

**TESTIMONY OF VICE-CHAIRMAN JOSEPH PAVEL
THE SKOKOMISH TRIBE OF WASHINGTON STATE
BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE
ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
FISCAL YEAR 2015 APPROPRIATIONS
APRIL 8, 2014**

I am Joseph Pavel, Vice-Chairman of the Skokomish Tribe of Washington State. I would like to thank the Subcommittee for the opportunity to present testimony on the FY 2015 appropriations for American Indian/Alaska Native programs within the Interior Department, Indian Health Service, and Environmental Protection Agency. The Skokomish Indian Tribe is responsible for providing essential governmental services to the residents of the Skokomish Indian Reservation, a rural community located at the base of the Olympic Peninsula with a population of over 2,000 people, including approximately 700 Tribal members. The Tribe provides services through various departments – Tribal Administration, Community Development, Information Services, Early Childhood Education (including Head Start), Education, Health Clinic, Housing, Legal, Natural Resources, Public Safety, Public Works, and Tuwaduq Family Services. Adequate federal funds are critical to the Tribe’s ability to address the extensive unmet needs of our community.

I. BUREAU OF INDIAN AFFAIRS

Law Enforcement. We support the President’s proposal to increase funding for BIA Public Safety and Justice Programs. The Skokomish Department of Public Safety (SDPS) provides 24/7 law enforcement services for the Tribe. SDPS is responsible for patrolling and enforcing justice both within the Tribe’s 5,300-acre Reservation, and throughout the Tribe’s 2.2 million-acre Treaty area where the Tribe has Treaty-protected hunting, fishing, and gathering rights.

But current law enforcement staff is wholly inadequate to meet need. Domestic violence and substance abuse critically impact the Tribe. The Skokomish Tribe also hosts visitors from the surrounding communities as well as a large tourist trade. This is the avenue through which narcotics are brought into the Reservation. With the drug trade comes many other associated undesirable issues – theft, burglary, and poaching, to name a few. There is a sense of helplessness in the community, resulting in crimes often going unreported. SDPS does not have the resources to effectively stem the tide of this illicit activity.

But with only 6 officers available for day-to-day patrol duties, individual officers often work alone. Understaffing exposes both the community members in need of assistance and SDPS officers to undue danger. Vacancies due to illness, training, and other leave force the Chief of Police to handle patrol duties. Budget limitations severely restrict overtime. Often gaps in shift coverage go unfilled relying on an “On Call” response. This gravely increases the risk to the safety of the community and creates service gaps affording opportunities for increased criminal activity. A memorandum of understanding with the Mason County Sheriff’s Office helps to fill some of these gaps on an as-needed basis. However, the costs are significant and there are times when a Deputy simply is not available.

For the Skokomish Tribe to ensure safety, service, and protection of the community, an immediate and dramatic increase in staff is needed. To properly carry out its responsibilities for community policing, crime prevention, and investigations, SDPS needs another 4 officers. The

Tribe simply cannot provide these resources so necessary for the protection of our community without the additional funding assistance of the Federal government.

Tribal Courts. Our Tribal Court benefitted from funding provided in 2012 through the Department of Justice's Coordinated Tribal Assistance Solicitation (CTAS). CTAS allowed the Tribal Court to develop and begin to implement a plan for a restorative justice-based court system to address the needs of the community and ensure that due process rights are protected. Our 2014 community assessment survey indicates that implementation of the new process increased community confidence in the Court two-fold. As we seek a continuation of funding under CTAS, we join NCAI in its request for a 7% Tribal set-aside from all discretionary Office of Justice Programs to address Indian country public safety and tribal criminal justice needs. Related to funding provided through the Department of Justice, we urge Congress to increase Tribal Court funding provided through the BIA. While the President's FY 2015 budget would keep BIA Tribal Court funding at the same level, increased BIA funding for Tribal Courts is essential.

Natural Resources. We urge Congress to increase funding for Trust-Natural Resources Management programs. Adequate funding to foster sustainable stewardship and development of natural resources and support fishing, hunting, and gathering rights on and off-reservation, is essential to our people who depend on natural resources for their livelihood.

For example, the Pacific Salmon Treaty grant supports the Tribe's federally mandated salmon sampling program. Throughout the entire salmon season, and to ensure proper management of the resources, we must collect scale and coded-wire tag samples from Chinook and coho, and scale samples from chum on 20% of our catch. This information is used to determine run size and allows fisheries managers to properly structure the fisheries. Current funding levels have been sufficient to achieve this goal; however, without appropriate funding increases for this program, it will become very difficult, if not impossible, for the Tribe to ensure the safety of ESA-listed salmon which may result in a loss of a Treaty-reserved resource and our members' ability to support themselves from that resource. We urge Congress to increase funding for this vital program.

Adequate funding for hatchery cyclical maintenance funds is also invaluable. Because of habitat destruction, the only reason we continue to have salmon for Treaty-harvest activities is the operation of salmon hatcheries. But tribal hatcheries are underfunded and without sufficient funds for maintenance, the facilities deteriorate each year. In short, adequate funding for hatchery maintenance is imperative to prevent this important pillar of salmon restoration from crumbling away.

A few years ago the Tribe was able to cobble together a wildlife program consisting of one biologist and one technician. The program was partially funded by Timber, Fish, and Wildlife funds (about \$95,000) with the Tribe supplementing the program by another \$35,000. However with budget cuts in FY 2014, the Tribe was forced to support this program entirely with Tribal money. Wildlife program funds are needed, not only to support biologists, but also to staff three dedicated wildlife enforcement officers who will enforce the Tribe's regulations and prevent poaching of the Tribe's wildlife resources. The Tribe needs additional funding in the amount of \$240,000 to have stable funding for a complete wildlife program and we urge Congress to increase appropriations for natural resources to allow for such to occur.

