

Legislative Commission on Indian Services



Patrick Flanagan, Executive Director

State Capitol

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What is the Legislative Commission on Indian Services (LCIS)?



- ▶ 1975 – The legislature of the State of Oregon took the unprecedented step of creating the Legislative Commission on Indian Services (ORS 172.100 et seq)
 - LCIS serves as a permanent point of contact and on-going forum for consideration of tribal-state issues
- ▶ 2001 – With the passage of SB 770, Oregon became the first state in the nation to pass a state-tribal government-to-government relations law (ORS 182.162 - .168)
- ▶ Both LCIS and Oregon's ORS 182.162-.168 have established Oregon's national reputation of cooperation with tribal governments, conflict avoidance/resolution, and consequent reduction in litigation.

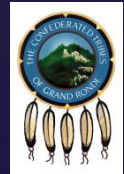


Legislative Commission on Indian Services

Members - 2023



- ▶ **Kat Brigham**, (Chair, Bd of Trustees)
Confederated Tribes of the Umatilla Indian
Reservation (**current LCIS Chair**)
- ▶ **Brenda Meade**, (Chair) Coquille Indian Tribe
- ▶ **Cheryle Kennedy**, (Chair)
Confederated Tribes of Grand Ronde
- ▶ **Delores Pigsley**, (Chair) Confederated Tribes
of Siletz
- ▶ **Carla Keene**, (Chair) Cow Creek Band of
Umpqua Tribe of Indians
- ▶ **Diane Teeman**, (Chair) Burns Paiute
- ▶ **Julie Siestreem**, (Vice-Chair) Confederated
Tribes of Coos, Lower Umpqua and Siuslaw
- ▶ **Clayton Dumont, Jr.**, (Chair) Klamath Tribes
- ▶ **Jonathan Smith, Sr.**, (Tribal Council)
Confederated Tribes of Warm Springs
- ▶ **Senator Bill Hansell**,
Senate Representative
- ▶ **Senator Kathleen Taylor**,
Senate Representative
- ▶ **Representative Tawna Sanchez**,
House Representative
- ▶ **Representative Emily McIntire**,
House Representative
- ▶ **Jackie Mercer**, (non-voting)
CEO, NARA/NW



Primary Role of LCIS



Foster communication between:

- State and Tribal Governments
- Other Government and Tribal Governments
- Tribe and Tribe
- State and State about Tribal matters

Enhance efforts to maximize understanding between parties

Build relationships & partnerships where feasible

Serve as a forum to address shared areas of concern



What LCIS Does



- Provides information to Tribal Governments and State entities:
 - Who to Contact
 - How to get most effective response
 - Things to Consider; Protocol; Strategy
- Provides Tribal Governments and others guidance for effective strategies of interaction with state agencies and the legislative process ≤ ≥ Provides guidance to state agencies, Legislators and others regarding effective interaction with Tribal Governments

What LCIS Does NOT Do



- ▶ Speak for Oregon Tribal Governments or Indian organizations
- ▶ Interfere with issues that are inter-tribal matters
- ▶ LCIS **ADVISES** BUT IS NOT AN ADVOCACY COMMISSION

Statutory Responsibilities



- ▶ Compile information about Indians in Oregon
- ▶ Monitor state agency actions and make recommendations for improvement
- ▶ To be consulted in the selection of Tribal representation for certain statutory Boards, Commissions, and Task Forces
- ▶ Consult with DAS to develop the Annual State Training on state-tribal relations
- ▶ Receive and review the Annual State Agency reports documenting state agency actions with individual Tribes
- ▶ Act as legislative liaison between the State and local agencies and tribal governments

Statutory Responsibilities cont.



- ▶ Review archaeological permit applications and designate the appropriate Tribes that must be consulted
- ▶ Be notified in the event of the inadvertent discovery of human remains and to indicate which Tribes must be made aware of the discovery and included in the plans for reburial and related issues
- ▶ Be consulted for certain other state permits

State Physical Anthropologist



Dr. Elissa Bullion, PhD

- ▶ FY 21 - 23: Legislature approved position and funding for additional staff at LCIS (first additional FTE position since inception)
- ▶ Convened work group comprised of 3 Tribal representatives and 3 State Agency representatives to identify greatest need
- ▶ Universal agreement that the lack of a State Physical Anthropologist was the greatest service gap
- ▶ Lengthy process of creating position description, recruiting, and hiring led to Dr. Bullion starting September 2022

