

**Testimony of Jeffrey Gill, Councilor, Seneca Nation**

American Indian and Alaska Native Public Witness Days

House Appropriations Committee, Subcommittee on Interior, Environment and Related Agencies

May 7, 2024

On behalf of the Seneca Nation, thank you for providing an opportunity to give comments on the fiscal year 2025 budget for the Interior Department, Environmental Protection Agency and Indian Health Service. My remarks today will focus on the need for targeted funding within the Indian Health Service budget to combat the opioid and fentanyl crisis. Additionally, I will address the need for increased funding for the Clean Water Act's Section 106 Pollution Control program within the Environmental Protection Agency, which the Seneca Nation relies upon.

The Seneca Nation is one of the largest of the six Native Nations from the historic Iroquois Confederacy, a democratic government that predates the formation of the United States. We are located in what is now called Western New York State. We have over 8,500 enrolled members, most of whom reside on or within fifty miles of our multiple non-contiguous territories. Our territories span four counties: Erie, Cattaraugus, Chautauqua, and Niagara. Our judicial system is comprised of a Peacemakers Court that focuses on civil matters, a Surrogates Court that oversees probate matters, and a Court of Appeals. The primary enforcers of Seneca Nation laws are the Seneca Nation Marshals and Conservation Officers. The Nation does not have its own criminal code or criminal laws and the Nation's Courts do not process any criminal complaints. Federal and state law enforcement officials share authority under federal law to exercise criminal jurisdiction over the Nation's territories, but their limited resources and competing interests often mean that the enforcement of criminal laws on Seneca Nation territories may not receive the same attention as neighboring off-territory communities.

The Seneca Nation supports the federal policy of self-determination for Native Nations, and we receive our federal funds for the Bureau of Indian Affairs and Indian Health Service programs through self-governance compacts. Doing so allows us to have more flexibility in how we can use such funds to address our unique needs, but it often makes it difficult to advocate to Congress on our specific needs as increasing funding for one program will not necessarily increase funding for our self-governance compact.

**Funding to Combat the Opioid and Fentanyl Crisis within the Indian Health Service.** Like other Native Nations, the Seneca Nation experiences drug-related challenges and a surge in opioid abuse and fentanyl related overdoses and deaths. The Seneca Nation shares many of the same experiences as other Native Nations when it comes to these drug epidemics. Our lands are in rural areas, our people suffer from intergenerational trauma, and our communities and governments are still recovering from broken treaties and promises made by the United States. We believe that our territories and people are being specifically targeted by drug cartels and dealers because of jurisdictional complexities and a lack of resources. Our territories border the State of Pennsylvania and are close to the Canadian border, and we are positioned in a main corridor to access New York City. Thus, drug dealers seeking to smuggle drugs into New York city often target the Seneca Nation territories as places to set up shop for strategic access.

No family in our Nation has been spared from the heartache of opioid and fentanyl abuse. We have had instances where babies are born addicted to opioids and our community must watch these babies go through the detox process. Many of our children have lost their parents due to overdoses, and many more watch their parents struggle with active addiction. These situations place additional burdens on extended families and our foster care system who must now care for these children.

The effects of addiction and loss ripple through our community. Like other Native Nations, our community feels like an extended family, and we are all connected. Thus, deaths affect all of us – neighbors, friends, and family. Over the past 10 years, the number of funerals in our community has increased tremendously and the devastation that untimely and unnecessary deaths leave behind is often unbearable. Between 2015-2020, there were 110 documented overdoses on two of our territories. There have been so many funerals within our community over the past year that a group of Senecas formed a grass roots organization to help grieving families. It is the custom and tradition of Seneca people to bring the bodies of our loved ones home when they pass away so that our community may care for them with traditional ceremonies. This can involve hundreds of people coming to a home to participate in the ceremonies and grieving process. Since most homes cannot fit this many people, large canopies, tables, and chairs are set up outside the home to accommodate the number of mourners who visit throughout the day and night. Given the increased number of funerals in our community due to the opioid and fentanyl crisis, the grass roots organization also provides resources to Seneca families for the mourning process and provides grief support.

