

**Prepared Statement of the Honorable Dustin Klatush, Chairman**  
**Confederated Tribes of the Chehalis Reservation**  
**House Committee on Appropriations**  
**Subcommittee on Interior, Environment, and Related Agencies**  
**May 7, 2024**

Thank you, Chair Simpson, Ranking Member Pingree, and members of the Subcommittee for having me here today to provide testimony. My name is Dustin Klatush, and I am the Chairman of the Confederated Tribes of the Chehalis Reservation (the “Tribe”). In my testimony, I will address the need for increased funding for the Bureau of Indian Affairs’ (BIA) law enforcement and Housing Improvement Program (HIP), as well as ensuring that the BIA has the necessary staff and processes to make timely payments of contract support costs (CSC).

The Chehalis Reservation was established by Executive Order in 1864 and the Original Reservation is located between the confluence of the Chehalis River and the Black River. Geographically, the Tribe is located approximately halfway between Seattle and Portland, just off Interstate 5. The Tribe’s 5,500-acre current reservation is largely checkerboarded, and spans two different counties in southwestern Washington state. The Tribe has approximately 996 tribal members, with thirty-three percent of them being under the age of eighteen.

*Law Enforcement*

The Chehalis Tribal Police Department (PD) carries out law enforcement and detention services under a contract with the BIA under the *Indian Self-Determination and Education Assistance Act of 1975*. Our BIA law enforcement contract allows us to have greater control and flexibility in the use of funds, program designs, services, functions, and activities, as needed, to address our local public safety and justice needs.

The Tribe’s PD has thirteen commissioned officers who are certified under state law to enforce state and local criminal laws, in addition to Chehalis tribal criminal laws. Currently, the Chehalis PD has two vacant positions. According to the BIA tribal service population model for the Scalable Law Enforcement Budget<sup>1</sup>, the Tribe receives funding for a full-time basic program. Like most tribes, however, the BIA portion of the Tribe’s law enforcement represents a fraction of the actual need.

The Tribe is responsible for more than just its service population. The Tribe daily sees an influx of approximately 5,000 to 10,000 employees and visitors to the Tribe’s reservation. As mentioned earlier, the Tribe’s reservation spans 5,500 acres and is checkerboarded with parcels up to twenty miles apart. The distance traveled to cover the area and reach all parcels is much larger than just the Tribe’s land base of 5,500 acres. The increase in visitor traffic to the reservation and the actual distance traveled should justify an increase in BIA law enforcement funding, so that the Tribe can hire more officers.

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<sup>1</sup> Report to the Congress on Spending, Staffing, and Estimated Funding Costs for Public Safety and Justice Programs in Indian Country, 2020. Bureau of Indian Affairs, Office of Justice Services. March 2023; pages 4-5.

Most tribes also need additional resources to assist with the recruitment and retention of experienced law enforcement officers. The Tribe has lost experienced law enforcement officers to neighboring jurisdictions offering more competitive pay and benefits. This competition has been amplified by the shortage of officers in Washington and the recruiting efforts of neighboring jurisdictions. The Tribe currently offers a competitive salary only because it supplements the funding it receives from the BIA with significant tribal funds. More BIA law enforcement funding is needed to allow tribes to be more competitive with neighboring jurisdictions.

In FY 2024, most BIA law enforcement programs received level funding compared to the FY 2023 enacted levels. The FY 2025 President's Budget Request seeks a \$45.5 million increase in Criminal Investigations and Police Services, with \$33.5 million specifically allocated to increase the number of officers and investigators in Indian Country. The Tribe is requesting that the Subcommittee fund the Criminal Investigations and Police Services account with at least the FY 2025 requested levels.

#### *Housing Improvement Program*

Thirty-three percent of Chehalis tribal members are under the age of eighteen, demonstrating a need for new housing for tribal members that will only become more acute over time. The Chehalis Tribal Housing Authority (CTHA), the Tribe's tribally designated housing entity, estimates that fifty low-income houses are required to meet the current waiting list demand. The CTHA primarily relies on funding from the Department of Housing and Urban Development's Native American Housing Block (NAHBG) grant program.

The NAHBG grant program, however, does not cover all housing-related needs. The BIA's HIP program provides funds to tribal members with substandard or no housing and no immediate housing assistance. HIP funds can be used for home repair, renovation, replacement, and new housing. HIP funds are allocated to BIA area offices based on an inventory of housing needs, including the number of units in substandard condition and the number of units needing renovation or replacement.

When the Tribe receives HIP funds it provides them to the CTHA. Last year, the CTHA used HIP funds to provide plumbing upgrades in nine low-income homes. Like most tribes with unmet housing needs, it could use more resources from the HIP program to improve and extend the life of its existing housing stock. In FY 2024, the HIP program received \$11.9 million, which is a \$280,000 decrease in funding from the FY 2023 enacted levels. The President's FY 2025 Budget Request seeks \$18 million for FY 2025. The Tribe requests that the Committee fund the HIP program at the requested levels or higher levels.

#### *Contract Support Costs*

In the BIA's Northwest Regional Office, there is an acute shortage of contracting officers to process various types of transactions, including processing payments for CSC. The Tribe is awaiting payment for its CSC for fiscal years 2021, 2022, 2023, and 2024, which collectively amount to \$3,851,611 million. Timely payments of CSCs assist in keeping our contracted programs, such as law enforcement, housing, and other programs and services, operating smoothly.

Based on discussions with the BIA, the reason for the delay is the shortage of contracting officers in the BIA. We understand that this problem is not limited to the Northwest Region but is nationwide. Given the backlog in payments that the Tribe (and likely other tribes) are experiencing, the Department should deploy contracting officers from other agencies within the Department to assist the BIA in clearing the backlog of late CSC and other payments that tribes are waiting for. We request that the Committee include the following language in the report that will accompany the FY 2025 bill:

The Committee is aware that a lack of contracting officers has resulted in a backlog of payments of contract support costs and other types of payments to tribes, in some cases going back multiple fiscal years. The Committee directs the Department to deploy contracting officers from other bureaus and agencies to the Bureau of Indian Affairs on a short-term basis to assist in resolving this backlog.

I want to thank the Subcommittee for allowing me to provide testimony and look forward to answering any questions.