



## NATIONAL INDIAN HEALTH BOARD

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### MEMORANDUM

TO: Yvette

FROM: Twila

SUBJECT: 16<sup>th</sup> Annual NIHB – EPA

DATE: 9/2/99

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Yvette, in this folder is the court document from last years Consumer Conference held in Alaska. As you will recall, on the third day the General Assembly was specific to "Tribal/Federal Consultation Session on Environmental Health". It is my understanding that as part of NIHB's commitment to IHS that we were to record and eventually summarize the session. Tab 2 contains my summary comments, which are still in draft form. From what I've gathered from our conversation, although the draft document is completed it still needs to meet the approval from IHS, is this a correct assumption?

**INTRODUCTION:** The theme of the NIHB 16<sup>th</sup> Annual Consumer Conference was *"Sustaining Our Sovereignty, Protecting Our Environment, Restoring Our Health"*.

Tribal societies lived and prospered in the natural environment for thousands of years. The power of nature was revered and native people only took what they needed and gave what they could to sustain life. In more recent years, nuclear waste, military pollution, oil and gas development, logging, toxic waste substances, dams mining, uncontrolled growth, pesticide poisoning and transportation systems, have all contributed to the destruction of our natural way of life and pristine surroundings.

**GOAL:** To better understand the health risks and strategies for protecting tribal environments, the NIHB brought together American Indian and Alaska Native leaders who are experts in the field of Environmental Health to share their wisdom. Of thirty-three workshops scheduled, six were specific to American Indian and Alaska Native environmental issues. Each morning the conference opened with a General Assembly and Keynote Address. On the third morning the General Assembly was devoted to a theme entitled, "Tribal/Federal Consultation Session on Environmental Health". Each Area was provided five minutes to present on their environmental caucus report. The caucus reports were concluded from the daily gathering of each Area's representative meeting with member tribes from their respective Area. The following is a summary of a 97 page report on comments from presenters, panelist and audience participation.

**OBJECTIVES:** All 12 Area caucuses were asked to follow two objectives in making their reports. These objectives were:

**1. DESCRIBE MAJOR ENVIRONMENTAL HEALTH PROBLEMS OR ISSUES WITHIN YOUR TRIBAL COMMUNITIES BY AREA, AND**

**2. PROVIDE A SOLUTION OR STRATEGIES TO ENVIRONMENTAL PROBLEMS WITHIN YOUR TRIBAL COMMUNITIES BY AREA.**

**ABERDEEN:**

No comments.

**ALASKA:**

1. Problem: Difference in how problem solving between tribal community infrastructure versus non-tribal community infrastructure is expected to be resolved. For example, if a toilet can't flush on Capitol Hill money is provided immediately to correct the problem, whereas, in small tribal communities there are clinics that don't even have running water and nothing is being done for them. Or, any day of the week one can read the news and see how the media can focus on the sanitation problems of a developing country yet no one wants to show pictures of Native Alaskan children carrying honey buckets to dump in the communal cess pool.

1. Recommendation/Solution: Tribal unity must be maintained so Congress can respond to one voice which deplors the level of funding provided to the American Indian and Alaska Native populations. Tribal funding can no longer be accepted at the 40 to 45 percent level when the survival of tribal populations are at stake.

2. Problem: Due to the rural, isolated geographical locations of many tribes within the lower 48 and Alaska, patient travel is most often extremely expensive.

2. Recommendation/Solution: In order to meet unusual health care expenses a 100 percent hardship provision should be included in all contract support program costs.

### **ALBUQUERQUE:**

No comments.

### **BEMIDJI:**

1. Problem: Ancestral knowledge of caring for the environment is being lost. For example, methods/manners of ancestral maintenance of fishing and forestry are no longer being used.

1. Recommendation/Solution: The NIHB should serve as a clearinghouse for gathering all of the traditional Indian and Native Alaskan ways of caring for the environment, and perhaps assembling that knowledge into a booklet so that future generations will know how things were done. In addition, NIHB needs to continue its advocacy role in the protection of natural resources and in the legal right of tribal lands being protected in the traditional manner of tribal ancestors.

