

**HOUSE OF REPRESENTATIVES COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
WRITTEN TESTIMONY OF THE NEZ PERCE TRIBE, FEBRUARY 25, 2025**

Thank you to the Subcommittee for holding “Tribal Witness Day Hearings” again this year, and for the opportunity to provide the testimony of the Nez Perce Tribe (Tribe) as the Committee evaluates and prioritizes FY 2026 appropriations. This testimony covers funding for the needs of Tribal Nations regarding the Bureau of Indian Affairs (BIA), Indian Health Service (IHS), Environmental Protection Agency (EPA), U.S. Forest Service, and the U.S. Fish and Wildlife Service (USFWS).

The *Nimiipuu* (Nez Perce People) want to acknowledge and thank this Committee for your efforts, on a longstanding, bipartisan basis, to understand the needs of Indian Country and advocate for increased appropriations to the many programs in your jurisdiction that benefit our citizens, our tribal governments, and all members of our communities. We also appreciate your commitment to elevating the issue of Missing and Murdered Indigenous Persons.

We are deeply concerned about recent efforts by the Administration to freeze distribution of congressionally authorized funding and appreciate that House and Senate Appropriations Committee members have spoken out about reductions-in-force to the IHS and other federal agencies that work mostly with tribes. The United States’ obligations to tribal sovereign nations should be honored and upheld based on the treaties and federal statutes that clearly define the trust relationship between tribes and the United States.

Like the United States, the Tribe conducts a wide array of public works and provides a multitude of services to its Tribal membership as well as the community at large. The Tribe has a health care clinic; a Tribal police force; a Social Services Department; and a comprehensive Natural Resources program that does work related to forestry, wildlife management, land services and land management, habitat restoration, air quality and smoke management, water quality, and sewer service. As you know Chairman Simpson, the Tribe also operates one of the largest fisheries departments of any tribe in the Nation working on the recovery of listed species under the Endangered Species Act.

Each of these programs is a necessary and vital element for the Tribe as a sovereign nation to preserve and protect the Treaty rights of the Nez Perce People and provide day-to-day governmental services. All the Tribe’s actions and decisions are guided by this principle. The Tribe works extensively with many federal agencies and proper funding for those agencies and their work with, for, and through tribes is of vital importance. To accomplish this work, as members of this Committee frequently note, the United States must affirm its trust responsibility to Indian tribes by properly funding federal and tribal programs, timely distributing federal funds, and properly staffing federal agencies.

Bureau of Indian Affairs

The Tribe requests that overall funding for the BIA and Bureau of Indian Education be maintained at current levels or increased as recommended below for FY 2026. The Tribe also

supports an indefinite appropriation for contract support costs at \$426 million for the BIA in FY 2026. The Tribe also recommends that these costs be reclassified from discretionary to mandatory.

In relation to the BIA Public Safety and Justice account, the Tribe supports a \$75.5 million increase to funding for law enforcement over what was enacted for that account in FY 2024, if a yearlong continuing resolution is passed for FY 2025. The Nez Perce Reservation spans 1,200 square miles, covering five counties, and has a mixture of tribal and non-tribal residents. The Tribe provides funds and operates a Law and Justice program and recently completed construction of a detention facility. The Tribe has a fully trained and staffed police force, a fully staffed Tribal court, a prosecutor, a public defender, and other personnel that perform related administrative functions. Currently, the Tribe contributes \$4,061,253 to cover the shortfall in BIA funding for the Tribe's law enforcement/prison boarding and corrections, \$630,437 for judicial services/probation, \$500,063 for prosecutorial services, and \$339,951 for public defender services. This supplemental funding is derived from Tribal taxes on goods and fuel and Tribal gaming revenues that would otherwise be used for other Tribal governmental services. For the Tribe to fulfill its law enforcement obligations to the Reservation, we would need to expend an additional \$1.6 million. Funding for these programs, including operational costs for the new jail facility needs to be maintained and ultimately increased to account for shortfalls in funding the Tribe absorbs to continue the operation of these important services on the Reservation.

The Tribe also relies on the BIA for funding for our work related to endangered species and protection of the Tribe's Treaty resources, including Chinook and steelhead salmon. The funding is used to supplement research efforts of the Tribe relative to other sensitive species. The Tribe recommends a \$1 million increase for the BIA Endangered Species Program. This account provides the Tribe with technical and financial assistance to protect endangered species on trust lands. Also, the Tribe recommends an increase of \$2.8 million for BIA Natural Resource Tribal Priority Allocations which will help increase Tribal land and management capabilities.

In addition, the funding provided under the BIA Rights Protection Implementation account is critical to support the exercise of treaty-reserved, off-reservation hunting and fishing for tribes and items such as the Pacific Salmon Treaty. The Tribe supports \$6.9 million in funding for FY 2026 for the Pacific Salmon Treaty. These funds provide the foundation for core program administration and treaty rights protection activities, such as harvest monitoring. These efforts are central to the Tribe's fisheries management responsibilities as established by the Nez Perce Treaties of 1855 and 1863 and further delineated in court decisions regarding implementation of hunting and fishing Treaty rights. It is also important to understand that this funding is used for job creation.

