

**TESTIMONY OF VICE-CHAIRMAN JOSEPH PAVEL
THE SKOKOMISH TRIBE OF WASHINGTON STATE
BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE
ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
FISCAL YEAR 2017 BUDGET
MARCH 17, 2016**

The Skokomish Tribe would like to thank the Subcommittee for the opportunity to present written testimony on the FY 2017 appropriations for the Interior Department, Indian Health Service and Environmental Protection Agency.

The Skokomish Indian Tribe is responsible for providing essential governmental services to the residents of the Skokomish Indian Reservation. We are a rural community located at the base of the Olympic Peninsula with a population of over 2,000 people, including approximately 700 Tribal members. The Tribe provides services through various departments including Tribal Administration, Community Development, Information Services, Early Childhood Education (including Head Start), Education, Health Clinic, Housing, Legal, Natural Resources, Public Safety, Public Works, and Tuwaduq Family Services. Adequate federal funds are critical to the Tribe's ability to address the extensive unmet needs of our community.

I. BUREAU OF INDIAN AFFAIRS

Law Enforcement. The Skokomish Department of Public Safety (SDPS) provides 24/7 law enforcement services for the Tribe. SDPS is responsible for patrolling and enforcing justice both within the Tribe's 5,300-acre Reservation, and throughout the Tribe's 2.2 million-acre Treaty area where the Tribe has Treaty-protected hunting, fishing and gathering rights.

Today, 7 officers are available for day-to-day patrol duties. As a result, individual officers are spread far too thin over an 8-hour shift and often work alone. During the salmon harvest season, SDPS must post officers simultaneously at several on and off Reservations sites. Some of these sites require multiple officers. This taxes staffing levels dramatically and exposes both community members in need of assistance and SDPS officers to increased risks of harm. Unfortunately, this is reality for SDPS. To meet mandated responsibilities, staffing must be increased. Vacancies due to illness, training and other leave continue to force the Chief of Police to respond to calls for service and to fill patrol shifts. A very active Community Policing program suffers as budget limitations severely restrict overtime and officer availability. With the limited amount we receive as a self-governance Tribe, we have to use Tribal funds to hire the 6 officers who we use for regular patrol and natural resource enforcement.

Thus, the Tribe urges the Committee to appropriate additional funding for criminal investigations and police services. The BIA has requested essentially level funding in this program when the need throughout Indian country is far greater.

Tribal Courts. We are deeply concerned that the BIA has proposed an \$8.2 million cut in tribal court funding for tribes in P.L. 280 states. For too long the BIA failed to provide funding to tribes in P.L. 280 states and we suffered from a lack judges, prosecutors, defense attorneys and probations officers. Last year, Congress recognized this deficiency and provided \$10 million for

the first time to address our need. We urge Congress to maintain this funding level in FY 2017. With regard to the FY 2016 funding, we are concerned that the BIA has yet to engage in consultation with tribes as to how this funding will be allocated. We have heard that one proposal the BIA is considering is to use this funding to build capacity within the BIA. We would urge the Committee to tell the BIA to develop a plan to allocate the FY 2016 funds to tribes and not keep it for itself.

The Skokomish Tribal Court handles several different kinds of cases. These include Civil, Criminal and Indian Child Welfare cases. The Tribal Court distinguishes four kinds of criminal cases: Juvenile, Fishing, Traffic and other criminal cases. As of January 1, 2015, there were eleven (11) open Juvenile Criminal cases, fifty-one (51) open Criminal Traffic cases, sixty-five (65) open fishing cases, and sixty-eight (68) open General Criminal cases. Indian Child Welfare cases include Child in Need of Care cases and Guardianships (long-term). In February 2016, the Tribe passed revisions to the ICW ordinance and passed a new School Attendance ordinance. The school attendance ordinance focuses on efforts to encourage school attendance and enforce mandatory attendance requirements. The new ordinance includes provisions to bring matters to Tribal court for enforcement. This means more cases will be filed in Tribal Court. As of January 1, 2016, the Tribal Court has thirty-one (31) active Child in Need of Care cases and fifty-three (53) active Dependency cases.

Natural Resources. We strongly support the President's proposal for funding Trust-Natural Resources Management programs. Increased funding to foster sustainable stewardship and development of natural resources and support fishing, hunting and gathering rights on and off-Reservation is essential to our people who depend on natural resources for their livelihood.

Fish hatchery maintenance and fish hatchery operations funds are invaluable for supporting the Federal government's investment in tribal hatcheries. Most tribal hatcheries are underfunded and each year brings more decay to the facilities. Adequate funding for hatchery maintenance is imperative to prevent these important pieces of the salmon restoration puzzle from crumbling away. Because of habitat destruction, the only reason we continue to have salmon for Treaty-harvest activities is through the operation of salmon hatcheries. Congress cannot allow the main pillar of this all important Treaty right to take a reduction in funding. We urge Congress to increase funding for this critical program.

A few years ago the Tribe was able to cobble together a wildlife program consisting of one biologist and one technician. The program is partially funded by Timber, Fish, and Wildlife funds of about \$41,000 with the Tribe scratching to find the remaining \$82,000. Wildlife grants are few and far between because the focus is so much on salmon. We obviously cannot reduce salmon funding; rather, the United States must be less myopic and realize that Tribes also need wildlife program funds not only to support biologists, but additional funding is required to dedicated wildlife enforcement officers who will not only enforce the tribes' regulations, but ensure that poaching of the wildlife resources does not occur from outside entities who sometimes fail to recognize tribal treaty rights. We request additional funds for Tribes in the Stevens Treaty Areas to have a base wildlife program funding in the amount of \$240,000. Without a more robust program, the wildlife populations will continue to decline.

