



LUMMI INDIAN BUSINESS COUNCIL

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**Testimony of the Honorable Timothy J. Ballew II,
Chairman of the Lummi Nation
Before the House Appropriations Subcommittee on
Interior, Environment and Related Agencies on the FY 2014 Budgets
for the Bureau of Indian Affairs and the Indian Health Service Programs**

Good morning and thank you Mr. Chairman and distinguished Committee Members for the opportunity to share with you the appropriation priorities of the Lummi Nation for the FY 2014 budgets of the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS).

Background Information

We are the *Lhaq'temish*, "The Lummi People". We are the original inhabitants of Washington's northernmost coast and southern British Columbia and is the third largest Tribe in Washington State serving a population of over 5,200. The Lummi Nation is one of the signatories to the Point Elliot Treaty of 1855. The Lummi Nation is a fishing Nation and for thousands of years we have worked, flourished and celebrated life on the shores and waters of the Salish Sea which is referred to as Puget Sound. We have drawn our physical and spiritual sustenance from the marine tidelands and waters of the Salish Sea since time immemorial, and we understand the challenge of respecting our traditions while making progress in a modern world - to listen to the wisdom of our ancestors, to care for our lands and waterways, to educate our children, to provide family services and to strengthen our appropriate ties with neighboring communities and jurisdictions.

Lummi Specific Requests – BIA and Bureau of Indian Education (BIE)

- +\$13 million over 10 years on fish hatcheries:
 - \$2 million for Phase 1 – Fish Hatchery Water Supply Line
 - Basic maintenance, upgrades and improvements
 - Fish hatchery expansion and construction
- +\$300,000 for BIE – Preschool – Furnish, equip and staff two (2) new classrooms
- +\$200,000 funding to continue the Lummi Nation's successful water rights restoration and management program.

Committee Direction to Department of Interior (DOI) Requests

- Direct the DOI and BIA to settle existing claims for past contract support funding owed to tribes and consult with tribes on contract support costs policies and procedures to govern future funding years.
- Require Census to work with Tribal governments and BIA to develop a tribal specific Census supplemental program.
- Secure Residential School funding for youth who reside at Lummi Youth Academy.
- Increase funding for Community Fire Protection Program consistent with tribally identified need(s).

Lummi Specific Requests – Indian Health Services

- +\$500,000 for IHS to provide minimal funding to the Lummi Nation under the ASAP and MMSP programs.
- +\$500,000 for IHS facility funding to support the start-up furnishing, staffing and equipment packages for a school and an urban health care clinic.

Committee Direction to DHHS Requests

- IHS must take a leadership role in the implementation of the Affordable Care Act (ACA) amongst DHHS Operating Divisions.
- IHS must take the primary role in the implementation of Indian Health Care Improvement Act.
- Provide direct financial support to IHS for a Tribal/Federal Work Group which addresses the need for Basic Emergency Medical Services among tribal members.

Lummi Specific Requests Justifications – BIA/BIE

+\$13 million over 10 years on fish hatcheries: Lummi Nation Fish Biologists estimate that our fish hatcheries are currently operating at 30% of their productive capacity. Funding is needed to support increased hatchery production through basic maintenance, upgrades and improvements. This is addressed in the Lummi Nations comprehensive plan to eliminate economic fishery disasters which have regularly occurred since 1999.

+\$2 million for Phase 1 – Fish Hatchery Water Supply Line: We are requesting funding for the first phase of this project. Our goal is to increase fish returns by improving aquaculture and hatchery production and create a reliable, sustainable resource to salmon fishers by increasing enhancement.

Fish hatchery expansion and construction: The water infrastructure project is needed to support fish hatchery optimization expansion and construction to meet the demands of the modern world.

+\$300,000 for the Lummi Nation Preschool to furnish, equip and staff for two (2) new classrooms. The Lummi Nation has financed the construction of a new early childhood learning facility to house the Lummi Nation Head Start Program, Lummi Nation Day Care and adding two (2) new Classrooms from BIE Preschool funds.

+\$200,000 funding to continue the Lummi Nation’s successful water rights restoration and management program. Lummi Nation developed its successful Water Rights Restoration and Management project, in response to literally decades of neglect by the Federal government which resulted in the development of non-tribal community water systems on Lummi Reservation Lands; lands that are treaty-reserved for the exclusive use of Lummi Nation tribal membership. The Lummi Nation has been able to assume ownership of three (3) reservation based water systems developed by non-Indians with relatively little disruption to water services. Our successful model requires substantial initial expenditures to avoid long term costs. Lummi Nation’s approach is to use staff lawyers to work with existing water associations and stakeholders to negotiate and avoid long term costly litigation.

