

**TESTIMONY OF ANNETTE BRYAN
COUNCILWOMAN OF THE PUYALLUP TRIBE OF INDIANS
BEFORE THE HOUSE APPROPRIATIONS
SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED
AGENCIES ON THE BIA, BIE AND IHS FY 2024 FUNDING LEVELS
March 3, 2023**

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 nearly 6000 Puyallup tribal members and the 25,000 plus members from approximately 355 federally recognized Tribes who utilize our services.

The Puyallup Tribe operates healthcare, social services, law enforcement and corrections, education, and a myriad of other programs and services for our Tribal citizens and individuals within our program and service areas. These programs depend on continued resources and support through federal appropriations – which reflect the federal trust and treaty obligations to American Indian and Alaska Native people and tribes.

Department of Health and Human Services – Indian Health Service

The Puyallup Tribe has operated a healthcare program since 1976 through the Indian Self-determination Act, P.L. 93-638. The Puyallup Tribal Health Authority (PTHA) operates a comprehensive ambulatory care program serving 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. This the full funding of the Purchased and Referred Care (PRC) program is critical to ensuring that Indian people in the Northwest receive adequate health care. The Pandemic highlighted this need, because the hospitalized care our COVID-19 patients needed was paid for by PRC.

The Puyallup Tribe wants to thank the Committee for providing advance appropriations for the Indian Health Service for FY 2024. The FY 2020 government shutdown underscored the need for this change. The delays in funding had deeply-felt impacts in tribes' ability to provide health care to our people.

We also strongly support the initiative to make contract support costs and 105(l) lease costs and contract support costs mandatory costs so that they do not continue to stress

the limited funding allocation that the Subcommittee receives. This is the first important step to making all the Indian Health Service's funding mandatory.

Regarding Contract Support Costs, we remain concerned that the Indian Health Service is seeking to undermine its obligation, which has now been confirmed twice by the U.S. Supreme Court, to pay full contract support costs, by categorizing certain necessary costs/activities as "Secretarial activities," and refusing to pay contract support costs for these activities, which are and have always been considered contract support cost activities for which Tribes have received CSC payment. For this reason, we support H.R. 409, which clarify the law on this matter.

Department of Interior – Bureau of Indian Affairs

We strongly support increased funding for the Bureau of Indian Affairs and Bureau of Indian Education. This funding is to focus on the most critical needs of Indian country the safety of: our children, our families, and our environment.

Public Safety & Justice: The Tribe's top priority is public safety and justice. The lack of financial resources is a significant barrier to the provision of effective public safety services in Indian country. The Bureau of Indian Affairs only provides \$640,580 for our Tribal law enforcement services contract, this amounts to 8% of the Tribe's total level of need. The Tribe can supplement these resources, so that we are able to have a Chief of Police, and 23 commissioned officers and 2 reserve officers. We currently have seven police officer positions vacant. We like many law enforcement agencies throughout America are having difficulty filling vacant positions.

These officers are charged with the service and protection of the entire 40 square miles of the Reservation and the usual and accustomed areas where we exercise our Treaty protected hunting and fishing rights. The Puyallup Reservation encompasses most of the City of Tacoma, as well as parts of five other different municipalities (Fife, Milton, Puyallup, Edgewood and Federal Way). Furthermore, Interstate 5 runs through the Puyallup Reservation and is a known drug and human trafficking corridor. Our officers are tired, and they need reinforcements.

Detention and corrections funding remains of critical importance to the Puyallup Tribe. The Puyallup Tribe has a 28-bed adult corrections facility. Again, we worked closely with the OJS on an agreed upon operating cost of this facility at \$2.7 million. However, the BIA provides only \$771,000, approximately 26% of what the Tribe needs to run the facility.

In addition, we operate a Tribal Court program. Our base BIA funding for this program has largely remained stagnant for the last two decades. In FY 2023 we received \$207,066. All the while, our justice systems have improved to include law trained trial and

appellate judges, prosecutors, and public defenders. Our caseloads, including criminal, civil and Indian Child Welfare Act have also increased. Increased funding for Tribal courts is critical as we are working to exercise our jurisdiction over non-Indians who commit domestic violence and other violent crimes within our jurisdiction.

Natural Resources Management: The Puyallup Tribe is the steward for the land and marine waters of our homeland, including our usual and accustomed fishing places and shellfish and wildlife areas. The United States has treaty, trust, and governmental obligations and responsibilities to manage natural resources for uses that are beneficial to the tribal membership and regional communities. Our resource management responsibilities cover thousands of square miles in the Puget Sound with an obligation to manage production of anadromous, non- anadromous fish, shellfish and wildlife resources. Unfortunately, despite our diligent program efforts, the fisheries resource is degrading, causing economic losses on Native and Non-native fishermen, as well as the surrounding communities.

Existing levels of appropriations are simply inadequate to reverse the trend of resource/habitat degradation in Puget Sound and other areas. A minimum funding level of \$17.146 million is necessary for the BIA Western Washington (Bolt) Fisheries Management program, and we urge the Subcommittee to meet or exceed this amount for FY 2024 appropriations. Any increase in funding would provide new monies for shellfish, groundfish, enforcement, habitat, 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 also operates several salmon hatcheries in our territory. These hatcheries benefit both Indian and non-Indian commercial and sport fisheries. We work cooperatively with the Northwest Indian Fisheries Commission, neighboring tribes, federal agencies and state fishery managers to ensure the success and sustainability of our hatchery programs. We urge Congress to increase funding to these important facilities.

Finally, the Timber, Fish and Wildlife (TFW) Supplemental and U.S./Canada Pacific Salmon Treaty programs have allowed for the expansion of Tribal participation in the state forest practice rules and regulations, as well as allowed Tribes to participate in inter-tribal organizations to address specific treaties and legal cases relating to multi-national fishing rights, harvest allocations, and resource management practices. This funding must be continued.

One area of critical importance is the need to provide additional resources to fund natural resource infrastructure to ensure that our Natural Resource Programs have the facilities they need to operate.

Operations of Indian Programs & Tribal Priority Allocations: The Tribal Priority Allocations (TPA) account within the Operations of Indian Programs include the majority of funding used to support ongoing services at the “local tribal” level, including natural resources management, child welfare, education, 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 have not been adequate to keep pace with inflation. The Puyallup Tribe requests that the Subcommittee increase funding for the Operation of Indian Programs and TPA to ensure program stability and operations as the needs of our tribal members increase.

Bureau of Indian Education. The Puyallup Tribe operates the pre-K to 12 Chief Leschi School, including the ECEAP and FACE programs, with an enrollment of 640 + students. The costs of operating this school – including staff, supplies, and student transportation – continue to increase. Unfortunately, the amounts that Congress has appropriated are not keeping-up with inflation, let alone sufficient to allow us to dedicate additional resources to improving the education outcomes for our children. We are treading water and if more assistance is not provided, we may begin to drown.

Chief Leschi is also in need of serious maintenance and repair funding. Our air ventilation and heating and cooling systems are thirty years old and way past their useful life. We urge the Committee to provide sufficient funding to address the critical maintenance and repair needs throughout the BIE school system.