2. Problem: Development of pit mines within proximity to tribal lands which are a threat to the water quality of that area.

2. Recommendation/Solution: Upon request, NIHB should visit the location and gather information on the health status of the tribal population and then assist them in writing a position paper for dissemination.

3. Problem: Nuclear waste exposure from storage containers located near tribal lands.

3. Recommendation/Solution: Same as 2 above.

4. Problem: Staffing and funding of tribal environmental health programs. Tribes are concerned because they don't have either the funds nor qualified people locally who can address tribal specific environmental concerns.

4. Recommendation/Solution: EPA is funding some reservations for multi-media programs, more money needs to be earmarked for this program funding category.

5. Problem: Injury Prevention, there are too many deaths due to accidents, why can't a car seat be provided to every child leaving the hospital and why can't every AI/AN home be given a workable smoke detector.

5. Recommendation/Solution: Tribes need the NIHB and IHS to work together on adequate funding to address environmental health . Currently Indian country is receiving about \$3 million and their realistic need is more like \$10 million.

6. Problem: Although deaths related to accidents are lead causes in tribal communities there is no uniform goal within IHS or among the tribes to address the problem.

6. Recommendation/Solution: IHS needs to make injury prevention a meaningful goal by establishing funding priorities with other federal departmental agencies and outlining a process by which those agencies can work with the IHS and tribes in looking at ways in which injury prevention can be addressed. For example, work with DOT, HUD and BIA in getting dollars to provide adequate lighting in areas where there is considerable foot traffic which would help reduce deaths due to pedestrians being hit by motorist.

7. Problem: Lack of direction from IHS for tribes experiencing solid waste management problems.

7. Recommendation/Solution: IHS needs to earmark funds for a comprehensive solid waste management assessment across Indian country in order for Tribes to provide Congress a document on the severity of the problem.

#### **BILLINGS:**

1. Problem: IHS needs to listen more closely to tribal people at the local level. For example, an IHS facility was built near an existing lagoon, it appears there was no thought given to this problem or discussion between tribe and IHS prior to building the facility. Now both the Tribe and IHS need to come up with additional money to take care of the problem.

1. Recommendation/Solution: Better communication is required. In order for tribal people to become involved in addressing problems they need to understand the problem to begin with, IHS needs to communicate at local level. Without dialogue, infrastructure planning falls apart.

#### **CALIFORNIA:**

1. Problem: Indian Health Care Improvement Act does not adequately address environmental concerns of California Indians.

1. Recommendation/Solution: NIHB, CRIHB and IHS need to work on special eligibility language authorizing an equity fund for environmental maintenance.

2. Problem: Disparity of funding between the 12 IHS Areas, especially in community and environmental health.

2. Recommendation/Solution: IHS Area Office needs to host a meeting with California Tribes to discuss such problems and use that meeting as a spring board for future discussion with DHHS officials regarding department wide responsibilities in order to maximize dollars intended for environmental inclusion.

### **NASHVILLE:**

1. Problem: Need for a more concentrated effort toward Injury Prevention, although there are Tribes within the Area who are focusing on the problem there still tends to be too many deaths due to accidental injuries.

1. Recommendation/Solution: IHS needs to use successful programs, such as the Eastern Cherokee as a model, their program identified road and highway problems contributing to motor vehicle deaths and through use of a GIS they mapped out the area and provided appropriate signage indicating danger.

2. Problem: Hot water temperature controls set too high causing burn injuries to the elderly and young children.

2. Recommendation/Solution: Use IHS sanitation engineer and tribal health educator to speak to schools, nursing homes, retirement centers and day care facilities warning them of the potential danger of having water too hot.

3. Problem: Pollution caused by a river which crosses international boundaries and creates a negative environmental impact on a US Tribe.

3. Recommendation/Solution: With assistance provided from other federal and state agencies the Tribe was able to bring the US and Canada together to help them clean up the problem contributing to the pollution.

4. Problem: Funding is just not available to address injury prevention, sanitation or environmental clean-up at the tribal level.

