

**Native Village of Eyak**  
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Testimony submitted to the House and Senate Appropriations Subcommittees on Interior,  
Environment, and Related Agencies  
Regarding FY 2018 Indian Programs Appropriations

The Requests of the Native Village of Eyak (Eyak) for the FY 2018 Indian Programs  
Appropriations and our comments are as follows:

- CSC Funding - Continue to fund Contract Support Costs at 100% and appropriate funding on a permanent and mandatory basis;
- Sequestration - Shield the IHS/BIA from sequestration and provide advance appropriations to Native programs;
- VBC Funding - Direct the IHS to fully fund Village Built Clinic (VBC) leases, make it a line item in the budget and allocate \$17 million to IHS for VBC leases;
- Joint Venture Program - Increase funding and reopen the Joint Venture application program in 2018;
- Natural Resource Funding - Increase funding for tribal natural resource management programs; and
- Tribal Court Funding - Increase funding for tribal courts located in PL280 states.

Thank you Chairman Calvert, Ranking Member McCollum and members of the Subcommittee for holding this hearing for public witness on Indian programs. Of course, we also thank our own House Natural Resources Committee, Chairman Emeritus Young for his advocacy with this Subcommittee.

My name is Mark Hoover and I am a Council Member on the Eyak Traditional Council, a tribal government located in Cordova, Alaska. We are a federally recognized Tribe on the southeast shores of Prince William Sound in the North Gulf coast of Alaska. We emphasize self-determination as an avenue to improve the lives and health of our tribal citizens by creating opportunities, strengthening partnerships and capacity, promoting our culture, and protecting our traditional land and resources..

Contract Support Costs (CSC). Eyak would first like to thank the Subcommittee for its leadership in understanding the reason for and committing to fully funding the IHS and BIA contract support costs for FY2016, and FY 2017, and making funding indefinite and also a separate account in the IHS and BIA budgets. For too many years, the IHS and the BIA have vastly underpaid contract support costs owed to Tribes and tribal organizations and this transformation makes a tremendous difference in helping to ensure that the Indian Self-Determination and Education Assistance Act (ISDEAA) is fully

funded and implemented as Congress so intended. We thank you for listening and responding to Tribes and our requests.

Eyak requests that Congress continue to fully fund CSC and ensure appropriations are ultimately made permanent and mandatory. Under the ISDEAA, the full payment of CSC is not discretionary; it is a legal obligation affirmed by the United States Supreme Court. Eyak maintains its commitment to working with Congress on how to best achieve that goal.

Sequestration. Eyak requests the support of the Subcommittee in amending the Balanced Budget and Emergency Deficit Control Act to exempt Indian programs, such as the IHS and BIA budgets, from sequestration. While we support Congressional efforts to fully exempt Veterans Health Administration (VA) programs from sequestration and to limit state Medicaid grants and Medicare payments to a 2% reduction, Indian health care, as a federal trust responsibility, should be afforded equal treatment to VA programs. A number of members of this Subcommittee and other members of Congress have voiced support for this position and have stated that it was an oversight that Indian budgets were not also included in the exempt category of the Balanced Budget and Emergency Deficit Control Act.

Eyak is concerned that the current FY 2018 funding cap for non-defense discretionary spending is lower than the FY 2017 spending cap. When put in the context of the President's FY2018 budget proposal to raise defense spending by \$54 billion and lower non-defense discretionary spending by a corresponding amount, we are worried that a significant sequestration of funds is likely to occur which would severely impact tribal program budgets. Indian program budgets should be exempt from sequestration.

Village Built Clinics. Eyak would like to thank Congress for its appropriation of \$11 million for tribal health clinic leases in the FY 2017 Consolidated Appropriations bill. These small chronically underfunded remote clinics serves as an essential lifeline for rural Alaskan villages where there is no road system to connect villages to urban centers. We sincerely appreciate your support and thank you for your leadership on this issue.

Eyak also appreciates the House Natural Resources Subcommittee on Indian, Insular, and Alaska Native Affairs holding a hearing on Indian infrastructure needs in Indian Country, and the support and participation of Chairman Emeritus Young in the discussion that focused on the considerable unmet needs of Village Built Clinics. Many of the Village Built Clinics are in extreme disrepair and there is a considerable need for a reserve fund for upkeep and expansion of these essential facilities. In 2015, the Alaska Native Health Board estimated that an additional \$14 million annual appropriation would be needed to fund a replacement reserve to tackle the clinic crisis. Eyak supports increased funding for Village Built Clinics and requests that funding be a separate line item in the IHS budget, recurring funding, and displayed in the Budget Justification to enable better planning and certainty for Tribes.