State Physical Anthropologist

Dr. Elissa Bullion, PhD



Since September, 2022:

- ▶ Maintains database of all active and closed inadvertent discovery cases of non-forensic human remains finds across the state of Oregon
- ▶ Responsible for the management and actions on 24 new and legacy non-forensic human remains cases over the past 8 months
 - Active cases: 18
 - Completed cases: 8

State Physical Anthropologist

Dr. Elissa Bullion, PhD



Managed and consulted on 13 cases that did not directly involve human remains:

- 9 requests for assistance by Oregon State Police or Tribal police in cases of individuals attempting to sell archaeological artifacts, Native funerary objects, or objects of cultural patrimony
- 3 requests for assistance by Oregon Department of Forestry, Oregon Parks and Recreation Department, and the Department of Justice in evaluating and addressing cases of suspected or confirmed looting of archaeological sites
- One request for assistance by US Forest Service in identification of skeletal remains

State Physical Anthropologist

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This work has required close collaboration with a wide range of agencies, institutions, and governments:

- Tribes: nine federally recognized Tribes of Oregon (including Tribal Police), Nez Perce Tribe (ID), Native Village of Kotzebue (AK), Fort Bidwell Indian Community (CA)
- State agencies: OSP, Oregon State Medical Examiner's Office, OPRD, ODF, Oregon DOJ, ODOT
- Federal Agencies: DOJ, USFS, US BLM
- Universities: U of O, OSU, PSU, Blue Mountain Community College, SOU
- Washington State Physical Anthropologists (Department of Archaeology and Historical Preservation)

State Physical Anthropologist

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Tribal Consultation

- Per statute, provided recommendations for Tribal consultation on over 150 archaeological permit applications in this timeframe (68 in 2022; 82 thus far in 2023, providing comments and conditions for acceptance related to fieldwork methodology and inadvertent discovery procedures
- Provided recommendations for Tribal consultation and coordination to local governments, utilities companies, private organizations, and independent contracting firms

State Physical Anthropologist

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Procedural Document Development

- Standard Operating Procedure Documents
 - “Standard Operating Procedure for Notification and Involvement of the State Physical Anthropologist in Discoveries of Human Remains Cases”
 - “Standard Operating Procedure for Notification of Tribes in the Event of Human Remains Discoveries”
- Inadvertent Discovery Plans (IDPs) – outline required procedures in the event of an unanticipated discovery of archaeological materials or human remains
 - IDP for Archaeologists and Cultural Resource Specialists
 - IDP for landowners and contractors (non-archaeologists)

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Other Resource Development

- Currently working through DAS GIS to develop an online database to manage case information and files
- Working with OPRD and other state agencies to identify facilities across the state that could be developed into temporary holding/work-stations for inadvertent discovery cases to negate the need for ancestral remains to be transferred to Oregon State Police or other law enforcement custody

State Physical Anthropologist

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Outreach, Training, and Professional Development Activities

- Participated as a trainer at the Oregon Department of Parks and Recreation (OPRD) archaeology training in The Dalles (April 4-7, 2023)
- Leading efforts to update and circulate the informational pamphlet, “Preserving the Cultural and Historic Resources of Oregon”
- Currently completing coursework to become qualified as a Resource Advisor (READ) to facilitate any necessary work on human remains and burials occurring within a wildland fire context

Products of LCIS



► Developed a new Commission Website

The screenshot displays the Oregon State Legislature website. The browser address bar shows the URL <https://www.oregonlegislature.gov/cis>. The page header includes the Oregon State Legislature logo and a search bar. The main navigation menu contains links for Senate, House, Bills and Laws, Committees, Get Involved, and Capitol Offices. A secondary navigation menu below the header includes Home, Nine Tribes of Oregon, State Agencies, LCIS Resources, About LCIS, and Contact Us. The main content area features a large image of a coastal landscape and a heading: "Welcome to the Legislative Commission on Indian Services!". Below the heading, there are two paragraphs of text. The right sidebar contains a language selection dropdown, a "Powered by Google Translate" notice, and a section titled "Announcements & FAQ's" with sub-sections for "Announcements", "Upcoming LCIS Meeting:", and "Frequently Asked Questions". The footer includes social media icons for Facebook, Twitter, and RSS, an "eSubscribe" button, and contact information for the Oregon State Legislature, including building hours and address.