There is no single solution to the fentanyl crisis, and we must take a holistic approach to solving the problem and its root causes. A holistic approach means that we need to focus on supporting cultural practices, mental health, detoxification, and treatment, in addition to law enforcement. We need federal funding to address these issues and the flexibility to develop comprehensive community-based programs in a culturally relevant manner.

We have seen success in combatting opioid and fentanyl use through our behavioral health services and programs like *Seneca Strong* and peer recovery programs. *Seneca Strong* focuses on drug and alcohol prevention and recovery, utilizing peer outreach and recovery support models such as our drop-in center, and providing individuals with access to support groups and local 12-step programs. We have also found success by increasing the availability of Narcan and educating people on how to use it. However, our success is limited because we simply do not have sufficient funds to make these resources available to everyone who needs them.

No one knows how long this opioid and fentanyl crisis will be with us, but we do know that we need more funding to address the problem. And we know that Native Nations are on the front lines of the battle and are disproportionately impacted more than any other community. In 2022, the Centers for Disease Control and Prevention identified fentanyl poisoning and overdoses as the number one killer of Americans ages 18-45. The agency further stated that the overdose death rate for Native Americans is higher than in any other racial or ethnic group.

The Committee already provides funding for Alcohol and Substance Abuse programs, which are very important to our communities. But we believe there needs to be specific funding provided

to help Native Nations combat the current opioid and fentanyl crisis. Thus, we ask the Committee to **identify and set aside funding in the fiscal year 2025 appropriations bill specifically to help Native Nations combat the opioid and fentanyl crisis** in our communities.

Every Native Nation is unique and what works for one Nation may not work for another. At the Seneca Nation, we find that culturally adapted treatments are most successful at combatting these drug addictions. So, we thank the Committee for including in your report for fiscal year 2024 language regarding *Culturally Adapted Treatments for Substance Use Disorders* and ask that you expand upon that language in your report for fiscal year 2025 by directing the Indian Health Service to also partner with Native Nation health departments to promote culturally responsive care. We also ask that the Committee direct the Indian Health Service to include Native Nation health departments in any partnerships that the agency is able to develop with academic institutions and medical facilities so that we can also learn and leverage any new data and methods immediately.

Native Nations are at war against opioids and fentanyl, and we need every available tool to help us in this battle.

As a part of the Seneca Nation's commitment to taking an active role in addressing opioid/fentanyl abuse and its root causes, we are hosting the World Indigenous Suicide Prevention Conference in July. This will be the first time the Conference will be held in the United States. The data available shows that opioid and fentanyl use is directly related to suicides in Indian Country. It would be great if the Indian Health Service and other federal agencies can participate in this Conference and the dialogue about culturally appropriate strategies to combat the crisis.

Lastly, the Seneca Nation thanks the Committee for providing advance appropriations for the Indian Health Service. As you have heard, some of us Native Nations are combatting serious health issues. It is incredibly helpful to not have to worry about federal government shutdowns interrupting the work we are doing on a daily basis. So, thank you, again, for the advance appropriations for the Indian Health Service.

**Funding for the Clean Water Act Section 106 Pollution Control Program within the Environmental Protection Agency.** The Seneca Nation, like many other Native Nations, relies on funding we receive from the Clean Water Act Section 106 program. These funds are used to help us develop, maintain, and expand our water quality programs. We use the funds to assess the quality of the water within our territories and to control, prevent and eliminate any pollution. The base funding we receive from this program is used primarily for water quality monitoring and educating our citizens about water quality issues.

The Section 106 program is beneficial because each Native Nation that applies for the program will receive some funding so long as they meet the standards required by law. This is great because Native Nations do not have to compete for base funding from the program. But it is a problem because more Native Nations are applying for the program, but the funding is not increasing to match the demand. This means that our base funding is decreasing each year. This results in diminishment of our capacity to conduct adequate water quality monitoring and

assessment and implementation of the Water Quality Standards. It also diminishes our capacity to sample and gather data. This is such a fundamental program for Native Nations. So, we ask the Committee to **increase funding for the Section 106 Pollution Control Grant** to better accommodate the increased number of Native Nations participating in the program.

Thank you again for providing the opportunity to share comments on behalf of the Seneca Nation.