4. Recommendation/Solution: More assistance needs to be provided to tribes in helping them to prioritize their environmental concerns.

### **NAVAJO:**

1. Problem: Clean Water and Clean Air Act. There needs to be a better regulatory type of enforcement. For example, problems are now being encountered by the elderly in areas where uranium mining has or is a major activity, contamination has been found in community wells caused by seepage from the spills.

1. Recommendation/Solution: Tribes need to be provided adequate funds to clean up the spillings around the existing and abandoned mines.

2. Problem: Inadequate funding of P.L. 86-121 (the Indian Sanitation Facilities Act) initiatives which adds to the lack of plumbing and clean water into homes, especially those in the rural, isolated regions of Navajo.

2. Recommendation/Solution: The IHS, the NIHB and Tribes need to request more money for sanitation needs in order to provide basic environmental services to the tribal populations.

3. Problem: Pro rating contract support dollars without a clear understanding of how IHS will cover the cost of other programs. For example, IHS programs will have to be covered by taking funds from out of other existing programs, such as EPA, which adds to the burden of providing environmental health to the Navajo people.

3. Recommendation/Solution: If there is a need to find additional contract support dollars to cover programs then do so but do not advise that funds be taken out of the environmental programs to cover such short falls.

4. Problem: IHS facilities with known environmental hazards are still usable, who should pay for the cost of abatement for those facilities. Is there a clear definition as to who has legal responsibility. The Tribe says its a federal responsibility and the federal people say that if the tribe assumes the buildings then it must also assume the responsibility of assuring the buildings to be environmentally safe. Due to a stalemate in the legal position, nobody wants the legal responsibility of a structurally sound building which may not be environmentally safe. In the meantime, Tribes have a tremendous shortage of facilities and could use the existing federal buildings except they are afraid to do so because of potential legal problems.

4. Recommendation/Solution: IHS working with the Tribes, need to come together and impress upon Congress the need for a special appropriation to address the clean-up of federal facilities on tribal lands.

5. Problem: The Y2K issue is a tremendous concern for rural, isolated regions of Indian country. IHS doesn't seem to have an understanding of how to address potential problems related to supply and demand. Particularly, if the demand from a large metropolitan area overshadows that of a rural area, does IHS have a plan in place to provide supplies when the dependency of generating those supplies is contingent upon not having any computer glitches.

5. Recommendations/Solutions: The Tribal consultation process is very critical because this is a good example of how potential problems can be identified and possibly prevented before they happen. Although Tribal consultation has been criticized, tribes must continue to advocate for a better, more effective process. It may be a process where

it is a public forum designated during a national Tribal conference or it may take on another form but whatever the process, the necessity to work issues out is the best method of problem solving.

### **PHOENIX:**

1. Problem: Repeat - Contract Support Costs, presenter provided an excerpt from a written statement submitted by the Phoenix area caucus as to how the provision related to the pro rata distribution of resources would create additional environmental problems as Tribes would be forced to choose between what programs would receive funding and those that would not.

1. Recommendation/Solution: Concurred with statements from Navajo, requested the withdrawal of any provisions in contract support costs until an impact study can be completed.

2. Problem: Illegal dumping of solid waste on tribal land by residents from communities outside of tribal boundaries. Dumping usually occurs during the night time hours so tracking of violators is difficult. Such incidents have contaminated the tribal communities water supply and taxed the local law and order, in addition to creating other problems.

2. Recommendation/Solution: Despite tribal law prohibiting such illegal behavior, it is still very difficult to catch the culprits in order to bring them to justice. Would like IHS to facilitate a meeting to address this issue with other Tribes who are experiencing, or have experienced, similar problems.

3. Problem: There is a reoccurrence of certain medical problems with asthmatic children and diabetic elderly which appear to be associated with pesticide exposure and other toxic substance exposures. Currently, Tribes are told to go to CDC or some other related federal agency for research but either the research never seems to get done or if it does there is little communication as to the results.

3. Recommendation/Solution: One agency, such as IHS, should be held responsible for researching potential linkages of medical problems to environmental exposures. Research money needs to be provided to IHS rather than being placed in a different agency where it never reaches the Tribal populations.