Committee Direction to DOI Requests Justifications

Direct the DOI and the BIA to settle existing claims for past contract support funding owed to tribes and consult with tribes on contract support costs policies and procedures to govern future funding years.

Require the Department of Commerce, Bureau of the Census to work with the Department of the Interior—BIA to assume the responsibility and funding otherwise available for the US Census of Indian Country. The BIA is uniquely constituted and situated to work with Tribal governments to develop a comprehensive, reliable and valid Census for Indian Country. Now, that the BIA is under pressure to improve the reliability and validity of its Labor Force Report and related data they are drawn back to the Census.

Secure Residential School funding for youth who reside at Lummi Youth Academy. The Lummi Nation has constructed facilities to support 70 residential service placements for Lummi Nation youth at the Lummi Nation Youth Academy. The Lummi Nation is seeking to assume authority and funding from existing BIA Residential Schools. The Lummi Nation is preparing formal notification, 18 months in advance of the planned assumption date.

Increase funding for Community Fire Protection Program consistent with tribally identified need(s). Tribal governments, who rely on these services to limit damage to property injury and death to its membership, must reach out to local services with little or no resources to support the services needed. In time of economic hardship local governments eliminate services for which there is no identified payment source. Currently, the Bureau Community Fire Protection Program is funded at \$845,000 which serves approximately 40 Tribal communities out of a total to 565+ Tribal communities.

Lummi Specific Requests Justifications – IHS

+\$500,000 to allow the Indian Health Services to provide minimal funding to the Lummi Nation under the ASAP and MMSP programs. The Alcohol and Substance Abuse and the Meth Mitigation and Suicide Prevention Programs fund services desperately needed by Lummi Nation membership on both an individual and community basis. Lummi Nation Police and Tribal Court handles over 2,000+ alcohol and drug abuse cases each year.

+\$500,000 for facility funding to support the start-up furnishing, staffing and equipping packages for a school and an urban health care clinic. The Lummi Nation is seeking to expand access to health care services for its membership. We see the opportunity to expand Lummi Nation Health Care services to our Tribal school and to our Lummi Nation urban population who reside off Reservation due to the lack of housing on the Reservation.

Committee Direction to DHHS Requests Justifications:

IHS must take a leadership role in the implementation of ACA amongst DHHS Operating Divisions. The IHS must act in concert with tribal governments who are seeking ways to ensure their membership accesses and benefits from National Health Care Reform.

Lummi Nation is requesting that the Committee direct DHHS and IHS to convene in Tribal consultations and Tribal Work Groups on program, services, functions and activity proposals of the Indian Health Services and the operating divisions.

IHS must take the primary role in the implementation of Indian Health Care Improvement Act. There are several provisions of the Indian Health Care Improvement Act that must be supported and implemented through IHS. Sections 206, 222 and the sections that prohibit Indians being forced to register in a managed care plan. The Lummi Nation is requesting that the Committee direct the Indian Health Services to form a Tribal/Federal Work Group to identify and develop a plan of action to address these implementation issues.

Provide direct financial support to the Agency for Tribal/Federal Work Group which addresses the need for Basic Emergency Medical Services among tribal members. IHS has assumed that other local governments are providing these essential community services. Tribal Governments rely on these services to limit damage to property, injury and death to its membership. During times of economic hardship local governments are cutting those services which are not supported by additional funding. Lummi Nation requests that the committee provide specific financial support to the Tribal Federal Work Group convened to address the need to plan and implement essential community services.

Regional Requests: The Lummi Nation supports the requests of the Affiliated Tribes of Northwest Indians, the Northwest Portland Area Indian Health Board and the Northwest Indian Fisheries Commission, that is beneficial to the region and our tribal interests.

National & Self-Governance FY 2013 Budget Priorities: In general, all BIA and IHS line items should be exempt from any budget rescission and discretionary funding budget reductions.

BIA

- Fully Fund Contract Support Costs (CSC) – Provide increase over the President’s FY2013 request needed to fund the CSC shortfall report.
- Law Enforcement - Fully Fund all Provisions of the Tribal Law & Order Act of 2010 and VAWA’s reauthorization tribal provisions that affect Indian Tribes & Law Enforcement programs, services and functions.

IHS

- Fully Fund Contract Support Costs (CSC) – Provide increase over the President’s FY2013 request needed to fund the CSC shortfall report.
- Mandatory Costs – Provide increased funding for Mandatory Health Care costs to maintain current services.
- Purchased Referred Care (PRC), formally Contract Health Services – Provide a threefold increase to CHS Funding.

Thank you for this opportunity to provide Lummi Nation appropriations priorities for FY 2014.

Hy’shqe.