

TESTIMONY OF THE PUYALLUP TRIBE OF INDIANS
COUNCILMAN DAVID Z. BEAN
BEFORE THE U.S. HOUSE
APPROPRIATIONS SUBCOMMITTEE ON
INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
BIA AND IHS
FISCAL YEAR 2017
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Mr. Chairman and members of the Subcommittee, thank you for the opportunity to provide testimony on the FY 2017 appropriations for American Indian and Alaskan Native programs within the BIA and IHS. My name is David Z. Bean, Tribal Council Member for the Puyallup Tribe of Indians.

The Puyallup Tribe is an independent sovereign nation having historically negotiated with several foreign nations including the United States in the Medicine Creek Treaty of 1854. This relationship is rooted in Article I, Section 8, of the United States Constitution, federal laws and numerous Executive Orders. The governing body of the Puyallup Tribe of Indians is the Puyallup Tribal Council which upholds the Tribe's sovereign responsibility of self-determination and self-governance for the benefit of the 5,006 Puyallup tribal members and the 25,000 plus members from approximately 355 federally recognized Tribes who utilize our services. The Puyallup Reservation is located in the urbanized Seattle-Tacoma area of the State of Washington. The 18,061 acre reservation is a "checkerboard" of tribal lands, Indian-owned fee land and non-Indian owned fee land. Our reservation land includes parts of six different municipalities (Tacoma, Fife, Milton, Puyallup, Edgewood and Federal Way).

The following written testimony being submitted to the U.S. House Appropriations Subcommittee documents the Puyallup Tribe's views on the President's FY 2017 Federal Budget. The focus of the written testimony will be on the President's proposed budget for the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS). Within the BIA budget, *\$2.9 billion is proposed for FY 2017, an increase of \$138 million above the FY 2016 levels.* For the IHS, *\$5.2 billion is proposed, an increase of \$378 million over the FY 2016 enacted level.* Included in both budgets the President proposes to fully fund Contract Support Costs (CSC) in FY 2017. The budget provides \$278 million for BIA CSC and \$800 million for IHS CSCs. We appreciate the increased funding being proposed for the BIA and IHS and funding CSCs at 100%. However, the years of inadequate funding and the effects of inflation have impacted the Tribe's ability to fully exercise self-determination and self-governance. As negotiations proceed on the FY 2017 budget and future appropriations, efforts to insure adequate funding is provided for Indian programs will be paramount.

Department of Interior – Bureau of Indian Affairs

Public Safety & Justice: The *FY 2017 Budget request includes \$373.5 million for BIA Public Safety & Justice.* This represents a *\$4 million decrease* over the FY 2016 enacted level. *Funding for detention facilities is of great importance to the Puyallup Tribe.* In FY 2009, the Puyallup Tribe received a Department of Justice ARRA grant, in the amount of \$7.9 million to construct a

28 bed adult corrections facility. Construction on the facility was completed in February 2014 and came online in May 2014. Over the past years the Puyallup Tribe has worked closely with the BIA-Office of Justice Services to identify the operating and staffing costs associated this facility. The agreed upon estimated cost of operating the facility was set at \$2.6 million annually. The BIA base funding offered to the Tribe in FY 2015 was \$704,198 or 27% of actual need, with no increases to base funding in FY 2016 or 2017. *Thus, while we support the \$1.0 million increase in the President's proposed FY 2017 funding for Detention & Corrections, this increase is not sufficient to fund the staffing and operate detention facilities in Indian country, some of which lie vacant due to lack of funding. We are requesting support from the Subcommittee to include committee report language that would direct Office of Justice Services to submit a plan for funding the staffing and operations of the detention facilities in Indian country.*

In addition, we operate a Tribal Court program through a P.L. 93-638 contract with the B.I.A. In FY 2015, our base funding was increased from \$45,000 to \$194,996 and remains this amount for FY 2017. While this increase to our Tribal Court Base funding is appreciated, it does not equal the amount of tribal funds necessary to fully operate the Tribal Court program. In FY 2016, the Tribe has allocated \$1.172 million of tribal funds for the Tribal Court budget. *Again, while the Puyallup Tribe supports the \$2.5 million increase for Tribal Court funding for FY 2017, we agree with the National Congress of American Indian's request that an additional \$82.0 million be allocated to BIA to increase base funding for tribal courts. This increase would assist with the implementation of the Tribal Law and Order Act and the Violence Against Women Act. Further, we are strongly opposed to the \$8.2 million decrease proposed for the Tribal Courts initiative to better support tribal courts in P.L. 280 states.*

Natural Resources Management: The Puyallup Tribe has treaty and governmental obligations and responsibilities to manage its natural resources for uses beneficial to the tribal membership and the regional communities. Despite our diligent program efforts, the fisheries resource is degrading and economic losses are incurred by Native and Non-native fishermen and surrounding communities. Our resource management responsibilities cover thousands of square miles in the Puget Sound region of the State of Washington.

For FY 2017, a minimum funding level of \$8.5 million is necessary for the Rights Protection Implementation - BIA Western Washington (Bolts) Fisheries Management program. However, we agree with the Northwest Indian Fisheries Commission and the National Congress of American Indians that an overall \$52 million increase for the Rights Protection Implementation funding is necessary to ensure compliance with federal court orders through effective tribal self-regulatory and co-management systems . This increase in funding would provide new monies for harvest management, habitat protection, stock enhancement, shellfish, enforcement, wildlife and other natural resource management needs. As the aboriginal owners and guardians of our lands and waters it is essential that adequate funding is provided to allow Tribes to carry-out our inherent stewardship of these resources.

