

**"American Indian and Alaska Native Public Witness Hearings on Fiscal Year 2019,"
House Appropriations Subcommittee on Interior, Environment, and Related Agencies**

Chairman Jeromy Sullivan, Port Gamble S'Klallam Tribe – May 9, 2018

Requests:

1. Environmental protection funding: \$28 million for the Puget Sound Geographic Program; \$65 million for the Pacific Coastal Salmon Recovery Fund; and \$26.5 million of the National Estuary Program (including \$600,000 for each estuary of national significance).
2. Full funding for the IHS; Advance Appropriations for the IHS; Restoration of CHRs and Health Education Program; Increase funding for IHS Facilities Construction and Maintenance, opioid efforts, and small ambulatory.
3. Increase BIA Human Services account, especially in ICWA and Social Services
4. Support BIA Public Safety and Justice, especially for tribal court systems.

Introduction. The Port Gamble S'Klallam Tribe is a sovereign nation comprised of over 1,200 citizens located on Kitsap Peninsula in Northwest Washington State. Through the 1855 Point No Point Treaty, we reserved hunting, fishing, and gathering rights, and the United States agreed to provide appropriations for our use and benefit. The United States, therefore, has both treaty and trust obligations to protect our lands and resources and provide for the well-being of our citizens.

Overarching Comments. Thank you for your diligent work, especially in the FY2018 Omnibus, where you restored funding to critical programs, enacted increases, and included helpful report language on many significant issues. We implore you to take this same approach in the face of another Administration budget request that is wholly inadequate for Indian programs. We welcome the Administration's requested overall increase for the Indian Health Service (IHS), but more is needed. Further, the proposed drastic cuts to the Bureau of Indian Affairs (BIA) budget and elimination of important BIA programs flies in the face of treaty obligations and the federal trust responsibility. The request proposes reductions in the very programs tribes have identified through the budget formulation process as highest ranked for needing increases. If such cuts were to be made, our Tribe's treaty-protected rights and our ability to administer essential governmental programs would be significantly undermined.

We also encourage the use of formula funding for Indian programs, not competitive grants. Administering programs by competitive grant funding is inappropriate for meeting the critical needs of Indian Country, as it pits tribe against tribe to compete for limited funds and fosters uncertainty since funding cannot be relied on year-to-year. Further, having our Program Directors spend time pursuing grants takes their energy away from carrying out the critical program duties. Along with the National Congress of American Indians (NCAI), we support proposals that treat tribal governments equitably, such as the proposed set-asides in the Department of Justice. We agree with NCAI that tribal parity should be the principle for all departments and initiatives, including for the opioid epidemic.

Funding for environmental protection /Rights Protection Implementation. Our Tribe depends on the health of Puget Sound's ecosystems in many ways. Subsistence and commercial

harvest of fish, shellfish, wildlife and plants support Tribal members and their families (many of whom are at the federal poverty level), and Tribal and other local businesses rely on income generated by or related to such harvest. Additionally, such activities are crucial for our physical and mental well-being and continuing our culture, because the health of the Puget Sound is directly connected to who we are as indigenous peoples. Our Natural Resources Department is on the front lines of protecting and restoring the resources upon which our treaty-protected rights and our culture depend. Nearly a third of its funding comes from EPA either directly or through other partnerships. We depend on EPA funds for 22% of our Natural Resources Department staff. Cuts to EPA funding would be devastating to our Tribe and would lead to a multitude of economic, social, cultural, and ecological problems, since fish and shellfish stocks are already low compared to historic levels and need protection.

The Puget Sound Partnership, which plays a key role in implementing our recovery plan (developed with extensive partner engagement), is sustained by National Estuary Program base funds with a modest but consistent \$600,000 per year. Additionally, the Puget Sound Geographic Program and the multi-state Pacific Coastal Salmon Recovery Funds (NOAA) have enabled us to focus on salmon recovery that we Puget Sound tribes highly depend upon. The loss of any of these critical funding elements will significantly impact the entire system and seriously disrupt our collaborative recovery efforts.

We urge you to protect EPA, NOAA and BIA budgets and, in particular, to provide: \$28 million for the Puget Sound Geographic Program; \$65 million for the Pacific Coastal Salmon Recovery fund; and \$26.5 million for the nationwide National Estuary Program, including \$600,000 for each estuary of national significance.

We also ask you to reject the President's proposed cuts to the BIA's Rights Protection Implementation account. This program is critical to ensuring proper management of off-reservation harvest, conservation enforcement, and habitat protection activities. Although this program is for treaty rights, our and other tribes' conservation and habitat restoration efforts result in significant benefits not only for us, but for our entire region as well.

Public Safety, Justice and Tribal Courts. We appreciate the substantial FY 2018 increases for BIA Public Safety and Justice. Yet, the Administration's FY2019 budget request, which includes reductions in every line-item in this category, would have a devastating impact on our Tribal Court. Our justice system is our key to addressing increasing levels of violent crime, methamphetamine and opioid abuse, and the community impacts that result. With one judge and one prosecutor, our Court hears approximately 350 cases a year involving child dependency, child support, divorce, domestic violence, vulnerable adults, as well as criminal prosecutions. Our Court Services staff also provide numerous services to the community, including: assistance for juveniles and their families with Court-ordered services; support for children of abuse and their families; help for victims of domestic violence; and aide for addicts who want to get their lives back on track. We rely heavily on the Federal Government for funding for all these programs, including the Tribe's ReEntry program, which has become a national model within Indian Country through funding of a Second Chance Act demonstration grant.

