



The Confederated Tribes of the Colville Reservation



Prepared Statement of the Honorable Cindy Marchand, Secretary
Confederated Tribes of the Colville Reservation

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

Public Witness Hearing—Native Americans

May 7, 2024

Good afternoon, Chairman Simpson, Ranking Member Pingree, and members of the Subcommittee. On behalf of the Confederated Tribes of the Colville Reservation (the “Colville Tribes” or the “CCT”), I thank you for this opportunity to provide testimony today on the Subcommittee’s FY 2025 spending bill.

The CCT has three recommendations for the Subcommittee’s consideration:

- (1) Indian Health Service (IHS): The CCT would like the Subcommittee to include report language directing the Government Accountability Office (GAO) to investigate and report on IHS’s management of the Purchased/Referred Care (PRC) program at IHS managed facilities, specifically on why IHS has allowed such a large amount of carryover PRC funds in most IHS Area Offices.
- (2) Public Safety and Justice: the Colville Tribes has a fraction of the number of officers it needs to patrol its 1.4-million-acre (2,200 square mile) reservation. The CCT urges the Committee to provide a significant increase to the applicable accounts for law enforcement officer salaries to enable tribes nationwide to hire more officers and retain the officers that they have.
- (3) Prioritize Tribal Wildland Fire Funding Requests: Approximately half of the 1.4-million-acre Colville Reservation has burned due to the wildfires during the past decade, yet tribes routinely must compete for resources within DOI for funding from other DOI land management agencies. Tribes, on a per acre basis, receive a fraction of what is spent on U.S. Forest Service and other federal lands for forest management and wildfire preparedness. The CCT urges the Committee to include language that would require DOI to prioritize funding requests from tribes for preparedness and other on-reservation fire prevention purposes.

BACKGROUND ON THE COLVILLE TRIBES

By way of background, although now considered a single Indian tribe, the Confederated Tribes of the Colville Reservation is a confederation of twelve aboriginal tribes and bands from across eastern Washington state, northeastern Oregon, Idaho, and British Columbia. The present-day Colville Reservation is in north-central Washington state and was established by Executive Order in 1872. The Colville Reservation covers more than 1.4 million acres and its boundaries include portions of both Okanogan and Ferry counties. Geographically, the Colville Reservation is larger than the state of Delaware and is the largest Indian reservation in the Pacific Northwest.

I. DIRECT GAO TO INVESTIGATE IHS'S ADMINISTRATION OF THE PRC PROGRAM AT IHS MANAGED FACILITIES

The Colville Tribes is a "direct service" tribe, which means that IHS provides all health services, from delivery of care to billing, using federal IHS employees. For this reason, IHS has total control over the delivery of health care services on the Colville Reservation. The Colville Tribes in recent years have endured service delivery problems related to IHS's management of the PRC program that have directly resulted in tribal member deaths.

For an approximately five-year period that ended in October 2022, the Portland Area IHS Office administered the PRC program for the Colville Service Unit in using Portland Area Office staff, not local IHS employees located on-reservation. Many problems ensued, including the following:

- Onerous documentation requirements not required by the IHS handbook or any other IHS authority were imposed on Colville tribal members to prove they were eligible for PRC. This meant that tribal elders, on an annual basis, had to produce utility bills, blood quantum and other proof of tribal enrollment, and other information not required by the IHS regulations or handbook in order to get referrals for specialty care. Those who were unable to produce this information either went without care or obtained care on their own and subsequently faced collection agencies when IHS refused to pay.
- During the five-year period when the Portland Area IHS office administered the CCT's PRC program, thousands of unreconciled PRC purchase orders accumulated that have yet to be closed out. **The Colville Tribes estimates that of the \$33 million in PRC carryover funds in the IHS Portland Area, as much as \$24 million is attributable to open PRC purchase orders from the Colville Service Unit.**
- Private health providers have stopped participating in the PRC program and others have informed the CCT that they are considering abandoning it because the administrative difficulties in getting paid for services from IHS is no longer worth it for them.

IHS has been on GAO's high risk program list since 2017 and it would appear that many of the issues that prompted GAO to classify IHS as high risk continue on the Colville Reservation. We request that the Committee direct GAO to investigate IHS's administration of PRC program at IHS managed service units and obtain input from affected tribal governments in the preparation of the report.

II. INCREASE FUNDING FOR BIA LAW ENFORCEMENT

There is a constant need for additional funding for tribal law enforcement and detention operations. The CCT requests that the Committee provide a \$100 million increase for the Criminal Investigations and Police Services account to enable tribes in all BIA regions to hire more police officers and retain their existing police officers.

As the Committee is aware, large land-based tribes often lack a sufficient number of tribal police officers. This often results in police response times in excess of four hours. There are occasions when the Colville Tribes has only a single officer on duty for the entire 1.4-million-acre Colville Reservation.

Collectively, the Colville PD has a 30 percent vacancy rate for both commissioned and non-commissioned officer positions. Nationwide, BIA law enforcement is funded at only a fraction of the actual need. Recruitment and retention remain acute issues even with the Colville Tribes supplementing the BIA funding allocation by more than 200 percent annually.

III. INCLUDE REPORT LANGUAGE DIRECTING THE SECRETARY TO PRIORITIZE TRIBAL REQUESTS FOR WILDLAND FIRE PREPAREDNESS FUNDING

The Colville Tribes suggests that the Subcommittee include language in its FY 2025 spending bill that directs the Secretary of the Interior to prioritize tribal requests for preparedness funding from the Wildland Fire Management Account. During the past decade, more than half of the 1.4 million acre Colville Reservation has burned in wildfire events and the CCT has been at the forefront of recommending policy changes to enable the Colville Tribes and similarly situated tribes to protect their on-reservation forests.

Tribal forest managers are in the best position to assess the danger and risk to on-reservation tribal forests. Tribes rely on their forest resources for many uses and purposes, including economic development, and have a motivation to protect them from wildfires that distinguishes them from other federal land managers. If tribes are able to receive preparedness funds quickly and without having to navigate bureaucratic red tape, they can prevent fire events from becoming massive wildfires.

This concludes my testimony. At this time, I would be happy to answer any questions that the Committee may have.