The Tribe supports maintaining current funding, if the proposed FY 2025 levels are adopted, for the BIA Fish, Wildlife and Parks account. The Tribe, through our fisheries programs, has invested a significant amount of personnel and resources into the restoration of salmon. The states of Oregon, Washington, and Idaho, as well as sports fisheries, directly benefit from this work. These programs have been successful with funding under the Tribal Management and Development Program which is critical for the Tribe's management of fish and wildlife. We recommend a \$4 million increase for the Tribal Management and Development Program.

The Tribe recommends continued funding for the Columbia River In-Lieu Treaty Sites by providing at least \$4.6 million to implement the Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act.

The Tribe supports \$2.5 billion in permanent funding over ten years for the Indian Water Rights Settlement Completion Fund to support the work of tribes such as our work on the Palouse River Basin Adjudication.

Indian Health Service

The Tribe operates Nimiipuu Health, a health care clinic on the Nez Perce Reservation in Lapwai, Idaho, and its satellite facility located 65 miles away in Kamiah, Idaho. Nimiipuu Health provides services to approximately 4,000 patients each year. Annually, this computes to at least 40,000 medical/dental provider visits which does not include a substantial number of pharmacy and/or laboratory visits.

The Tribe appreciates the \$12.2 billion provided for the IHS in FY 2024, which included \$5.2 billion in advanced appropriations. We recommend maintaining these levels going forward for FY 2025 and FY 2026, but it must be noted that this funding should be continually adjusted to keep pace with medical and non-medical inflation and with population growth.

The Tribe also supports a substantial increase in funding for Purchased/Referred Care (P/RC) from the FY 2024 enacted level of \$996.8 million to continue to meet the P/RC spending needs of tribal health facilities caused by medical inflation.

The Tribe supports funding for contract support costs for FY 2026 at \$2.04 billion. However, this change in funding should not be accomplished or be offset by reducing other funding for these agencies that would adversely affect services or programs. Further, this funding should not be reduced by excessive set-asides for administration.

The Tribe recommends permanent, mandatory funding of the Special Diabetes Program for Indians and funding for FY 2026 of \$260 million. In that regard, similar levels of funding are recommended for mental health and substance abuse treatment. The current annual allocation for mental health and substance abuse, while very important, falls well below the financial needs to provide adequate care and treatment on reservations.

Finally, the Tribe recommends mandatory funding for 105(l) lease costs.

U.S. Fish and Wildlife Service

Additional resources are needed to implement beneficial actions across the Columbia River Basin, including salmon propagation at national fish hatcheries, studies on conditions impacting fish, and habitat restoration efforts. The Tribe recommends \$3 million for the USFWS's National Fish Hatchery Operations Program — Columbia River Basin Sub-Activity in FY 2026. These funds are important for the operations of Kooskia National Fish Hatchery. The Tribe manages the

hatchery pursuant to the terms of the Snake River Water Rights Act of 2004. The hatchery is in dire need of a new water supply system to reduce the extraordinary amount of sediment that accumulates in the current water at the facility so the Tribe can continue to meet its production goals.

Second, the USFWS-administered State and Tribal Wildlife Grants program is an important and cost-effective expenditure for the Federal Government and is one of the few sources of funds tribes can tap into for wildlife research. Over the last several years, the Tribe has received grants funding for work on diverse issues such as rare plant conservation and Condor habitat research. Continued funding for the State and Tribal Wildlife Grants program will allow recipient tribes to build capacity and maintain involvement in key conservation issues. The Tribe strongly urges this Committee to not reduce, but instead increase, funding for these competitive grants to \$75 million for state formula grants and increase the tribal share to \$6.5 million.

Environmental Protection Agency

The Tribe works closely with the EPA on many programs that are essential to the health and safety of the 18,000 tribal and non-tribal citizens residing within the Nez Perce Reservation. These programs also protect the Treaty-reserved resources of the Tribe that the United States has a trust obligation to preserve. These programs include the Clean Water Act 106 Program, the Clean Water Act 319 Nonpoint Source Pollution Prevention Program, the Indian General Assistance Program, the Tribal Brownfields Response Program, the Underground Storage Tank Program, the Delegation of Nez Perce Federal Implementation Plan, the Clean Air Act 103 Grant-Nez Perce Tribe Air Quality Project, and the EPA Region 10 Pesticide Circuit Rider Program.

The Tribe recommends that the Indian General Assistance Program be funded at \$75 million, the tribal allocation under the Clean Water Act 106 program be increased by 20 percent, Tribal Air Quality Management be funded at \$16.3 million, the Brownfields Program be funded at \$100 million, and a funding amount be specifically allocated in lieu of the percent cap on tribal funding for Nonpoint Source pollution control.

The Tribe requests that, within Geographic Programs, the Columbia River Basin Restoration Program, authorized under the Water Infrastructure Improvements for the Nation Act of 2016, be funded at no less than the \$3 million that was previously enacted, but recommends that number be substantially increased.

U.S. Forest Service

The Tribe does a tremendous amount of work with the U.S. Forest Service, including landscape restoration and resource management. The Tribe entered into a Good Neighbor Authority agreement with the U.S. Forest Service in 2022 that will allow more collaboration on work that will help protect Treaty-reserved resources on forest system land. Receiving stable and consistent funding is important for this work to continue. In fact, we would recommend expansion of Good Neighbor Authority and stewardship contracting authority to include the USFWS and the U.S. National Park Service. Thank you.