the sustainability of our community by striving to ensure the economic, environmental, cultural, and social needs of the Tribe are secured and sustained through implementation of holistic natural resource management strategies.

Within the Department, we now have a full-time professional Tribal Historic Preservation Officer (THPO) who serves as the primary point of contact for state, local, federal, and private parties who wish to build or operate modern infrastructure which may threaten archaeological resources or historic properties. That was not always the case, however.

**It is with this history, and rooted duty as caretakers of the land in mind that the Tribes now give voice to our thoughts regarding Senate Bill 144.**

The Tribes understand that Senate Bill 144 modifies the applicability of ORS 192.005, 192.501 to 192.505, 273.990, 538.905 to 358.961 and 390.235 in relation to unintentional discovery of an archeological object, and further modifies notice requirements to Indian tribes such as ours. We further understand that Senate Bill 144 is currently before the Senate Committee on Judiciary and is set for a Public Hearing and Work Session on Tuesday April 4, 2017 at 8:00 AM.

In general, the Tribes are supportive of Senate Bill 144. There are several positive changes proposed by this bill that the Tribes would like to see take effect.

The Tribes are encouraged that Senate Bill 144 not only addresses some of the ambiguity that previously existed in this area of the law, but also provides greater authority for tribal involvement in cases where individuals have wrongly retained items of cultural significance.

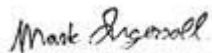
As discussed previously, our ancestral homeland encompasses approximately 1.6 million acres the Oregon coast, and extending inland across the Coast Range to Oregon's interior valleys. When the Tribes were forcibly removed from our homeland much was left behind. Today, sacred sites, cultural resources, and other historical sites important to the Tribes are scattered across this entire region and can be found on both public lands as well as private property.

It is important to all tribes in Oregon, especially the Confederated Tribes of the Coos, Lower Umpqua & Siuslaw Indians, that cultural resource protection extends to public land and private property alike. Those archeological items and cultural resources that have found their way onto private property should be no less protected than those that are discovered on public land. Similar archeological and cultural resource discoveries ought to be similarly protected by law, whether the discovery occurs on public land or on private property.

Therefore, we commend the chief sponsors of Senate Bill 144, Senator Ferrioli, Representative Stark, Senator Roblan, and Representative McKeown on their efforts and urge the Senate Committee on Judiciary to retain cultural resource protection on private land and ensure that tribes have an increased role to play in the process.

Every Tribal Nation in the United States has its own story of governmentally approved destruction allowed to proceed over the objections of the Tribes and to the great detriment of Tribal lands, waters, sacred spaces, and traditional and cultural resources. The Tribes urge the Senate Committee on Judiciary to take a different route today and ensure that the Tribes' cultural resources are safeguarded, no matter where they rest.

Sincerely,



Mark Ingersoll  
Chairman  
Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians