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**Columbia River Inter-Tribal Fish Commission
Confederated Tribes and Bands of the Yakama Nation (Toppenish, Washington),
Confederated Tribes of the Umatilla Indian Reservation (Pendleton, Oregon), Nez Perce
Tribe (Lapwai, Idaho) and Confederated Tribes of the Warm Springs Reservation of
Oregon (Warm Springs, Oregon)**

Contact:
729 NE Oregon, Suite 200
Portland, OR 97232
Tel: (503) 731-1256 Fax: (503) 235-4228
Web: www.critfc.org

In response to the failure of the federal and state governments to protect salmon and salmon habitat in the Columbia River Basin, the Yakama, Umatilla, Nez Perce, and Warm Springs Tribes came together in 1977 to create the Columbia River Inter-Tribal Fish Commission. Through fisheries management, policy development, advocacy, litigation support, habitat restoration, and fundraising, CRITFC is leading a comprehensive effort to restore salmon for the benefit of its member tribes and all people of the Pacific Northwest.

The life cycle of the salmon and the cultures of the Yakama, Umatilla, Nez Perce, and Warm Springs Tribes are closely intertwined. Salmon play an integral role in the Tribes' religious, cultural, and physical sustenance and are a keystone in Pacific Northwest ecosystems, a fact that tribal legends have long declared, but that scientists are only now fully appreciating. In treaties, the United States agreed to secure the rights of the Yakama, Umatilla, Nez Perce, and Warm Springs Tribes to take salmon and other fish in return for the cession of millions of acres of land to the federal government.

During the last 150 years, however, the federal and state governments have treated salmon as a natural resource that can be compromised. Especially in the last few decades, the number of salmon in the Columbia River above the Bonneville Dam has declined precipitously. This tribal fishery, which once yielded between six million and eleven million fish annually, has been reduced to a few runs supplying less than 150,000 fish per year. The causes of this decline include US and Canadian ocean fisheries development, hydroelectric development, tributary habitat destruction, and low water flows. Despite widespread awareness of the causes of salmon decline, neither the federal nor relevant state governments addressed any of these problems effectively.

In 1977, the Yakama, Umatilla, Nez Perce, and Warm Springs Tribes formed the Columbia River Inter-Tribal Fish Commission (CRITFC), an inter-tribal government organization, to ensure coordinated and progressive management of tribal fisheries, to offer a unified voice in the overall management of fishery resources, and to protect treaty rights through the exercise of tribal sovereignty. Headquartered in Portland, Oregon, the Commission is composed of the fish and wildlife committees of its member tribes and operates by consensus, with each of the four member tribes entitled to a single vote. It engages professional staff including lawyers, biologists, hydrologists, and public relations specialists to provide expert support for its programs. These programs include fisheries management, fisheries science, policy development and litigation

support, fish marketing, and watershed restoration. In 1994, CRITFC adopted and its member tribes ratified Wy-Kan-Ush-Mi Wa-Kish-Wit (“Spirit of the Salmon”), or The Columbia River Anadromous Fish Restoration Plan of the Nez Perce, Umatilla, Warm Springs, and Yakama Tribes. It is the only plan that addresses the requirements of tribal treaties, the Endangered Species Act, and other federal and state laws protecting salmon and salmon habitat in its proposals for salmon restoration throughout the Columbia Basin. It allows CRITFC to represent tribal views where the salmon’s fate is being decided, thus ensuring that salmon are accorded the significance assigned them by tribal cultural beliefs and required by treaty. No other entity in the Columbia Basin acts with such authority. In addition, CRITFC provides technical support and regional coordination for the Tribes’ individual fisheries programs, aiding in fish restoration and enhancement of the Tribes’ respective territories.

As an advocacy and technical assistance organization, CRITFC’s successes are extensive and varied. It effectively represents tribal perspectives while promoting restoration, preservation, and enforcement programs that benefit fish, fish habitat, and water quality. CRITFC has assisted its member tribes in negotiating a ten-year fish management agreement approved as a court order in U.S. vs. Oregon (1969) and in amending the 1980 Regional Power Act to require federal and state consultation with Indian nations. It also has assisted in establishing the Salmon Corps, an Americorps project that provides disadvantaged youth with training and experience in fisheries and natural resource management. CRITFC has developed and promoted fish passage at the Columbia and Snake River dams, supported tribal watershed restoration projects that returned extirpated salmon species to the Umatilla and Clearwater Rivers and enhanced Chinook salmon populations in the Yakama River system, and assisted its member tribes in the development of fishing access sites funded by the Corps of Engineers as replacements for sites inundated by hydroelectric dams. CRITFC has gained both admiration and accolades for these and other projects. For example, in 2002, CRITFC’s executive director won a Ford Foundation/Advocacy Institute “Leadership for a Changing World” Award for promoting positive community change, and in 2000, CRITFC was honored with the American Fisheries Society’s President’s Conservation Award for demonstrated commitment to conservation and innovation.