The Puyallup Tribe continues to operate a number of salmon hatcheries that benefit Indian and non-Indian commercial and sport fisheries in the Pacific Northwest/Puget Sound. We work cooperatively with the Northwest Indian Fisheries Commission, neighboring tribes, Federal agencies and state fishery managers to insure the success and sustainability of our hatchery

programs. The Tribe supports the President's FY 2017 budget request of \$10.38 million for Fish Hatcheries Operations and Fish Hatchery Maintenance.

The Timber, Fish and Wildlife (TFW) Supplemental and U.S./Canada Pacific Salmon Treaty programs has allowed for the expansion of tribal participation in the state forest practice rules and regulations and participation in inter-tribal organizations to address specific treaties and legal cases which relate to multi-national fishing rights, harvest allocations and resource management practices. *We request Subcommittee support the funding recommendations of the NWIFC for the FY 2017 TFW Supplemental program and the U.S./Canada Pacific Salmon Treaty program.*

The Puyallup Wildlife Management program has been the lead agency in management activities to benefit the South Rainier elk herd since 2004. The South Rainier elk herd is the primary stock of elk harvested by the Puyallup Tribe. The Tribe has not only established more reliable methods for population monitoring, but has also been proactive in initiating habitat enhancement projects, research and land acquisition to ensure sustainable populations of elk for future generations. Funds that are available to the Tribe have been on a very competitive basis with a limited amount per program via USFWS Tribal Wildlife grants and the B.I.A. Unresolved Hunting and Fishing Rights grant program. *We request Subcommittee support to provide base funding to the Tribes' Wildlife Management Program in the amount of \$150,000 through the B.I.A. Unresolved Hunting and Fishing Rights program in FY 2017 Appropriations.*

Education: The Puyallup Tribe operates the pre-K to 12 Chief Leschi Schools which included a verified 2014-2015 School student enrollment of 910 + students, including ECEAP and FACE programs. With an increasing number of pre-kindergarten enrollment, Chief Leschi Schools will exceed design capacity in the near future. Additional education facility space will be necessary to provide quality educational services to the students and tribal community. Additionally, the cost of operation and maintenance of the Chief Leschi School facilities continues to increase in the areas of supplies, energy and student transportation costs. The FY 2017 Budget request for the Bureau of Indian Education (BIE) is \$912 million, an increase of \$60 million over the FY 2016 enacted level. While this increase is appreciated, once again the funding level does not meet the actual operational needs of tribal education programs. The Tribe will continue to work with Congress, BIE and the National Congress of American Indians to increase funding in FY 2017, including; *Tribal Grant Support Cost for Tribally Operated Schools - \$78 million; Student Transportation - \$73 million; School Facilities Accounts - \$109 million in facilities operations and \$109 million in facilities maintenance, Indian School Equalization Program (ISEP) - \$431 million and Construction/Repair of BIE Schools- \$263.4 million.*

Operations of Indian Programs & Tribal Priority Allocations: The President's F.Y. 2017 budget is in drastic need for increased funding for the B.I.A. Operations of Indian Programs. Within the Operations of Indian Programs is the Tribal Priority Allocations (TPA). The TPA budget functions include the majority of funding used to support on-going services at the "local tribal" level, including; natural resources management, child welfare, other education, housing and other tribal government services. These functions have not received adequate and consistent funding to allow tribes the resources to fully exercise self-determination and self-governance. Further, the small increases "TPA" has received over the past few years has not been adequate to keep pace with inflation. *Specifically we support the \$3.4 million requested increase for Indian*

Child Welfare funding; the \$12.3 million requested increase for social services; and finally we support the \$3 million requested increase for natural resource programs within TPA.

Department of Health and Human Services – Indian Health Service

The Inadequate funding of the Indian Health Service is the most substantial impediment to the current Indian Health system. The Puyallup Tribe has been operating healthcare programs since 1976 through the Indian Self-determination Act, P.L. 93-638. The Puyallup Tribal Health Authority (PTHA) operates a comprehensive ambulatory care program to the Native American population in Pierce County, Washington. The current patient load exceeds 9,000, of which approximately 1,700 are Tribal members. There are no Indian Health Service hospitals in the Portland Area so all specialties and hospital care have been paid for out of our contract care allocation. The Purchased/Referred Care (PRC) allocation to PTHA remains inadequate to meet the actual need. In FY 2004, the Puyallup Tribe subsidized PRC with a \$2.8 million dollar contribution. In FY 2016, the tribal PRC subsidy has grown to \$6.2 million. Given that the PTHA service population is only comprised of 17% Puyallup Tribal members, tribal budget priorities in F.Y. 2011 thru 2016 has made continued subsidies to the PTHA financially difficult for the Puyallup Tribe. *The FY 2017 Budget requests \$5.2 billion in discretionary budget authority for the Indian Health Service. This represents a \$378 million increase over the FY 2016 enacted level. For Health Services programs the FY 2017 budget requests funding for Clinical Services (\$3.47 billion), Purchased/Referred Care (\$962 million), Facilities Maintenance & Improvement (\$77 million) and Contract Support (\$800 million).* The Puyallup Tribe fully supports funding increases for existing I.H.S. programs and will work Congress to continue efforts to increase funding for I.H.S. and the critical programs administered by this Agency.