4. Problem: Repeat - Injury prevention.

4. Recommendation/Solution: Need for additional dollars to address this problem.

### **PORTLAND:**

1. Problem: Tribes recognize there are problems with solid waste and environmental issues. However, they don't know how to label specific problems so they try to take care

of the problem at their local Tribal level never realizing there may be other Tribes who have experienced similar problems and were able to resolve them.

1. Recommendation/Solution: Tribes need to call an Area Board meeting and have on their agenda items pertaining only to the environment. The meetings should include representatives from national Indian organizations whose specific mission is with environmental issues. The more educated Tribes become on problems associated with the environment then the more able they become in pushing for environmental reform on Tribal lands.

2. Problem: Repeat - Contract Support Costs, the Northwest Portland Area Indian Health Board presented a position paper as to problems caused by inadequate funding for contract support programs, some of which were environmental.

2. Recommendation/Solution: Requested the participants in the General Assembly to make note of position papers brought to the floor at the NIHB Consumer Conference and to know their cause will be taken up by an NIHB representatives.

3. Problem: Tribal people talk about air quality, water quality, solid waste management and water rights all in one breath however, when they are asked to back their leaders on environmental rights of the Tribe, they back off because they don't want to get involved.

3. Recommendation/Solution: Each tribal member has a moral responsibility to educate themselves on environmental hazards endangering their tribal communities and they need to know what to do and where to go to stop the violators.

4. Problem: Nuclear sites on or adjacent to Tribal lands and the problems associated with a Tribe going to court against the federal government.

4. Recommendation/Solution: Active involvement of all Tribes in their Area Health Boards is necessary because one Tribe alone might not be able to take on big government or a multi-million dollar corporation, however when Tribes work together they will do more to solve the problem.

5. Problem: There are too many environmental issues for one person to track, especially if that person is a tribal leader responsible for all aspects of governing their Tribe.

5. Recommendation/Solution: Tribal leaders must select meetings or workshops which are informational to their particular environmental concern. For example, a workshop on solid waste would have information on various agencies who all have solid waste as an environmental issue. The NIHB must continue to keep Tribal environmental issues as an agenda item for the purposes of educating American Indians and Alaska Natives on the environmental risks they live with every day.

6. Problem: Both Indian and non-Indian farmers who spray their fields with pesticides causing health problems for the general membership and no one making them responsible for their actions.

6. Recommendation/Solution: Incorporate a regulation into the tribal legal structure regulating the use of pesticides. IHS should have a boiler plate regulation on hand for such purposes.

7. Problem: Repeat - Need for more meetings between Tribes and federal officials from agencies who receive special funds to address environmental protection because often times that money never reaches the Tribes.

7. Recommendation/Solution: The IHS should provide funds to the NIHB or to the Areas to facilitate meetings between Tribes and appropriate federal officials regarding policy and funding sources.

#### **TUCSON:**

1. Problem: A tribal nation borders an international border and has tribal members residing on the other side of the border expecting health care services without any federal agency providing compensation to the service unit.

1. Recommendation/Solution: For those tribes whose borders abut that of an international border, legal assistance should be provided through IHS to address border health issues, especially when there are federal laws in place such as NAFTA which should have provisions built into the law to address such problems.

2. Problem: Same as above with the issue being water quality. The tribal nations water supply comes from Mexico and without regulatory controls water entering the tribal water system is often contaminated.

2. Recommendation/Solution: IHS should routinely sit down with other federal agencies who have either some legal controls or monitoring controls on international borders to address problems created for border tribes who possess limited financial resources.

3. Problem: Facilities built in the 1930's which are still being used for health care services. Although the facilities are on the list of historic buildings with known environmental problems, nothing is being done to make them environmentally safe. The National Historical Society has them listed for historical purposes but won't provide financial assistance to repair or maintain them while they are being used as clinics. Unfortunately, because of their historical status any repair which is renovative in nature is not permissible unless approved by the Society. For continued use as a health care facility, the repairs imposed by the Society is often times more costly than new construction and without such repair joint commission accreditation can't be attained.