CRITFC also has been remarkably successful as a science, research, and marketing organization, which has further advanced its goals and credibility in the region. It has developed an automated fish counting and analysis system and a scientific method for estimating avian predation on juvenile salmon. The Commission has crafted a Memorandum of Agreement with the University of Idaho to create the Collaborative Center for Applied Fisheries, which will focus on evaluating genetic interactions among salmon and provide educational training for future tribal fishery biologists. It has developed a scientifically based screening process for evaluating the effect of land management activities on habitat and has developed and implemented a coordinated information system, “StreamNet,” for state, federal, and tribal fisheries programs. CRITFC also has created a fish marketing program that resulted in a tenfold increase in fish prices, which in turn has benefited more than four hundred fishers and increased total revenue from \$500,000 to \$1.5 million annually. Additionally, recognizing the need for public support for its work, CRITFC has established a comprehensive public information program consisting of newsletters, annual reports, video productions, and media events. In 2001, it organized “Jammin’ for Salmon,” a major outreach event that drew seventeen thousand visitors to the Portland waterfront to celebrate successes in salmon and river restoration.

Notably, the organizational strategies employed by CRITFC to generate its record of achievement are as important as the successes themselves. Four strategies are particularly impressive.

First, CRITFC is a model inter-tribal initiative. It unites four distinct Indian nations from the region that share a strong cultural interest in salmon in order to work together on management plans for the Columbia River and its tributaries. CRITFC allows the Tribes to pool technical resources to address common problems and develop common outreach strategies that sensitize surrounding

communities to the importance of salmon in the environment, culture, and economy. As stated in the Preamble to its constitution and by-laws, CRITFC believes that “by unity of action we can best accomplish these things, not only for the benefit of our own people but for all of the people of the Pacific Northwest.” The Commission allows the Tribes, which have a relatively small combined population of approximately twenty thousand, to have a strong voice within governmental and non-governmental decision-making processes. This inter-tribal initiative is effective, in part, because of its consensus-gathering method of decision making. CRITFC is careful to work with members and not against their interests. It requires unanimity for its main advocacy efforts while a one-tribe-one-vote policy ensures that all tribal interests are recognized and that all tribes are united in their policy shaping efforts. When differences occur, the Tribes are free to advocate or negotiate changes with private, state, or federal agencies on their own terms.

Second, CRITFC facilitates the effective exercise of its member tribes’ inherent sovereignty. CRITFC was organized in response to *U.S. vs. Oregon*, a 1969 federal court case that affirmed treaty-reserved fishing rights and clarified tribal management responsibilities, and the Indian Self-Determination and Education Assistance Act of 1975, which provided opportunities for tribes to replace the Bureau of Indian Affairs as the managers of tribal resources. As an inter-tribal body that is committed to using these legal underpinnings to advance self-governance among its member tribes, CRITFC has become a vehicle through which the Nez Perce, Umatilla, Warm Springs, and Yakama Tribes can assert their treaty rights both on and off their reservations. The Commission’s Enforcement Department, created in 1983 to regulate treaty fisheries, enforce federal and state laws for non-Indian fisheries, secure cultural resources, and protect fishers, is critical to this process. Department officers possess multiple authorities, as they hold commissions from their respective CRITFC member tribes, the State of Oregon, and the US Fish and Wildlife Service. Further, the states of Oregon, Washington, and Idaho have agreed that the Department and its officers bear primary responsibility for fisheries enforcement on and off reservation lands. Remarkably, this enforcement not only extends the reach of tribal jurisdiction, but has the added, universal benefit of more consistent monitoring and enforcement of fishing regulations—regulations that in the past were mired in turf wars between tribal, state, and federal agencies.