Oregon State Legislature

Search the Legislative Website

Senate House Bills and Laws Committees Get Involved Capitol Offices

Select Language

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Announcements & FAQ's

Announcements

Upcoming LCIS Meeting:

Frequently Asked Questions

How do I find out about my Native American/Alaskan Native ancestry?

Home Nine Tribes of Oregon State Agencies LCIS Resources About LCIS Contact Us

Welcome to the Legislative Commission on Indian Services!

The Legislative Commission on Indian Services (LCIS) was created by statute in 1975 to improve services to Indians in Oregon. Its 13 members are appointed jointly by the Senate President and the Speaker of the House to a two-year term. LCIS members select their own officers to serve one-year terms of office.

Prior to its establishment, there was no suitable mechanism in state government to consider Indian concerns directly. LCIS serves as the main forum in which Indian concerns are considered. It serves as a conduit through which concerns are channeled through the network to the appropriate entity; it serves as a point of access for finding out about state government programs and Indian communities; and it serves as a catalyst for bringing about change where change is needed.

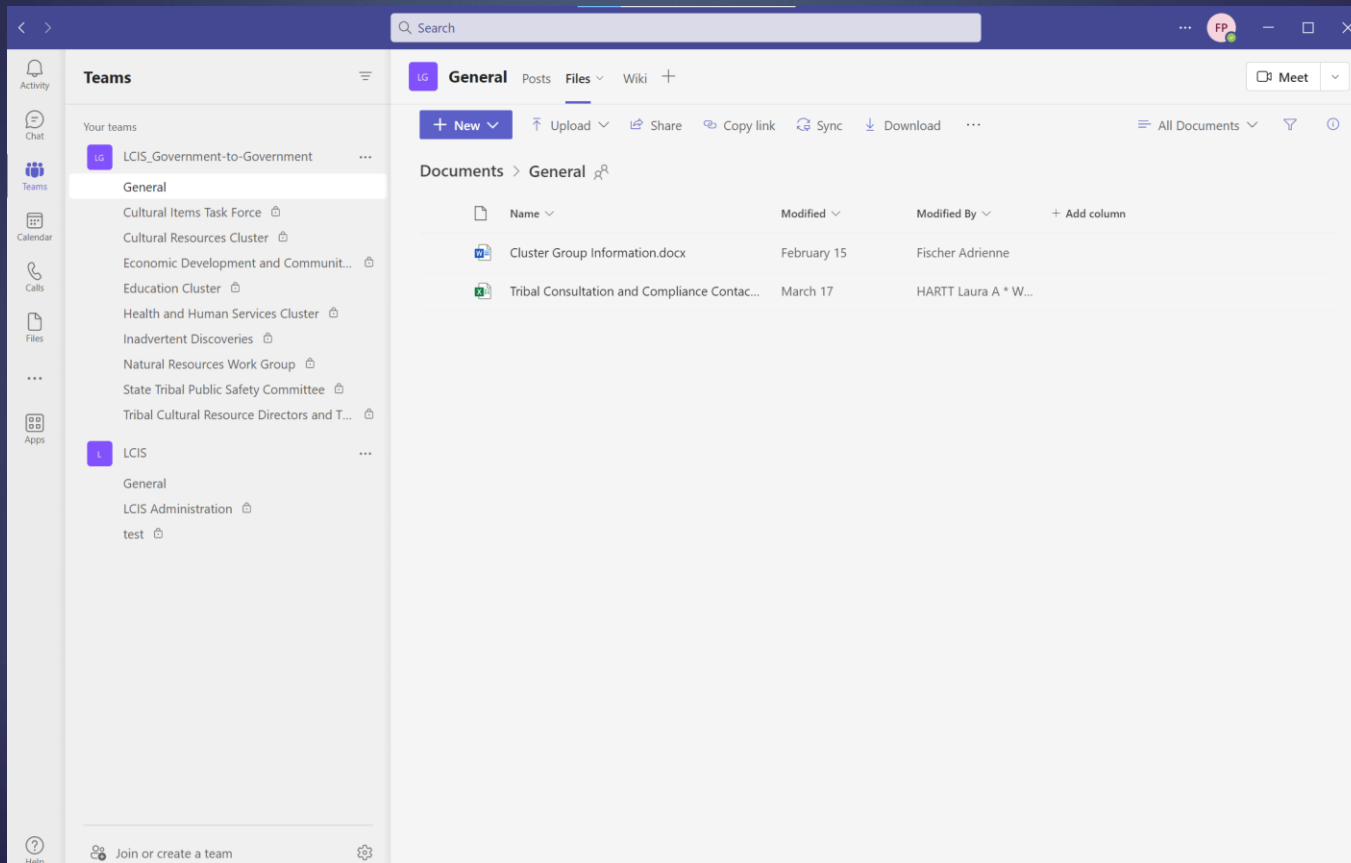
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Oregon State Legislature
Building Hours: Monday - Friday, 8:00 a.m. - 5:00 p.m.
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Products of LCIS