Despite our successes, our Tribal Court requires additional resources to continue functioning efficiently and to address our challenges related to facilities and court administration. We simply cannot afford budget cuts as we move forward to refine court processes and as the case load increases. To strengthen our Tribal Court and Court Services programs, we encourage you to maintain your commitment to public safety and justice on tribal lands, and specifically ask for at least \$350,000 to add to our court programs' budget. We appreciate the \$7.5 million in new opioid funding in the FY2018 Omnibus and ask you to increase this funding in FY2019.

Human Services. The Administration's proposed budget cuts to Social Services, Welfare Assistance and Indian Child Welfare Act would also be devastating. Our Tribe has always been progressive in Indian child welfare. We were the first in the country to operate a Title IV-E Program directly and we are the only tribe with a IV-E Waiver. Our children are our Tribe's future, and we strive to provide them and their families the best services through a support system based on family strengths and individual case plans. We currently receive \$130,885 from the BIA to operate our Indian Child Welfare Program, which pays for one full-time Family Care Coordinator and some training and travel. If the proposed cuts occur, we would lose this FTE, leaving us woefully understaffed in this area, where we already struggle to meet the overwhelming need. Without adequate funding we cannot provide services to meet our families' need for them to succeed, resulting in a cascade of harm to already-vulnerable children. We ask you to reject the proposed cuts and, instead, increase funding for these essential programs.

Indian Health Service. We thank you for your longstanding efforts to adequately fund the IHS programs, including the much-needed increases in FY 2018. Our Tribe has administered health services to its members for over 20 years, and was one of the first tribes to join the Tribal Self-Governance Project in 1990. We are the only Indian health care provider of both primary and behavioral health services in Kitsap County. Our health programs are successful, but we still face significant challenges related to funding, facilities, and program administration. To strengthen our programs, we ask for your support for the following in the FY 2019 appropriations:

Full and Advance Funding. We ask you to support full funding for the IHS to fulfill the United States' obligation to provide Indian health care. We also ask for advance appropriations for the IHS, as this would promote greater stability in services, medical personnel recruitment and retention, and facilities management.

Increase Funding for IHS Facilities Construction and Maintenance. The IHS provides essential funding and technical services to the Tribe for planning, designing and/or building the Tribe's sewer and water systems. Reductions in IHS funding and personnel have made it difficult for the Tribe to receive timely and useful assistance for its projects. We hope recent increases in funding for IHS will help it deliver its services and support more efficient schedules for our projects, but given the dire need, continued increases for this IHS program are crucial. For example, we are seeking IHS funding for two infrastructure projects to support development of much-needed on-reservation housing, to serve the 120 tribal member families currently on our waiting list.

Small Ambulatory Funding. Our vision is integrated, holistic health and wellness, serving the mental, physical, emotional, social, and spiritual needs of tribal members. Currently, our health services are based in four aging, inadequate buildings separated by several miles. This hinders our ability to provide evidenced-based integrated care. Co-locating services will allow practice teams of primary care and behavioral health clinicians to work with patients using an integrated, systematic and cost-effective approach. This broadens our behavioral health care reach and we can intervene before issues develop or worsen. Our planned new health facility will allow us to implement our “circle of care” approach. Construction costs are \$8,062,000. We ask you to support funding for our facility so we can continue and improve our healthcare work.

Community Health Representatives. The President’s budget request proposes to delete all funding for Community Health Representatives (CHRs) and the Health Education Program. CHRs are at the forefront of much of the preventive health that needs to be emphasized in Indian health programs. CHRs are critical in our community: they provide linkage for our most vulnerable tribal members and patients and clinical care. Our CHRs do home visits, assist with nurse case management of elder and diabetes patients, as well as transport home-bound elders to life-saving treatment like dialysis. They also conduct community education, informal counseling, and advocacy. CHRs help adapt individual and group clinical interventions to fit the cultural context of the our tribal community. CHRs are part of our major anti-opioid crisis work, the Tribal Healing Opioid Response (THOR) (discussed below). We ask you to restore both programs and add increases for them.

Special Diabetes Program for Indians (SDPI). We oppose the President’s proposal to change SDPI to a discretionary status as it could lead to a reduction in funding for this critical program that has demonstrated benefits at our Tribe and throughout Indian Country. Please keep SDPI mandatory, make its authorization permanent, and increase its funding to \$200 million or higher.

Opioid Funding. We support the President’s request for \$150 million of pass-through funding from SAMHSA to the IHS for the purpose of addressing opioid issues. Our THOR program is a multifaceted, cross-governmental approach to address increasing rates of opioid dependence, overdose, and other negative consequences stemming from opioid use. THOR is proactive, and we have seen many successes from it to date, but we need more funding and resources to combat an ever-evolving crisis. We also joined a tri-county group and the state to strengthen collaboration with partners in the community to fight the opioid battle on all fronts. Funding for THOR and programs like it in Indian Country is essential to combating the nationwide opioid crisis. We, therefore, support the President’s proposal for additional opioid monies at IHS.

Education. We oppose President’s proposal to reduce funding for the Johnson O’Malley program. This program is one of the only funds dedicated to the education of Indian people and provides critical services that state funding doesn’t cover with our students. Providing extra help on core subjects is vital to our students’ success and removing this funding would have a definite negative impact to the services we provide our kids.

Conclusion. Thank you again for your work on behalf of Indian Country. We ask you to reject the President’s proposed cuts once again and provide sufficient funding for Indian programs.