Third, CRITFC sets the standard for excellence in fishery and water management in the Columbia River Basin. Many of the Commissioners are themselves employees of tribal fish and wildlife agencies or possess significant natural resource management experience. In turn, they are supported by CRITFC’s employees, among whom are some of the US’s best scientists and professionals in a variety of fishery and wildlife-related fields. Over the course of twenty-five years, CRITFC has developed a staff of more than seventy experts in meteorology, hydrology, biology, law enforcement, and public relations to provide the necessary technical support for its operations. And, CRITFC’s outstanding reputation among both Indians and non-Indians allows it to continue to attract the best-trained and most experienced individuals. Importantly, CRITFC’s experts do not concentrate on Western knowledge alone. Their work also reinforces tribal wisdom and knowledge that was once dismissed as mere cultural memory. As the Commission’s science and research validates the oral histories that address pre-contact fish activity in the Columbia River, the Tribes are able to assert their rights by influencing—through their testimony, research, and data collection—the way in which water rights, fishing rights, and conservation issues are decided. CRITFC’s deserved reputation as being a high-standard tribal regulatory and enforcement agency makes it a formidable force in public policy formation.

Lastly, in January 2000 CRITFC established the Spirit of the Salmon Fund to attract private donor funding in support of CRITFC’s activities. What makes the Spirit of the Salmon Fund unique is its status as a subdivision of tribal government – it has a 7871 Internal Revenue Code (IRC) designation. The benefits of this designation are twofold. First, it allows the Fund to receive tax-deductible donations and grants. Second, unlike 501(c)(3) organizations, which are state-regulated, the Fund has adopted its own public disclosure standards, retaining the sovereignty of

its member tribes. When appropriate, CRITFC deals directly with the Internal Revenue Service on a government-to-government basis. As a result, private donors have been receptive to this “packaging” of the Fund’s tax status, and, therefore, are more willing to consider supporting the Fund and CRITFC. In fact, since the Fund’s creation, CRITFC has attracted at least sixty new donors whose contributions total more than \$1.5 million. The Fund’s success with its IRC 7871 status is instructive for other tribal governments interested in receiving private donations and grants, especially given the fact that less than one percent of the philanthropic sector’s giving is directed to Native American causes and concerns. Many donors are unsure of how to undertake grant making outside the 501(c)(3) framework and are discouraged from making grants to governmental entities, (that is, to tribal governments). The Spirit of the Salmon Fund is working to shift the paradigm of how tribes and donors can work together. To this end, the Fund has worked with tribes, foundations, corporations, and individuals to raise awareness about the benefits of IRC 7871 status. For example, it has produced and distributed more than three thousand copies of a brochure on IRC 7871, and in 2001, it hosted the Wisdom of the Giveaway Conference, at which more than 180 participants were encouraged to increase asset building and grant making in Native American communities.

Now celebrating its twenty-fifth anniversary, the Columbia River Inter-Tribal Fish Commission is a shining example of how Indian nations can unite under a common goal to address a critical set of public policy issues. As an inter-tribal organization, CRITFC has had tremendous success in restoring and managing a sacred resource, protecting the exercise of Indian treaty rights, and in raising awareness about and confidence in the ability of Indian nations to self-govern. As one Umatilla leader proclaims, “It will be the Tribes who come up with a solution to save the salmon. We have lived together for thousands of generations.”

Lessons:

- Inter-tribal governmental organizations enable tribes to pool technical resources, exploit tribal comparative advantages, and create a single powerful voice in public policy formation. The most successful inter-tribal organizations have goals and objectives that are shared by their member tribes and possess clearly defined decision making processes.
- By developing credible technical expertise, tribes and inter-tribal organizations not only enhance their ability to create and manage first-rate programs, but they also garner the respect of outsiders. From this position of strength, tribes can defend and advance their sovereignty most effectively.
- Utilizing Internal Revenue Code 7871, Indian nations, tribal subdivisions, and inter-tribal governmental organizations can create institutional structures to attract private, tax-deductible (especially philanthropic) contributions in support of their activities. Such structures expand the funding base for tribal activities and they support tribal sovereignty – with a “7871” designation, tribal organizations enjoy a reporting relationship with the federal government rather than with a state (the provision under 501c(3) rules).

79 John F. Kennedy Street • Cambridge, Massachusetts 02138
telephone: (617) 495-1480 • facsimile: (617) 496-3900
website: www.hks.harvard.edu/hpaied