3. Recommendation/Solution: IHS needs to develop a boiler plate legal document to be used as a MOU between Tribes, IHS and National or State historical societies, for IHS operated or tribally operated buildings with known historical qualities.

4. Problem: Untreated serving utensils from Mexico and old cars left abandoned are causing lead-based paint problems.

4. Recommendation/Solution: Utilize IHS to screen for lead-base paint levels, especially in the children, and request EPA to help devise a plan for clean-up.

**THE FOLLOWING COMMENTS WERE TAKEN FROM THE GENERAL ASSEMBLY PARTICIPANTS WHO WERE PROVIDED AN OPEN MIKE TO ADDRESS THE TWO OBJECTIVES WHICH WERE ANNOUNCED AT THE OPENING OF THE SESSION.**

**SPEAKER # 1 From the Northwest:**

Gave a detailed historical analysis of the tribal relationship to the federal government and the fact that most everything discussed by the presenters can be legally rectified. The presenter cautioned the audience to remember the various governmental structures, such as, the federal, the state, the county and the tribe. By reviewing each structure a tribal person could than see how tribal governments are actually outside of the standard structure despite the fact that they are citizens of the United States as well as citizens of their specific States. Tribal people go beyond the standard governmental structure because they are not only responsible to the federal and state governments but they are also responsible to their tribal governments. Tribes must go to the states, work with the states and forge relationships so those in the health profession will find alternative resources to protect the people. There was a further caution as to being mindful of who tribes say they should be dealing with because it is not a cut and dry solution, there are some days when the tribes deal only with the federal government and other days they deal only with the state governments. When a tribal person talks about the environment they are really talking about the life of the ecology surrounding them. They know what needs to be done in river basin management, timber, fish, and wildlife but they also need to know the Federal and State laws which govern the use of the environment and know how to use those laws when their tribal lands are encroached upon by violators. For the most part, not a whole lot has to be done in identifying the violations, tribal people know when they are being violated, instead its a matter of getting the right agency, federal or state, to go after the violators. **SUMMARY COMMENT: All-in-all, don't be too quick to judge any regulatory agency because they represent a government which is perceived to be the enemy, instead go to them, work with them because all that is done is for the Tribal people.**

**SPEAKER # 2 from California, an urban population:**

Gave statistics on the population of American Indians and Alaska Natives living in urban areas versus those on reservation lands. Made a point of noting that many from the urban

population are first generation tribal members who had to leave their tribal communities because of an over-populated tribal land base. Although the issue of an over-populated land base is more centralized to tribal populations living within tribal boundaries the degree to which the problem has an impact upon the lives of urban/tribal populations can be measured only by tracking both the in and out migration of the reservation populations. Without a land base with adequate infrastructure, such as roads, water, housing and economic stability, tribal members will have to make a decision as to how they intend to survive. They will have to choose living in a tribal community which can't support them because of a lack of infrastructure or leave that tribal community and go to an area where they can support themselves. Either way, the decision rest solely upon the tribal member however, it is the responsibility of the tribal communities to weigh each decision internally and provide guidance to it membership as to how they should proceed. Should the tribal members choose to remain in their tribal community they must elicit their governing body to meet their needs. On the other hand, they should also go to their governing body seeking guidance should they choose to leave.

**SUMMARY COMMENT: Tribal governments must remain involved in the lives of the tribal members whether they or on or off the reservation. On the reservation land acquisition and infrastructure development should be a number one priority. For tribal members leaving the reservation they should be informed as to what they can expect in the areas of medical care, housing, as well as all of the other accessibility's which are required when moving into an urban environment.**

