

TESTIMONY OF THE PUYALLUP TRIBE OF INDIANS
COUNCILMAN DAVID Z. BEAN
BEFORE THE U.S. HOUSE
APPROPRIATIONS SUBCOMMITTEE ON
INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
BIA AND IHS
FISCAL YEAR 2015
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Mr. Chairman and members of the Subcommittee, thank you for the opportunity to provide testimony on the FY 2015 appropriations for American Indian and Alaskan Native programs. My name is David Z. Bean, Tribal Council Member for the Puyallup Tribe of Indians. 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 4,416 Puyallup tribal members and the 25,000 plus members from approximately 355 federally recognized Tribes who utilize our services. The Puyallup Reservation is located in the urbanized Seattle-Tacoma area of the State of Washington. The 18,061 acre reservation is a "checkerboard" of tribal lands, Indian-owned fee land and non-Indian owned fee land. Our reservation land includes parts of six different municipalities (Tacoma, Fife, Milton, Puyallup, Edgewood and Federal Way).

The following written testimony being submitted to the U.S. House Appropriations Subcommittee documents the Puyallup Tribe's views on the President's FY 2015 Federal Budget. The focus of the written testimony will be on the President's proposed budget for the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS). Within the BIA budget, *\$2.565 billion is proposed for FY 2015, an increase of \$34 million above the FY 2014 levels.* For the IHS, *\$6 billion is proposed, an increase of \$200 million over the FY 2014 enacted level.* Included in both budgets the President proposes to fully fund Contract Support Costs (CSC) in FY 2015. The budget provides \$251 million for BIA CSC and \$617 million for IHS CSCs. We appreciate the increased funding being proposed for the BIA and IHS and funding CSCs at 100%. However, the years of inadequate funding and the effects of inflation has impacted the Tribe's ability to fully exercise self-determination and self-governance. As negotiations proceed on the FY 2015 budget and future appropriations, efforts to insure adequate funding is provided for Indian programs will be paramount. To preserve the increased funding levels realized in recent years and contained in the proposed FY 2015 budget for the BIA and IHS, the increases should be viewed by Congress and the Administration as new "*base funding*" amounts with annual increases to meet actual need. Specific issues and needs are;

Department of Interior – Bureau of Indian Affairs

Public Safety & Justice: The *FY 2015 Budget request includes \$353.8 million for BIA Public Safety & Justice.* This represents a *\$8.4 million increase* over the FY 2013 enacted level which is fully supported by the Puyallup Tribe. The *\$88.1 million for Tribal and BIA detention and corrections funding is of great importance to the Puyallup Tribe.* Within this amount, *\$6.3*

million increase is directed to fund operations and O&M costs at newly-constructed facilities. While this increase is supported by the Puyallup Tribe, it is of concern that current and ARRA funded facilities will remain understaffed. It is estimated that 373 positions are needed to fully staff existing direct service facilities and P.L. 93-638 contracted facilities. The Department of Justice funded 13 tribes for the construction and/or expansion of detention facilities. According to the BIA Greenbook, five new or expanded facilities will become operational by the end of FY 2013. It is estimated that 186 additional staff will be needed to operate these facilities. In FY 2009, the Puyallup Tribe received a Department of Justice ARRA grant, in the amount of \$7.9 million to construct a 28 bed adult corrections facility. Construction on the facility commenced in the last quarter of FY 2012 and in February 2013, the Tribe received a “temporary” Letter of Occupancy from the BIA. The facility will be fully operational in May 2014. Over the past three (3) years the Puyallup Tribe has been working closely with the BIA-Office of Justice Services National and Regional staff on identifying the future operating and staffing costs associated with the Puyallup Tribe’s new adult corrections facility. The Puyallup Tribe has submitted a P.L. 93-638 contract request to the B.I.A. for Operations and Maintenance funding for the new facility, including Pre-Award, Start-up, Transitional funding, Staffing and O&M funding. We support the President’s proposed FY 2015 funding of \$94.483 million, for Detention & Corrections, an increase of \$445 thousand above the FY 2014 level. Further, we are requesting support from the Subcommittee on our contract request to the B.I.A. for the O & M funding for the Tribe’s Adult Corrections facility, estimated at \$3.6 million annually. Further, the Puyallup Tribe requests the Subcommittee support to increase funding for BIA Detention/Corrections by \$32.2 million to reflect actual funding need. In addition, we operate a Tribal Court program through a P.L. 93-638 contract with the B.I.A. In FY 2014, our base funding was increased from \$45,000 to \$194,996 and remains this amount for FY 2015. While this increase to our Tribal Court Base funding is appreciated, it does not equal the amount of tribal funds necessary to fully operate the Tribal Court program. In FY 2014, the Tribe has allocated \$1.172 million of tribal funds for the Tribal Court budget. We are requesting support from the Subcommittee to fund our Tribal Court program at 100% level of need.

