



**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 2016 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 2016 budgets for 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 5,000. 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)

- **+\$200,000** - funding to continue the Lummi Nation's successful water rights restoration and management program and all water litigation expenses. (BIA)
- **+\$800,000** - Emergency Funding is needed to improve water supply for Skookum Creek Hatchery. (BIA)
- **+\$800,000** - Funding to improve water supply line from river to Lummi Bay Salmon Hatchery. (BIA)
- **+\$600,000** – Funding to address commercial shellfish closure impacts to harvesters due to upriver water pollution. (BIA)
- **+\$500,000** additional funding for staff needed to address ESA impacts on Treaty Fishing Rights. (BIA)
- **+\$540,600** for Lummi Nation Head Start and Childcare Center for new Head Start buses, additional funding for child and adult care food program (CACFP) and for childcare expansion funding. (BIE)

- **+\$1,586,600** million for the Lummi Nation School (LNS) for school teacher retirement, teacher and staff professional development, coast salish institute for training, vocational training for students and for facilities expansions. (BIE)

Lummi Specific Requests – Indian Health Services

- **+\$20 million** - to allow for Indian Health Service & Department of Health and Human Services to provide minimal funding to the Lummi Nation under the Health Care Facilities Construction Program to allow for a modern medical facility, staffing, operating costs and equipment. (IHS)

Lummi Specific Requests Justifications – BIA/BIE

- **+\$200k – funding to continue the Lummi Nation’s successful water rights restoration and management program and water litigation expenses:**
 - Nooksack River salmon stocks are depleted and disappearing; salmon are needed for commercial, ceremonial, and subsistence purposes are disappearing.
 - Nooksack River watershed is over-allocated; demand for the limited water supply is increasing and State instream flow rules are not effective and are not enforced.
 - Federal protection for instream flows is needed for ESA and Restoration.
 - Most of the expensive technical water work has been completed on a cooperative basis with the state and county governments.
- **+\$800k – New Skookum Creek Hatchery intake:** Emergency funds are needed to replace Skookum Creek Salmon Hatchery water intake. The intake was damaged by large land slide and continues to be threatened by potential land slides; 2.5 million Coho and 700,000 spring Chinook are at risk.
- **+\$800k – Funding to improve water supply line from Nooksack river to Lummi Bay Salmon Hatchery Phase 1:** The existing system only provides 850 GPM to our hatchery. To increase production to a level that will sustain tribal and non-tribal fisheries alike, we need to increase our water supply four-fold. This request is for the first phase of a four phase approach.
- **+\$600k – Funding to address commercial shellfish closure impacts to harvesters:** The State of Washington and the Federal Government, with its trust responsibility, have failed to enforce Clean Water Act standards against polluting dairies and other entities within the Nooksack River watershed. The resulting water quality degradation has caused conditional closure in Lummi’s shellfish beds, shutting off the only source of income to families and individuals this time of the year. We request relief for these harvesters and their families.
- **+\$500k – Additional funding to support additional staff to address ESA impacts on Treaty Fishing Rights:** Salmon habitat has been damaged, causing salmon numbers to decrease. Habitat needs time to recover, hatcheries have been developed to mitigate for salmon impacts due to habitat degradation. The rehabilitation to damaged habitat, will take many years. Nooksack River salmon have been listed under Endangered Species Act (ESA). The Hatchery Genetic Management Plans, pursuant to NOAA ESA recovery guidelines, impose additional unfunded requirements for monitoring and conservation measures which will require more staff.
- **+\$540k – for Lummi Nation Head Start and Childcare Center for the following (BIE):** Current busses require frequent repair and maintenance and the cost to replace

and purchase 3 news busses is at \$96,000 each. Reimbursement for CACFP does not meet need to adequately fund and provide basic food and nutritional services to the students and \$20,000 is needed, to offset extreme poverty of students. There are two rooms available at the child care center and no funds to fully operate the rooms and there is a need for up to five (5) staff and costs start up supplies at the expense of \$232,600.

