



March 6, 2013

The President
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

RE: Executive Order 13175, Tribal Consultation on Federal policy

Dear Mr. President,

The Confederated Tribes of Warm Springs (CTWS) supported your decision to stand behind the legislation, Appropriations Bill, H.R. 2112, that you signed into law on November 18, 2011, to again allow USDA horse meat inspections.

With the USDA now nearing an approval of a horse meat processing facility in New Mexico, we find that in the same breath, a spokesman for the Agriculture Department informs that your administration is “urging Congress to reinstate the ban on production of horse meat for human consumption”.

To reinstate the ban on USDA inspectors for horse meat for human consumption will not only continue a period of nearly 7 years of unnecessary suffering and abuse of horses, but will also have severe economic and detrimental environmental effects on Tribal communities across this land. A “policy development” of this magnitude clearly warrants a Tribal Consultation, by Executive Order 13175. You declared your commitment to this process, which calls for “regular, meaningful consultation and collaboration with Tribal Officials in the development of Federal policy”. To date, we have received no such offer of consultation or collaboration on this issue.

As many of your Veterinary staff in the USDA well know, there has been a rapid increase in the number of unwanted horses and the wide-spread decline of their condition since President George W. Bush signed the initial ban of horse meat inspectors in 2005. The evidence of widespread suffering of horses caused the Senate Appropriations Committee, in 2010, to request a Government Accountability Office (GAO) inquiry into Horse Welfare in relation to the termination of USDA horse meat inspectors.

The GAO concluded in their report, June 2011: **Even after the recent economic downturn is taken into account, horse abandonment and neglect cases are reportedly up, and appear to be straining state, local, tribal, and animal rescue resources. Clearly, the cessation of domestic slaughter has had unintended consequences, most importantly, perhaps, the decline in horse welfare in United States.**

The GAO report, in the section entitled “Matters for Congressional Consideration”, page 44, went on to state: **Congress may wish to consider allowing USDA to again use appropriated funds to inspect U.S. horses being transported to slaughter.**

Also, Congress may wish to consider allowing USDA to again use appropriated funds to inspect horses at domestic slaughtering facilities, as authorized by the Federal Meat Inspection Act.

The Joint House-Senate Conference Committee responded to this study and did as the GAO recommended. Congress resisted attempts to include the “rider” language that has prohibited funding for USDA ante-mortem horse inspection in recent years. As you signed this bi-partisan measure into law, we, and many others interested in the welfare of horses, applauded your decision, as it was considered a critically needed and strong statement for humane agricultural reform.

Now, it appears that you wish to turn away from the science of your own Veterinarians, and reinstate a policy that resulted in the unintended consequences of widespread starvation, neglect, abandonment, and unnecessary suffering of this beautiful animal.

I want you to know that we hold the horse in high esteem. Historically, this animal has provided an important contribution to our people. The horse has been an integral part of the lives of the people of the Columbia Plateau for many generations providing us with transport for our traditional activities of root gathering, hunting, fishing, grazing our livestock and trading. The horse has been an important economic asset for us in current times, however the loss of our local slaughter facilities due to arson by now convicted “eco-terrorists” and the subsequent loss of inspection services to all horse slaughter facilities has created a situation where our trust rangelands are being damaged by excess horse numbers.

Today, there are over 30,000 feral horses on tribal land in the Pacific Northwest region alone, and the numbers are increasing. Other regions are experiencing even greater horse numbers and impacts from this problem. These horse populations increase at an average of 20 percent every year. To compound the problem, many people outside of tribal lands, who have horses and can no longer afford them, are using our reservations as a place to abandon them.

Without the ability for the USDA to inspect horse meat, prohibited by Congressional action since the 109th Congress, the horse market has been flooded, the prices for all horses have dropped dramatically, and the livelihood of horse ranchers—tribal and otherwise—has been severely jeopardized. A collateral effect of the glut of horses is the devastating impact their populations are making on the environment, and consequently, on our economy. By exceeding the carrying capacity of our Tribal lands, forage depredation is only part of the picture. Plants and animals important in tribal culture, spiritual practices and medicine are being damaged. Vegetation needed for big and small game has been diminished. Streams important to sport and Native American subsistence fisheries are degraded by valuable soils rolling off denuded slopes as a result of excess numbers of horses on tribal lands. The CTWS believes that it is necessary to reduce the population of today’s feral horses in order to rebalance our fragile ecosystems.

We understand the importance of animal welfare, and are looking for ways to best preserve that. We also recognize that there are well meaning Members of Congress who have, in the past, voted to remove funding for USDA inspectors of horse meat, but haven't understood the detrimental consequences that policy has had on the horse, as clearly stated in the GAO report. This inspection ban has also resulted in unwanted horses being shipped great distances to processing facilities in Canada or Mexico, another serious concern of USDA Veterinarians.

We wish to draw your attention to the importance of maintaining the presently authorized status of horse slaughter as a vital part of fulfilling your trust responsibility to our respective federally recognized tribes. Any attempts made to prohibit slaughter or to make it unfeasible by regulation must be resisted or the consequences to Indian trust resources will be severe.

As new requests for USDA horse meat inspections are made, and as we move forward to protect our tribal sovereignty and treaty rights, the CTWS stands together with other tribes to promote and enhance the horse economy in its totality, to protect the horse from unnecessary suffering, and to assure that horse meat inspection remains a viable and humane option to improve conditions for horses, our natural resources, and our tribal economies.

I cannot emphasize enough the importance of a Tribal Consultation, consistent with Executive Order 13175, when developing a policy that promotes more inhumane suffering of the horse, and economic and environmental hardship to Tribal nations. I look forward to discussing this issue with you and agency representatives at the Department of Agriculture.

Sincerely,

A handwritten signature in cursive script that reads "Stanley 'Buck' Smith".

Stanley "Buck" Smith, Chairman
Confederated Tribes of the Warm Springs Reservation of Oregon
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cc: Secretary Tom Vilsack, Department of Agriculture
Janie Hipp, Senior Advisor to the Secretary, USDA
Secretary Ken Salazar, Department of Interior
Stanley Speaks, NW Regional Director, Bureau of Indian Affairs
Kevin Washburn, Assistant Secretary, Indian Affairs
Senator Ron Wyden, (D-OR)
Senator Jeff Merkley, (D-OR)
Representative Greg Walden, (R-OR)
Representative Doc Hastings (R-WA)
Terry W. Clark, DVM, Tribal Liaison USDA, APHIS, VS
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Colville Reservation
Shosone-Bannock Tribes
Navajo Nation
Blackfeet Nation
Confederated Tribes and Bands of the Yakama Nation
Charles "Jody" Calica, Secretary-Treasurer/CEO, Confederated Tribes of Warm Springs
Urbana Ross, Chief Operations Officer, Confederated Tribes of Warm Springs
Ross Racine, Executive Director, Intertribal Agriculture Council (IAC)