

Congress of the United States

Washington, DC 20510

October 27, 2017

The Honorable Mick Mulvaney
Director
Office of Management and Budget
725 17th Street, N.W.
Washington, D.C. 20503

Dear Director Mulvaney:

We write with grave concern regarding the Office of Management and Budget's recent decision not to move forward with The Dalles Dam Tribal Housing Village Development Plan. The federal government has a legal and moral responsibility to address the unmet obligations of the United States to the four Columbia River Treaty Tribes – the Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation, and the Confederated Tribes and Bands of the Yakama Nation – for the loss of tribal homes and villages associated with the construction of The Dalles Dam more than 65 years ago.

Native Americans, including ancestors of the four Columbia River Treaty Tribes, have lived and fished along the banks of the Columbia River since time immemorial. These tribes signed treaties with the federal government in the 1850s, ceding most of their lands to the United States government. The treaties reserved for tribal signatories the rights to fish, hunt, and gather at “all usual and accustomed fishing places.” Beginning in the 1930s, construction of federal dams along the Columbia River inundated tribal communities, houses, and traditional hunting and fishing sites along the river, significantly impacting tribal members' ability to exercise their treaty rights.

Since 1939, the U.S. Army Corps of Engineers (Army Corps) and treaty tribes have entered into several agreements to address the needs of the tribes, including the acquisition and construction of in-lieu and treaty fishing access sites. Under the Columbia River Treaty Fishing Access Sites (P.L. 100-581), the Army Corps constructed treaty fishing access sites and in-lieu sites on the Bonneville Pool, The Dalles Pool, and John Day Pool in Washington and Oregon. These sites were designed primarily for day-use fishing and some temporary camping. However, out of a need for housing and a desire to be closer to the Columbia River, many tribal members use these sites as year-round, permanent residences, in addition to seasonal homes during fishing seasons. As these sites were not designed for such high volume and regular use, tribal members are living in extremely unsafe and unsanitary conditions.

The four Columbia River Treaty Tribes have worked for years to raise concerns with this growing tribal housing crisis and the federal government's failure to provide relocation assistance or replacement housing for the tribal homes and villages that were lost in the construction of federal dams. A November 2013 Fact-Finding Review on Tribal Housing, conducted by the Portland District Army Corps, verified that between 44 and 85 tribal families

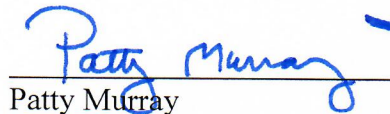
who lived near the Bonneville and The Dalles dams prior to construction did not receive relocation assistance. In March 2016, the Army Corps found that Section 204 of the Flood Control Act of 1950 (P.L. 81-516) authorizing construction of The Dalles Dam “specifically provide[s] for the construction of a new Indian village satisfactory to the Indians and the Bureau of Indian Affairs” and that “a new Indian village can be constructed pursuant to the Flood Control Act of 1950 because this authority has not yet been used to construct a new Indian village.”

Since then the Army Corps has worked to comply with The Dalles Dam authorization to mitigate the construction of this federal dam, fulfill a federal responsibility, and meet tribal trust responsibilities. While much progress has been made with the support of Fiscal Year 2017 funding, according to an October 24, 2017 letter from the Army Corps “funds for work on The Dalles Dam Tribal Housing Village Development Plan (VDP) are almost fully expended and future work on the VDP will cease until the remaining funds are received.” We understand \$1.526 million is needed to complete the VDP, the Army Corps has proposed to reprogram funding to support this work, and that you have denied this request.

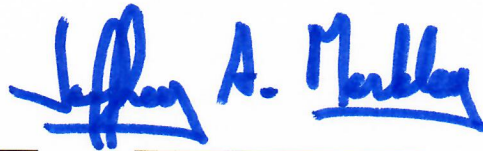
Some of us, and many of our staff, have toured the treaty fishing access sites and in-lieu sites. We have seen first-hand the cramped, outdated, makeshift housing with limited access to reliable utilities and restrooms that tribal members are living in today. This is a matter of public health and safety, upholding treaty rights, and requires immediate attention. We strongly urge you to reconsider your decision and approve the Army Corps’ request to reprogram \$1.526 million to complete The Dalles Dam Tribal Housing Village Development Plan.

Thank you for your attention to this important matter.

Sincerely,



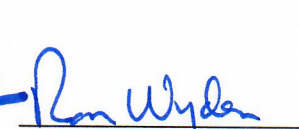
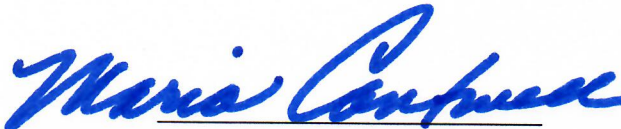
Patty Murray
United States Senator



Jeffery A. Merkley
United States Senator



Earl Blumenauer
Member of Congress



Maria Cantwell
United States Senator

Ron Wyden
United States Senator