Natural Resources Management: The Puyallup Tribe as stewards for land and marine waters in the Usual and Accustomed fish, shellfish and wildlife areas has treaty and governmental obligations and responsibilities to manage natural resources for uses beneficial to the tribal membership and the regional communities. Despite our diligent program efforts, the fisheries resource is degrading and economic losses are incurred by Native and Non-native fishermen and surrounding communities. Our resource management responsibilities cover thousands of square miles in the Puget Sound region of the State of Washington with an obligation to manage production of anadromous, non-anadromous fish, shellfish and wildlife resources. Existing levels of support are inadequate to reverse the trend of resource/habitat degradation. For FY 2015, \$8.562 million is provided for BIA Western Washington (Bolts) Fisheries Management, a small increase over the FY 2014 enacted level of \$8.532. The Puyallup Tribe supports the proposed FY 2015 funding for the Western Washington (Bolts Decision) Fisheries Management. However, we agree with the Northwest Indian Fisheries Commission (NWIFC) that increased funding is needed for the Western Washington (Bolt Decision) Fisheries Management. 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 continues to operate a number of

salmon hatcheries that benefit Indian and non-Indian commercial and sport fisheries in the Pacific Northwest/Puget Sound. We work cooperatively with the Northwest Indian Fisheries Commission, neighboring tribes, Federal agencies and state fishery managers to insure the success and sustainability of our hatchery programs. The Puyallup Tribe will continue to advocate and secure increased funding for Fish Hatchery Operations and Maintenance funding. The President's FY 2015 budget contains \$1.775 million for Fish Hatcheries Operations and \$6.582 million for Fish Hatchery Maintenance, both of which are equal to the FY 2014 level. *The Puyallup Tribe supports the proposed FY 2015 funding for these programs. However, we are in agreement with the NWIFC recommendation additional funding is necessary for the Fish Hatchery Operations and Maintenance programs.* The Timber, Fish and Wildlife (TFW) Supplemental and U.S./Canada Pacific Salmon Treaty programs has allowed for the expansion of tribal participation in the state forest practice rules and regulations and participation in inter-tribal organizations to address specific treaties and legal cases which relate to multi-national fishing rights, harvest allocations and resource management practices. *We request Subcommittee support of the President's FY 2015 request of \$2.745 million for the TFW Supplemental program, above the FY 2014 enacted amount of \$2.736.* The Puyallup Wildlife Management program has been the lead agency in management activities to benefit the South Rainier elk herd since 2004. The South Rainier elk herd is the primary stock of elk harvested by the Puyallup Tribe. The Tribe has not only established more reliable methods for population monitoring, but has also been proactive in initiating habitat enhancement projects, research and land acquisition to ensure sustainable populations of elk for future generations. Funds that are available to the Tribe have been on a very competitive basis with a limited amount per program via USFWS Tribal Wildlife grants and the B.I.A. Unresolved Hunting and Fishing Rights grant program. *We request Subcommittee support to provide base funding to the Tribes Wildlife Management Program in the amount of \$150,000 through the B.I.A. Unresolved Hunting and Fishing Rights program in FY 2015 Appropriations.*

Education: The Puyallup Tribe operates the pre-K to 12 Chief Leschi Schools which included a verified 2013-2014 School student enrollment of 910 + students, including ECEAP and FACE programs. With an increasing number of pre-kindergarten enrollment, Chief Leschi Schools will exceed design capacity in the near future. Additional education facility space will be required. Additional, the cost of operation and maintenance of the Chief Leschi School facilities continues to increase in the areas of supplies, energy and student transportation costs. The FY 2015 Budget request for the Bureau of Indian Education (BIE) is \$794.4 million, an increase of \$5.6 million over the FY 2014 enacted level. While this increase is appreciated, once again the funding level does not meet the actual operational needs of tribal education programs. The Tribe will continue to work with Congress, BIE and the National Congress of American Indians to increase funding in FY 2015, including; *Tribal Grant Support Cost for Tribally Operated Schools - \$73 million; Student Transportation - \$73 million; School Facilities Accounts - \$109 million in facilities operations and \$76 million in facilities maintenance; and Indian School Equalization Formula (ISEF) - \$431 million.*

Operations of Indian Programs & Tribal Priority Allocations: The President's F.Y. 2015 budget is in drastic need for increased funding for the B.I.A. Operations of Indian Programs. Within the Operations of Indian Programs is the Tribal Priority Allocations (TPA). The TPA budget functions include the majority of funding used to support on-going services at the "local tribal" level, including; natural resources management, child welfare, other education, housing

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 has not been adequate to keep pace with inflation. *The Puyallup Tribe is requesting support from the Subcommittee to fund the Operation of Indian Programs at the F.Y. 2015 request of \$2.4billion, an increase of \$33.8 million over the FY 2014 enacted level, and TPA at \$922.6 million for FY 2015, an increase of \$19.3 million over the FY 2014 level.* We further request support from the Subcommittee to increase funding for Indian Child Welfare (TPA) by \$45 million; Increase Urban Indian Child Welfare programs by \$15 million; and increase B.I.A. Child Welfare Assistance by \$55 million.

Department of Health and Human Services – Indian Health Service

The Inadequate funding of the Indian Health Service is the most substantial impediment to the current Indian Health system. The Puyallup Tribe has been operating healthcare programs since 1976 through the Indian Self-determination Act, P.L. 93-638. The Puyallup Tribal Health Authority (PTHA) operates a comprehensive ambulatory care program to 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. The Contract Care allocation to PTHA has been significantly inadequate to meet the actual need since F.Y. 2004 when the Puyallup Tribe subsidized Contract Health with a \$2.8 million dollar contribution. By F.Y. 2013 the tribal subsidy had reached a staggering \$6.4 million dollars. Given that the PTHA service population is only comprised of 17% Puyallup Tribal members, tribal budget priorities in F.Y. 2011 thru 2014 has made continued subsidies to the PTHA financially difficult for the Puyallup Tribe. *The FY 2015 Budget requests \$4.36 billion in discretionary budget authority for the Indian Health Service. This represents a \$200 million increase over the FY 2014 enacted level. For Health Services programs the FY 2015 budget requests funding for Clinical Services (\$4.4billion), Purchased/Referred Care (\$929 million), Medicaid (\$850 million) and Contract Support (\$617 million).* The Puyallup Tribe fully supports funding increases for existing I.H.S. programs and will work Congress to continue efforts to increase funding for I.H.S. and the critical programs administered by this Agency.