



## **Support SB 1011**

### **Strengthening Tribal Sovereignty; Establishing Oregon's Path to Retrocession**

Tribal sovereignty is rooted in the inherent right of Tribal nations to self-governance, including the authority to enact and enforce laws within their territories. However, this sovereignty has been undermined, particularly by Public Law 83-280 (PL-280).

Enacted in 1953 during the Termination Era, PL-280 required states like Oregon to assume criminal and civil jurisdiction over Tribal lands, excluding the Warm Springs Reservation. This law allowed state law enforcement to operate on reservations without Tribal consent, prosecuting both Native and non-Native individuals in state courts. Yet, no federal funding was provided to support states in this role, burdening resources and eroding Tribal authority.

In 1968, Congress amended PL-280 to allow states to return jurisdiction to Tribes or the federal government. For example, Oregon took advantage of this amendment in 1980, when Governor Vic Atiyeh issued Executive Order 80-8, retroceding criminal jurisdiction to the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). Since then, CTUIR has developed a robust tribal court system and police force, proving that restored jurisdiction enhances Tribal sovereignty and governance.

However, Oregon still lacks a clear statutory process for Tribes seeking retrocession. Decisions are currently made on an ad hoc basis, relying on the Governor's discretion and political goodwill. This creates uncertainty for Tribes pursuing jurisdictional restoration.

SB 1011 (sponsored by Senators Broadman, Nash, and McLane and Representatives Sanchez, McIntire, and Hartman) addresses this issue by establishing a transparent, defined process for retrocession requests. The bill requires the Governor to respond within a set timeline, ensuring consistency and accountability. By creating a formal pathway, SB 1011 upholds Tribal self-determination and reduces political barriers to retrocession.

Oregon has a strong history of respecting Tribal sovereignty, from past laws for tribal consultation to modern collaborations on cultural and environmental initiatives. By passing SB 1011, Oregon can once again strengthen Tribal-state relationships and honor the federal trust responsibility.

**SB 1011 is a critical step toward rectifying historical injustices and empowering Tribes to reclaim their inherent legal authority. Support this legislation to advance justice and Tribal sovereignty in Oregon.**