The Tribe has been under attack by shellfish growers who blatantly steal the Treaty-protected oyster and clam resources in Hood Canal. It is imperative that the federal government provide

financial support so the Tribe may increase its enforcement presence and seek reparations through the courts. Shellfish issues are often overlooked because of the popularity of salmon, but the availability of this equally-important resource to the Tribe is dwindling, and action must be taken now to prevent a further decline. We suggest an additional 200,000 for shellfish management and rights protection in FY 2015.

Contract Support Costs - BIA and IHS. We are pleased to see that the President's budget fully funds Contract Support Costs (CSCs) estimates for FY 2015 and removes last year's controversial provisions to cap CSC payments and we urge Congress to implement this.

II. INDIAN HEALTH SERVICE (IHS)

The Skokomish Tribe supports the President's FY 2015 budget proposal for an overall funding increase of \$200 million for the Indian Health Service. We further support the statement by NCAI in the FY 2015 Budget Request that such budget should support Tribal Self-Determination, uphold the Federal Government's partnership with Tribes to improve Indian Health, and work to reduce health disparities for Native people.

One area that we urge be increased is the Sanitation Facilities Construction Program. The Skokomish Tribe has a project to review the potable water supply in the core reservation area where a majority of our members live. Although the project was awarded two years ago, it has been put "on-hold" and delayed indefinitely due to budget cuts. But safe drinking water is essential to our members and funding should be increased to allow this vital program to operate.

As we are all aware, IHS funds have never been sufficient to meet Indian health needs and with the recent budget sequestrations, the cuts run deep leaving us to cut services or programs to meet the more urgent health needs of our people. We started FY 2014 with \$200,000 less than the previous two years, which badly hurt our people.

Currently we operate a small ambulatory clinic with a staff of 28 people. With inadequate funding, we focus on the daily needs of each individual who walks through our doors. We see those who seek medical care manifested by an unhealthy life style that enhances their health disparities. If we could focus on prevention in each individual we serve, perhaps we can start the healing journey towards a healthy, drug and alcohol free community. Health prevention takes funding. We envision a Wellness Center where we employ healers such as nutritionists, massage therapists, naturopathic providers, diabetic prevention, and tribal healers who have a healing spirit for those who enter the doors towards prevention.

It is with sadness I bring up the devastating effects we see from the use of illegal drugs not only on our reservation, but in all our surrounding communities. We see our youth participating in the illegal use of drugs at an alarmingly young age. The National Institute on Drug Abuse reports nearly half of young people who inject heroin surveyed in three studies reported abusing prescription opioids before starting to use heroin. Heroin becomes cheaper and more readily available to the user.

Our chemical dependency program reports the rise in the use of heroin in all ages at an alarming rate. We struggle to find the resources to adequately address the treatment and long term needs of those addicted. We see the need for more long term care facilities to address the needs of those addicted. The current in-patient treatment process (of 30 to 45-days) does not provide adequate time to be healed, and our patients often slip back into addiction.

Something is definitely wrong when we see funding cuts nationwide to mental health programs. Many turn to substance abuse due to mental health issues that might have been avoided with adequate mental health resources.

The FY 2015 budget included \$85 million for health care facilities construction. We respectfully ask for this continued priority of putting a high emphasis surrounding the need for additional facilities for chemical dependency and mental health services. We see the devastation to our community members as well as their families and we need help in stopping it.

As a Tribally ran clinic, we provide direct care services as well as purchased/referred care, formerly known as contract health care. In 2003, Congress amended the Medicare law to authorize the Secretary of Health and Human Services to establish a rate cap on the amount hospitals may charge IHS and tribal health programs for care purchased from hospitals under the PRC program. Hospital services represent only a fraction of the services provided through the PRC system. Tribes routinely pay fully billed charges for non-hospital services, which may include orthopedic specialists, or any specialty physician services. The IHS PRC program may be the only federal government entity that does so; neither the VA nor the DOD pay full billed charges for health care from outside providers. Nor do insurance companies, including those with whom the federal government has negotiated favorable rates through the Federal Employee Health Benefits program.

III. NATIONAL PARK SERVICE, TRIBAL HISTORIC PRESERVATION PROGRAMS

In 1995, Congress began encouraging tribes to assume historic preservation responsibilities as part of self-determination. These programs conserve fragile places, objects and traditions crucial to tribal culture, history and sovereignty. As was envisioned by Congress, more tribes qualify for funding every year. Paradoxically, the more successful the program becomes, the less each tribe receives to maintain professional services, ultimately crippling the programs. In FY 2001, there were 27 THPOs with an average award of \$154,000. Currently there are 155 tribes operating the program, each receiving less than \$47,000 which is barely enough to fund one position. We urge Congress to increase funding so that this program will be effective.

IV. ENVIRONMENTAL PROTECTION AGENCY

EPA has long lacked sufficient funds for State and Tribal Assistance Grants (STAG). These funds provided grant money for a wastewater treatment plant. Additional phases of development of the plant will require funding. Rural areas are often prohibited from receiving State funding for wastewater treatment due to Growth Management Act restriction, leaving the protection of sensitive rural habitats to the Tribes. In 2010, the STAG program was put on hold and funds are no longer available. Also, with the discontinuance of the Rural Innovation Fund which replaced the Rural Housing and Economic Development Program (RHED) under Housing and Urban Development (HUD), Tribes are hard pressed to find any financial resources to construct necessary infrastructure. We urge Congress to reinstate funding for these grants as Tribes desperately need to provide the infrastructure to effectively treat wastewater.

Conclusion. The Tribe thanks the Subcommittee for the opportunity to present testimony on these important issues.