**SPEAKER # 3 from the Aberdeen Area:**

Discussed problems associated with the lack of funding for the Indian Health Scholarship program. Provided background information and statistics on the number of vacancies throughout Indian Country in professions such as dentistry, medical doctors, nurses, pharmacists, and so on. However, the IHS scholarship funds could only cover 237 applicants out of 1,100. There is a need to add new professions to the list of eligibility criteria in order to meet the ever changing tribal populations, unfortunately tribal leadership must first of all get adequate funds to provide scholarships to those eligible applicants who had the door closed on them in this round of funding. **SUMMARY COMMENT: Providing scholarships requires a long-range planning process with sufficient dollars to cover those plans. Tribal research needs to determine the number of professionals needed, the areas of professional need and the cost to educate those professionals and work diligently to acquire funding to accomplish their long range goals.**

**SPEAKER # 4 from the interior of Alaska:**

Questions and comments were raised in regards to being an American Indian or Alaska Native veteran and the hopeless feeling one has in pursuing alternative health care for psychological or addiction problems. From the speakers observation, it was noted that American Indian and Alaska Native veterans appear to do better using alternative health care however, contrary to what some people may believe, alternative health care is quite expensive. Obtaining traditional medicine, visiting traditional healers, following

ancestral healing practices are all costly and neither the IHS nor the Veterans Administration have any cost allowance for this type of alternative approach. Speaker wanted to know if there was current research on the issue of alternative health care being conducted on veterans versus that of western medical care and if so, where could it be obtained. **SUMMARY COMMENT: Requested NIHB to petition the IHS and the Veterans Administration to provide more alternative health care choices particularly in cases of psychological and addiction problems. And, requested more research be conducted on AI/AN veterans who choose alternative forms of health care versus the western medical version.**

**SPEAKER # 5 from a remote Alaskan village near a national park:**

Speaker shared concerns and struggles of living in a geographical area which is void of most infrastructure found in either first world or second world development. One such issue related to lack of infrastructure and the problematic concern created by developmental interference from outside the village. For example, pollution of the water surrounding their village was due to excessive use of float planes and boats which leaked oil and gasoline thereby disrupting their food supply. The struggle for the village was in keeping with their subsistence existence yet seeing problems which were being brought to their attention such as, deformed fish from their lake and questioning whether or not their way of living was in direct relationship to the high number of deaths due to cancer. Another issue was that of illegal dumping by residents from a small city near the village which had imposed a fee for dumping in the city land fill. **SUMMARY COMMENT: The comments raised were, (1) the village needs assistance in drafting a tribal law establishing their jurisdiction in addressing illegal dumping and pollution of the community, (2) although disaster funds were currently available in cleaning up their dump, the village needed assurance that once that money was depleted there would be funds forthcoming from some other source and, (3) with a pool of new dollars there needed to be a provision to include monitoring and maintenance in the operation of the dump site**

**SPEAKER # 6 from a tribe in Washington State:**

Speaker had two requests one regarding the protection of traditional ancestral healers and the other was in reference to air pollution. The first request was made to the NIHB in asking for assistance in drafting a policy for submission to the Congress for traditional tribal healers so that they will be always protected under the worst of circumstances especially when they give advice on the environment which is contradictory to Federal law. The second request was to IHS and EPA in helping tribes who are geographically located within a flight route of commercial and military planes, to give legal assistance in defining the air space about the ground because of problems with asthma associated with air pollution. **SUMMARY COMMENT: Under the doctrine of sovereignty, to what extent can that be applied particularly when the issues impact the health and welfare of tribal populations who are suffering from air pollution caused by the U.S. Government or other world governments.**

AT THIS POINT THE DISCUSSION AMONG THE PARTICIPANTS WAS CONCLUDED AND THE PANEL OF EXPERTS WERE ASKED TO EACH MAKE A 5-MINUTE COMMENTARY. FOLLOWING IS A LIST OF THE PANEL AND THE AGENCY THEY REPRESENT:

1. Gary Hartz, Acting Director, Office of Public Health, IHS
2. Ms. Jean Gamache, Tribal Health Coordinator, EPA, Alaskan Operation,
3. Mr. Frank Andrews, Jr., Environmental Specialist, BIA, Juneau Area
4. Mr. Cassidy Williams, Chairman, Walker River Tribe and the National Tribal Environmental Council
5. Mr. Buford Rolin, Vice-Chairman of the Poarch Band of Creek and Chairman of the National Indian Health Board