- ▶ Developed a Microsoft Teams database and portal, accessible by involved state agencies and Tribes

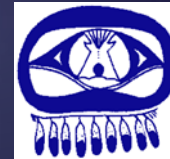


Products of LCIS

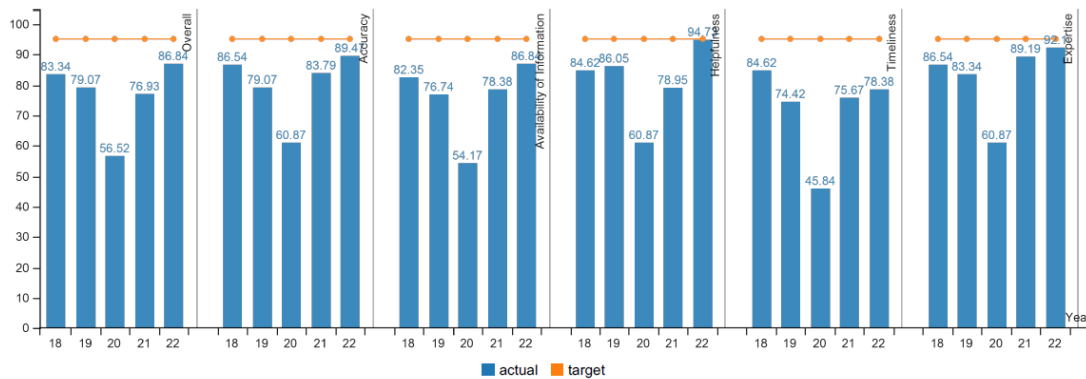


- ▶ Land Acknowledgement Guidance document
- ▶ Training & Training/Educational Materials
 - ▶ Office of Emergency Management, ODOT, OPRD, DSL, House Democratic Caucus, House & Senate Dem LA Caucus
 - ▶ Working with ODE on multi-part series regarding consultation
- ▶ Annual Government to Government Key Contact Directory
- ▶ Assist Governor's Office with Annual Government-to-Government Summit
- ▶ Standing meetings with agencies and Legislators
- ▶ Dramatic improvement in KPM's

Products of LCIS - KPM's



KPM #1 CUSTOMER SATISFACTION - Percentage of respondents to customer satisfaction survey who rank the Commission on Indian Services overall performance very good to excellent.
Data Collection Period: Jan 01 - Jan 01



Report Year	2018	2019	2020	2021	2022
Overall					
Actual	83.34%	79.07%	56.52%	76.93%	86.84%
Target	95%	95%	95%	95%	95%
Accuracy					
Actual	86.54%	79.07%	60.87%	83.79%	89.47%
Target	95%	95%	95%	95%	95%
Availability of Information					
Actual	82.35%	76.74%	54.17%	78.38%	86.84%
Target	95%	95%	95%	95%	95%
Helpfulness					
Actual	84.62%	86.05%	60.87%	78.95%	94.73%
Target	95%	95%	95%	95%	95%
Timeliness					
Actual	84.62%	74.42%	45.84%	75.67%	78.38%
Target	95%	95%	95%	95%	95%
Expertise					
Actual	86.54%	83.34%	60.87%	89.19%	92.10%
Target	95%	95%	95%	95%	95%

LCIS Budget Historical Trend



2023-25 Budget and Budget Request



▶ **Current Service Level**

- ▶ \$1,137,503 General Funds
 - ▶ 90.9% Personal Services
 - ▶ 9.1% Services & Supplies
- ▶ \$7,604 Other Funds
 - ▶ Passthrough from Tribes for annual tribal day
- ▶ 3 Positions
- ▶ 3.00 FTE

▶ **Budget Requests**

- ▶ Anthropologist Upward Reclass \$105,963
- ▶ Artifact Cases \$15,000

▶ **Total Proposed Budget**

- ▶ \$1,258,466 General Fund