- **+\$1,586,600 million for the Lummi Nation School (LNS) for the following (BIE):** \$215,405 annually for school teacher retirement to match state benefits, as the LNS loses certified staff to state positions on annual basis. \$315,000 for teacher and staff professional development which LNS budgets \$9,000 less per teacher ratio compared to the state, \$8,000 for Coast Salish institute for training for up to 35 teachers for cultural training/curriculum, \$48,200 for vocational training for up to 20 students and \$1 million for facilities expansions—physical activity and weight training facility.

Lummi Specific Requests Justifications – IHS

- **+\$20 million for a modern medical facility, staffing, operating costs and equipment:** A medical facility that can provide a comprehensive mix of natural and science based medicine for health screenings, treat those with cancer, identify diabetes related health conditions, obesity, heart disease, physical therapy and pain clinic, occupational therapy, obstetrics that includes a birthing center, day surgery. We are in need of short term in-patient behavioral health supports, state of the art X-Ray, MRI and CT scans for early detection of chronic internal medical conditions and to provide accurate pathways to treatment.

Committee Direction to Department of Interior (DOI) Requests

- Direct the DOI and BIA to provide increase via tribal base funding instead of through grants to tribal governments.
- Direct the DOI and BIA Law Enforcement Branch to solicit and assist Tribal governments who incur incarceration costs and interested in developing their own Tribal Specific Corrections Plan.

Committee Direction to DOI Requests Justifications

- The grant process for every single tribe is ineffective and tribal leaders have been advocating for years to move away from grant funding. New BIA funding streams should be distributed using formulas with consultation with all tribes. This would allow tribes to have control over its funding allow tribes to full operate under the Indian-Self Determination Act.
- This will provide tribes with corrections services consistent with that plan to negotiate with BIA-Law Enforcement branch their fair share of operational costs identified in annual appropriations.

Committee Direction to IHS National Requests

- Direct IHS to support the existing structure of funding for the Methamphetamine and Suicide Prevention Initiative (MSPI) and the Domestic Violence Prevention Initiative (DVPI) and allocate additional funding.

- Direct IHS Reauthorize and fund the Special Diabetes Program for Indians (SDPI) at \$200 million with 5 year renewal.
- Direct the US Indian Health Services to support the efforts of Tribes to address their own health care facilities.
- Direct the Centers for Medicare and Medicaid Services to solicit and assist Tribal government interested in developing their own Tribal Specific Medicaid Plan.

Committee Direction to IHS National Requests Justifications

- The current MSPI and DVPI funding structure allows the Lummi Nation to continue to receive funding and any future changes could negatively impact the Lummi Nations allocation for addressing drug and suicide's and domestic violence.
- The Lummi Nation along with a consortium of northwest tribes receives SDPI funding in order to address the alarming and growing issue of diabetes. It is vital to these communities that funding continue after the September 30, 2015 expiration date.
- Direct IHS to annually solicit Joint Venture and Small Ambulatory Health Clinic applications from Tribes and assist Tribes to overcome deficiencies in their application such that their application can be approved in subsequent years.
- This will help tribes provide health care services consistent with that plan to negotiate with CMS to develop approvable plans and health care delivery systems.

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 2016 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) – Seek permanent full funding for contract support costs that will not come at the expense of direct program funding or retained tribal shares. Without deduction from tribes amount to cover federal reconciliation.
- Increase the Fish Hatchery Maintenance funding from \$6.8 million to \$15 million.
- Increase funding to the Detention/Correction funding from \$95 million to \$150 million and increase contracts funds with county correctional facilities

IHS

- Provide \$814.8 million increase to the Indian Health Service over the FY 2015 President's budget request.
- Fully Fund Contract Support Costs (CSC) – Provide increase over the President's FY 2015 request needed to fund the CSC shortfall and to fulfill its contract obligation.
- Program Services Increases from FY 2015 budget: +\$17 million increase for dental health services, \$54.2 million increase for mental health services, \$49.5+ million increase for Alcohol and Substance Abuse Programs (ASAP) and \$198.2 million increase to provide for Purchased/Referred Care (PRC).

Thank you for this opportunity to provide Lummi Nation appropriations priorities for FY 2016.
Hy'she (Thank You).