**MS. GAMACHE:** Provided background on EPA noting it was a regulatory agency and responsible for assuring that certain Federal statutes are enforced. Recently, EPA developed some processes in addressing environmental issues which makes clear the agency position on its trust obligation to tribes. In 1984, the Indian policy, treating tribes as states, was put into place. In 1994, that policy was reaffirmed with an implementation process of working on a government-to-government basis with the tribes. During the implementation process several recommendations were put into place. Such recommendations included, the creation of an American Indian Environmental Office, which is based in Washington, DC. The AIEO works on policy-level issues within EPA and has assigned to it office a full-time EPA staff person. Another recommendation was to create a working committee of tribal people to assist EPA in learning how to work effectively with tribal governments. The Tribal Operations Council, (TOC) is comprised of representative from throughout Indian country and has made great strides in getting EPA to increase its budget to tribal governments and in changing its focus on how it allocates its resources. One such resource was the Indian Environmental General Assistance Program, which builds capacity to allow tribes to begin working on in-house environmental issues. Another capacity builder is in attempting to make the tribal consultation process more effective within the agency, for example, whenever new rules are drafted which impact on a Tribes, those rules are submitted to Tribes for prior comments. The obvious concern is that of rules being promulgated for one type of government and not for all types of government. **SUMMARY COMMENT: TRIBES MUST PROVIDE INPUT INTO EPA'S PROCESSES SO THAT EPA CAN BE MORE RESPONSIVE, ALSO BOTH LARGE AND SMALL TRIBES NEED TO CREATE AN ENVIRONMENTAL OFFICE USING EPA GRANT FUNDS IF NEED BE, IN ORDER TO HAVE AN ENVIRONMENTAL PRESENCE AT THEIR TRIBAL LEVEL**

**MR. HARTZ:** Informed audience that in consort with the NIHB the presentations were being recorded and a final report would be disseminated. He provided the audience information on the serious nature of environmental impacts and how severely young children could suffer in their older years from increased health problems. In one example he described research conducted on a tribal community whose members ate fish caught in a river downstream from polluting factories, it was found that PCB concentrations were

10 times higher in the urine of children who consumed breast milk than that of the breast milk of the mothers. Mr. Hartz responded to the concerns described from each Area participant or comments solicited from the floor. ALBUQUERQUE: The incidence of asthma in people under 18 years of age has increased by over 40 percent since 1980. These incidents can be attributed to both inside and outside air contaminants and since young children are closer to the ground they take in more air at a higher rate per pound than adults. Adults should make certain children are not exposed to tobacco smoke or other forms of air pollution as their systems are not developed enough to handle that great of an impact. BEMIDJI: Brought forward the \$8 billion needs-based budget. Through cooperative meetings and like agendas, the efforts of everyone involved in bringing the needs-based budget to light should be proud of their accomplishment. Working toward a unified goal does render results. BILLINGS: The burn-out in the Lama Deer facility was a sign of how rapidly resources can be made available to handle emergencies. Both IHS and the Tribe worked together to replace the facility in as short of period as possible. Unfortunately, the time frame available to address all logistics pertinent to the replacement of the health facility may not have taken into consideration the placement of the lagoon. Presently, health care delivery has resumed with the construction of the facility and the need to locate land for reassignment of the lagoon is being addressed by the Tribe and IHS. CALIFORNIA: There are many unfunded mandates within the 437 legislation that did not receive appropriation, and providing adequate facilities in California was one of them. However, there is still hope as the Secretary's proposal for FY 2000 identified \$3 million for small ambulatory grants maybe the California hospital environment will benefit. NASHVILLE: Accidental death has a devastating effect upon the AI/AN populations between the ages of one to forty-four. In some Areas the deaths may be related to motor vehicle accidents while in other areas it may be related to something else such as, boating, all-terrain four wheelers, or snow mobiles. In any case, more needs to be done in addressing injury prevention. NAVAJO: Unfortunately, there is only \$3 million to address environmental remediation in old hospitals and clinics, statistics prove much more funding is needed. In regards to water and sewer, the U.S. all races population has 1 percent of their homes without adequate water and sewer facilities. Compared to the AI/AN populations with 7.5 percent, that is about \$1.6 billion of an identified need. Again, more funding needs to be provided. PHOENIX: Although allot of their issues were similar to the other areas, they also addressed the communities position in identifying ordinances or regulations that can be implemented locally without a substantial amount of money. Working together, maybe those ordinances or regulations can be shared with others. PORTLAND: The IHS does concur with the noted speaker who stated that alternative resources are extremely appropriate in meeting tribal needs. For example, in the sanitation facilities construction program, the annual appropriation is about \$90 million. IHS provides \$0.50 for every dollar which tribes appropriate through alternative resources for sanitation facility construction. For FY 1997, the contribution to that total was over \$42 million. TUCSON: For tribes along the U.S./Mexican border there is the Border 21 project. This project has an appropriation of somewhere between \$3 million to \$5 million dollars and is coming from EPA for sanitation facilities.

