

TESTIMONY OF
ANTHONY HILLAIRE, CHAIRMAN
LUMMI NATION

SENATE COMMITTEE ON INDIAN AFFAIRS

OVERSIGHT HEARING ON “FENTANYL IN NATIVE COMMUNITIES: NATIVE
PERSPECTIVES ON ADDRESSING THE GROWING CRISIS.”

NOVEMBER 8, 2023

Good afternoon, Chairman Schatz, Vice-Chair Murkowski, and the distinguished members of this Committee.

Ey’skweyel e ne schaleche si’iam, Tony Hillaire tse ne sna, Tse Sum Ten tse ne sna, che’ xlemi sen.

My name is Tony Hillaire, my name is Tse Sum Ten. I come from Lummi. I serve as the Chairman of the Lummi Indian Business Council.

I am here today with my fellow council members, my team, our Lummi Youth Council members, and Community Leaders. And we are here today on behalf of the great Lummi Nation, our ancestors, our elders, our children, our fishermen and fisherwomen. But most of all, we are here today on behalf of our grieving mothers and grandmothers. Burying our children is a mother's worst nightmare, and this nightmare is becoming way too normal.

We want to thank you for holding this hearing so we can discuss this very important matter. So that we can change the world for the better, for our next generations. A special thank you to Senator Cantwell, our dear friend, for her immediate support, for calling the hearing, for introducing the Parity for Tribal Law Enforcement Act, and for attending the National Fentanyl Summit.

The impacts of the opioid/fentanyl crisis that have hit our community are devastating, heartbreaking, and personal.

As I give this testimony, I ask that you reflect on how many people you know that have lost their lives to fentanyl. How many funerals have you been to this year that were due to fentanyl-related overdoses? The Lummi Nation has had a total of seven overdose-related deaths in 2023, with five of those deaths occurring just from September to October.

In the Lummi Nation, we are not only battling fentanyl but have also come across Carfentanil, a drug 100 times more lethal than fentanyl and 10,000 times stronger than morphine. Just when we think we have a grasp on how we are handling this drug epidemic and reducing harm, a new,

more robust version of fentanyl appears and comes back at us with even deadlier effects. These fentanyl-related deaths have impacted every area of our lives, as our community is left in constant grief and sorrow as we are barely able to lay our loved one to rest before we get word of the next.

In late August this year, we had the opportunity to escort Dr. Delphin-Rittmon, Assistant Secretary of SAMHSA, to a homeless camp in Bellingham Whatcom County, Washington. At the time, we had over 70 tribal members who were living in squalor with no sanitation facilities. The conditions in which these tribal members are living are like nothing I have seen before, and it truly is heartbreaking. Our people are sick, and they are all crying and begging for help.

When our nation took action against the drug epidemic and began shutting down drug homes, we learned that there are children who are living within these homes. This is when we understood the need for a safe place for our children living in an unsafe environment. Previously, we had a facility that did just this that we called the Lummi Youth Academy, and there are many success stories of children attending.

The Lummi Youth Academy provided our children with access to shelter, food, education, and mental health services. There is an urgent need for funding to help support programs such as this, which is crucial as it is a form of Youth Prevention that allows them the tools needed to break the intergenerational traumas they've endured. Unless we address the root causes of addiction, we will continue in this cycle.

Another crucial step is Detoxification and treatment. When our people want help, too often, we must turn them away because we do not have beds or capacity. The Lummi Nation has accumulated almost \$15 million to build a culturally attuned detox center, but we need another \$12 million.

Currently, our tribal members have a deep fear of getting off fentanyl, as the withdrawal symptoms are unbearable. When a tribal member seeks assistance in withdrawing, there is only a tiny window of time, and we must get them into detox before they change their mind. Sometimes, it can take a few days for a detox bed to open, and by the time a bed opens, most of them do not return. The Lummi Nation has been lobbying for the funds to build their own detox center and has the support of 29 other tribes in the region.

Despite all we have been through, I do want to say that our people are strong and resilient. We know how to take care of our people, and our cultural-based recovery programs have shown that we do recover.

We have sought funds from HHS and IHS, and so far, we have been unsuccessful despite all the evidence we have provided on loss of life and suffering. We would like to highlight the importance of Congress passing the opioid supplemental funding request as this includes a \$250M transfer to the Indian Health Service (IHS), representing an almost 16% set aside of the overall amount to help tribes specifically address the crisis. We hope some of these funds will be accessible to support us finalize construction of the SWMS, which has been endorsed by all

Portland Area. The longer we struggle to get funds or wait for resources, the more likely people are to overdose or die due to overdose-related deaths.

Law enforcement is another critical area. We need more resources from the BIA, DEA, and FBI. Due to the lack of prosecutions from the DOJ and local authorities, we also need the ability to prosecute and hold accountable non-Indian drug dealers who are killing our people through this drug crisis. The lack of tribal jurisdiction over non-Indian drug dealers coming onto our reservation undermines our efforts to combat the drug crisis and protect our community. We urge Congress to recognize special criminal jurisdiction over non-Indians who committed drug offenses in our communities.

Lastly, to fully confront this crisis, we must address issues of poverty, homelessness, and unresolved trauma that are not only catalysts for addiction but also perpetuate its vicious cycle.

Conclusion:

Our plea for assistance is urgent; the loss of even one individual in our small community not only ends a lineage but also extinguishes future generations. The pain and sense of loss affects us all. We know what we need to help heal our people, but we have barriers that keep us from doing so.

In September of 2023, the Lummi Nation Declared a State of Emergency in response to the Drug Crisis. This allowed us to remove our internal barriers and create policies that allowed us to respond in an urgent manner. We ask that the federal government hear our cries and declare this a National Emergency. Declaring a National Emergency would allow us to tear down the barriers and bureaucracy that hinder our ability to take care of our people. In these times of darkness and sorrow, our people are looking for hope, and they are looking to leadership for answers and action.

On behalf of the Lummi Nation, I thank the Committee for convening this important hearing on the fentanyl crisis. Thank you for listening, for really hearing us, and for standing with us as we face this terrible crisis. At this time, I would be happy to answer any questions that the Committee may have. Thank you.