The \$11 million increase in FY 2017 funding for Village Built Clinics was a major advancement, but that amount does not meet the full need. In 2015, the Alaska Native Health Board estimated that in addition to the existing \$4.5 million base, \$12.5 million is still needed to fund the Village Built Clinics. The FY 2017 funding served as a supplement to the approximately \$4.5 million already being provided to these essential village clinics. Without a separate line item for Village Built Clinics, much of the funding could be distributed to other types of facility leases, leaving the Village Built Clinics falling far short of the necessary funding.

Joint Venture Program. Eyak urges Congress to increase funding for the IHS Joint Venture (JV) program and respectfully requests that the application period reopen in 2018, so that new Tribes can join the program. The JV program leverages both tribal and IHS funding to enable construction and staffing of safe and modern health facilities for Native people. This unique federal-tribal partnership allows the IHS to provide funding for staffing, equipping, and operations, while a participating Tribe covers costs of design and construction. Joint Venture projects have proven to be a successful and vital component of improving access to care and reducing health disparities throughout Indian Country. Eyak would like to invest in a new health facility in the near future and is ready to take this next step in our self-determination efforts as we continue to provide and expand quality and affordable community health care.

Natural Resource Funding. Eyak respectfully asks that Congress increase funding for tribal natural resource management programs to assist Tribes in the management, development, and protection of tribal natural resources. Tribal natural resource programs provide many benefits to a Tribe such as revenue generation, job creation, and the protection of cultural and traditional resources. It is a program that helps fulfill the federal trust responsibility by allowing Tribes to manage their own natural resources in compliance with various regulations and requirements related to land and natural resource management. Increasing funding for these fundamental programs is essential.

Tribal Court Funding. Eyak welcomes the FY 2017 increase for tribal courts located in P 83-280 (PL 83-280) states and asks that this increase continue in FY 2018. We see no greater need across Indian Country than to protect our tribal citizens through public safety and justice initiatives. Eyak has a very active tribal court, but like other Tribes who reside in PL280 states, we consistently struggle with funding. As we work to build, maintain and improve our village infrastructure, a crucial part of that is a well-functioning tribal judicial system.

The BIA has had a long-standing and unjustified policy of not funding tribal courts in PL280 states. The FY 2017, BIA Tribal Justice Support appropriation was \$17.2 million, or about \$7 million over FY 2016 levels and it would provide increases resources for tribal courts in PL180 states. The BIA FY 2017, explanatory language for the Consolidated Appropriations Act explains: "Funding for Tribal justice support is restored to \$17,250,000, of which not less than \$10,000,000 is to address the needs of Tribes affected by Public Law 83-280. The Committees remain concerned about Tribal court needs as identified in the Indian Law and Order Commission's November 2013

report, which notes Federal investment in Tribal justice in “P.L. 280” States has been more limited than elsewhere in Indian Country. The Committees expect the Bureau to work with Tribes and Tribal organizations in these states to fund plans that design, promote, sustain, or pilot courts systems subject to jurisdiction under Public Law 83-280. The Bureau is also directed to formally consult and maintain open communication throughout the process with Tribes and Tribal organizations on how this funding supports the technical infrastructure and future Tribal court needs for these jurisdictions.”

Eyak sincerely thanks Congress and especially Senator Murkowski, for underscoring the significant financial need of tribal courts in PL280 states. We respectfully request that Congress increase funding for our tribal courts to meet the substantial financial need and we also request that Congress continue to urge the BIA to fund PL280 courts in order to promote safe and healthy tribal communities.

In conclusion, and on behalf of the Native Village of Eyak, we thank you for the opportunity to present testimony on some of the high priority needs regarding funding for Indian related programs. Eyak recommends: continued funding for Contract Support Costs at 100% on an indefinite and mandatory basis; exempt the IHS/BIA from sequestration and provide advance appropriations for Native programs; fully fund Village Built Clinic leases at \$17 million and make it a line item in the budget; increase funding and reopen the IHS Joint Venture program; increase funding for tribal natural resource programs; and increase funding for tribal courts located in PL280 states. We appreciate your commitment to Native American people and thank you for your consideration of Eyak’s concerns and requests.