**SUMMARY COMMENT: IF THE PUBLIC HEALTH OF AMERICAN INDIANS AND ALASKA NATIVES IS NOT PROTECTED THROUGH ADEQUATE SERVICES, THEN THERE WILL BE A CONTINUAL DETERIORAITON IN**

**THEIR HEALTH STATUS WHICH WILL BE MORE DEVASTING IN THE LONG RUN.**

**MR FRANK ANDREWS, JR.** Began his statement by informing the audience of the BIA environmental programs budget for all 12 areas being anticipated at \$5.4 million dollars. From the testimonies he heard he felt it was safe to say that more dollars were needed. However, even with more money there were other environmental issues which were concerning the tribes. For example, where there are illegal landfills on reservations the tribes are not reporting them to the EPA or to the state for fear that the Federal people will force them to be cleaned up or they will impose a fine against the Tribe. Funding needs to be provided to study landfill closure because at this time none is available. To close landfills is extremely costly and to be expected to do so without adequate advice or assistance would be a financial burden on any government. In regards to lead-based paint, prior to 1980 the majority of structures in Alaska had lead -based paint or asbestos in them. The BIA is currently working to get money for abatements and some abatement projects. Most of the facilities are federal schools, clinics and housing projects with no identified resources for remediation. **SUMMARY COMMENT: TRIBES NEED TO IMPRESS UPON THE FEDERAL GOVERNMENT THE EXTENT OF THE ENVIRONMENTAL PROBLEMS IN INDIAN COUNTRY AND SEEK ADEQUATE APPROPRIATIONS TO MEET THOSE NEEDS.**

**MR. CASSIDY WILLIAMS:** Voiced concerns regarding the numerous environmental challenges facing Tribes but he felt relieved to know that more and more federal agencies and tribal governments were sitting down at the table to discuss their problems. He noted the policy of NTEC was to try and enhance each tribe's own capability and his method of style was to bring federal agencies and tribes together. Tribes need to be very protective of the consultation process, whether it's EPA, IHS, BLM or all the Federal agencies rolled into one, no organization, not even NTEC, can replace the Tribe's sovereign right to consultation. As was stated repeatedly, each Tribe has their own set of challenges and although there may be similarities, Tribal ordinances and regulations are unique. **SUMMARY COMMENT: ALTHOUGH THERE ARE NATIONAL INDIAN ORGANIZATIONS DESIGNED TO ADDRESS ENVIRONMENTAL CONCERNS ON TRIBAL LANDS THOSE ORGANIZATIONS ARE NOT IN LIEU OF THE FEDERAL GOVERNMENTS RESPONSIBILITY TO CONSULT WITH TRIBES.**

**BUFORD ROLIN:** Asked confirmation from the audience as to what they heard in the general assembly as being that of challenge to the health affects of tribal people. Noted the need for adequate funding and the way to achieve that goal was to work together. **SUMMARY COMMENT: THE TOUGHER THE CHALLENGES, THE MORE TRIBAL PEOPLE NEED TO STAND TOGETHER AND FIGHT.**