The Tribe has been under attack by shellfish growers who blatantly steal the Treaty-protected oyster and clam resources in Hood Canal. It is imperative that the federal government provide monetary support so the Tribe may increase its enforcement presence and seek reparations through the courts. As with wildlife, shellfish issues are often overlooked because of the popularity of salmon, but the availability of this equally-important resource to the Tribe is dwindling and action must be taken now to prevent a further decline. We suggest an increase to allow for each "Bolt" tribe an additional \$250,000 for shellfish management and rights protection in FY 2017. This would allow for additional population surveyors, harvest monitors, and enforcement officers

II. INDIAN HEALTH SERVICE The Skokomish Tribe supports the President's FY2017 budget proposal for an overall funding increase of \$402 million for the Indian Health Service. We support the increase of \$82 million for contract support costs. This is a major victory for Tribes and the support of the Congress and Administration is greatly appreciated. The next step is to adopt a permanent funding policy that is not overly complex and burdensome on tribes.

We operate a small ambulatory health program with a staff of 28 people. As a Tribally run clinic, we provide direct care services as well as purchased/referred care, formerly known as contract health care. Our health program integrates medical, dental, and behavioral health services (mental health and substance use disorder) and we are therefore very supportive of the \$21.4 million request to support the integration of these services. We have identified a need to support the full implementation of Electronic Health Records as part of this effort and hope these funds will support that endeavor. This year we will begin to provide some mental health services using the Indian Health Service's Tele-Behavioral Health Center of Excellence and are glad to see the continued funding for this program.

We fully support the Budget's request of \$48 million increase for Purchased and Referred Care. For the current fiscal year, Congress was not able to increase funding for the program and now we are forced to reduce referrals due to medical inflation costs.

We are pleased to see the funding increase (\$15 million) under the Gen-I (Generation Indigenous) initiative with increased funding for youth substance abuse and suicide prevention. We continue to see the effects of heroin use and opioid abuse in all ages at an alarming rate. The Skokomish Tribe struggles to find the resources to adequately address the treatment and long term needs of those members struggling with addiction. We see the need for more long term treatment facilities to address the needs of individuals who can benefit from such treatment programs so that they may continue their journey of wellness far beyond the current 30 to 45 day in-patient treatment process. This short-term stay is often not adequate time to be healed from addiction and our tribal members often return to the community only to re-establish their old habits and slip back into addiction. If the Tribe is to reduce recidivism and spare tribal youth from witnessing self-destructive behavior, Congress must provide greater resources to programs with a proven track record of success.

We support the small ambulatory facility increase of \$10 million since this is the only IHS funding that Northwest Tribes have access to due to the current facilities priority system that favors larger health programs.

III. TRIBAL HISTORIC PRESERVATION PROGRAMS. In 1995, Congress began encouraging tribes to assume historic preservation responsibilities as part of self-determination. These programs conserve fragile places, objects and traditions crucial to tribal culture, history and sovereignty. As was envisioned by Congress, more tribes qualify for funding every year. Paradoxically, the more successful the program becomes, the less each tribe receives to maintain professional services, ultimately crippling individual tribal programs. Interior anticipates there will be 155 tribes operating the program in FY 2017 with each tribe receiving less than \$55,000. This amount is barely enough to fund one position. We support the \$2 million proposed increase for this important program.

IV. ENVIRONMENTAL PROTECTION AGENCY We concur with the National Congress of American Indians (NCAI) and the request to permanently lift the funding cap on the Clean Water State Revolving Fund Tribal Set-Aside for wastewater facilities. The Skokomish Tribe needs approximately \$12 million to fully build our core Reservation wastewater plant which will service approximately 85% of the on-reservation housing. The Tribe has had to put on hold design of the Core Reservation Wastewater Treatment plant until we can identify possible funding sources.

V. CONTRACT SUPPORT COSTS – BIA and HIS We fully support a permanent, indefinite appropriation for contract support costs that ensures full funding for contract support costs without the reduction of direct services to any Tribe.

VI. GENERATION INDIGENOUS We have placed a high emphasis on our youth and their education. Through collaborative efforts by our departments and with other Tribes, we have been able to sponsor culture camps, sports and leadership camps, and other positive activities that allow our youth to experience various activities. We are proud that this year we have 13 Tribal and Community members who are working steadfastly to graduate from our local high schools while being active in extra-curricular activities. We support the White House initiative to improve the lives of Native Youth who are our future.

In 2008, the National Congress of American Indians, the National Indian Health Board, the National Indian Education Association, the National Indian Child Welfare Association, and the National Council of Urban Indian Health created a joint policy initiative. The initiative proposed specific recommendations to improve the social, emotional, mental, physical, and economic health of children and youth, allowing them to achieve their learning and developmental potential. Using the First Kids 1st strategies and recommendations, the Tribe has put together a workgroup to identify areas where programs can assist families. The workgroup provides data and ideas to the Tribe's grantwriters to research possible funding sources to implement new programs to help families and youth.