



National Indian
Health Board

HOW TO BE AN EFFECTIVE TRIBAL ENVIRONMENTAL HEALTH ADVOCATE

PRESENTED BY:

**BRETT WEBER, PUBLIC HEALTH POLICY AND PROGRAMS MANAGER,
NATIONAL INDIAN HEALTH BOARD**

**ERIN MORRIS, CONGRESSIONAL RELATIONS ASSOCIATE,
NATIONAL INDIAN HEALTH BOARD**

© Shaw Thacher

OVERVIEW

1. Opening Thoughts
2. The Importance of Advocacy
3. Basics of Tribal Environmental Health
4. Where Should We Engage?
5. What Should We Be Saying?
6. How Meetings Can Go
7. After A Law Passes
8. Other Ways to Advocate for Your Program at Home



INTRODUCTION TO ADVOCACY

Advocacy (n) – public support for or recommendation of a particular cause or policy.

Advocacy can happen at any level where decisions are made

- Tribal
- Municipal
- State
- National

You want something to happen, so how can you effectively convince a decision maker to support your position?



OPENING THOUGHTS

- **Have you ever advocated before?**
 - What strategies did you use?
 - What barriers did you encounter?
- **As a Tribal environmental health professional, what are your impressions of decision makers?**
 - Does the federal government address Tribal environmental health needs adequately?
 - Does the State? County? Tribe?
- **What can you do to help?**
 - How can you tell the story you want to tell?

NIHB AS AN ADVOCACY ORGANIZATION

- **National Indian Health Board**
 - Founded in 1972
 - Be the voice of Tribes at National Level for Health
 - Includes IHS, Tribal Health Care, Public Health Programs
- **Colonialism, Historical Trauma, and Chronic Underfunding**
- **Nation-to-Nation relationship**
 - Tribes work with the federal government
 - Engaging with and Understanding Congress
 - Non-partisan
- **Without advocacy from Tribes, federal government will not meet Tribal needs**

THE IMPORTANCE OF ADVOCACY

- Many decision makers don't know about Tribal, health, or environmental issues
- Talking to decision makers is important to get things done
 - Decision makers want to help you
- If you learn and understand the system, it can work to your advantage
- No one knows the issues of your community better than you



EXAMPLE: ACA REPEAL

July 27, 2017

Better Care Reconciliation Act up for vote

48 Democrats opposed, 3 Republican No's Needed to Defeat Bill

Susan Collins (R-ME)

- Opposed BCRA because of Medicaid cuts and because written without Democratic input

John McCain (R-AZ)

- Surprised most people by voting No at the last minute

Lisa Murkowski (R-AK)

- Announced her opposition because so many Alaskans were contacting her office
- Cited Medicaid Expansion, which disproportionately benefited Alaska Natives in the state
- Tribes are a large reason of why Murkowski was uncomfortable with the legislation





**Tribal advocacy is the
reason the ACA is still
the law of the land!**

BASICS OF TRIBAL ENVIRONMENTAL HEALTH

Tribes make decisions from a place of sovereignty

Tribes' connection to their environment makes environmental health a powerful issue

Tribes are disproportionately impacted by environmental issues

- 25% of Superfund sites are on or near Tribal land
- Climate change harms access to traditional foods

American Indians/Alaska Natives have poor health outcomes compared to other demographics



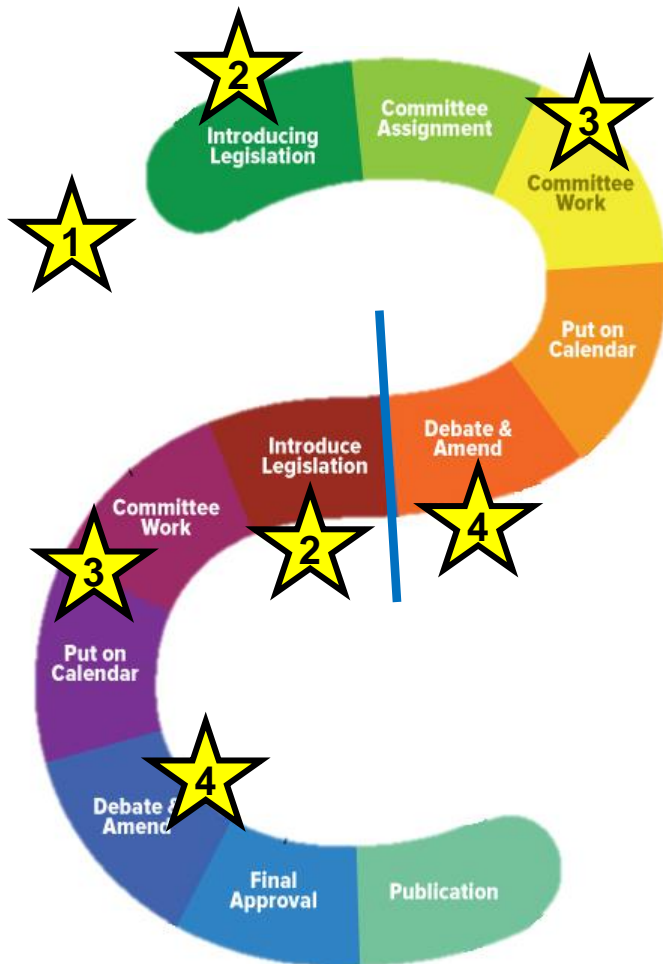
Water defenders demonstrate one form of environmental advocacy



“If I let you write the substance and you let me write the procedure, I’ll [beat] you every time.”

--Rep. John Dingell, 1955-2013

TRIBAL ADVOCACY: WHERE TO ENGAGE?



1. Instilling the idea
2. When a policy is introduced
3. When a policy is moving through a committee
4. When a policy is awaiting a final vote



INSTILLING THE IDEA

Request that a policy be implemented to address a specific issue

Draft language for a new policy

Request changes to an existing policy

Request budgetary increases

Make sure your research is complete and thorough

- Know both sides of the story

Answer, “Why is this important?”

- Be prepared for point-counterpoint

Know exactly what your specific ‘ask’ is



WHEN A POLICY IS INTRODUCED

Ask decision makers to support your position

Send a letter detailing your position to the policymaker(s)

Build a group of like-minded stakeholders or join an existing group to advocate together

- Might be a small group, that's OK!

Research the proposal

- Know how it impacts existing policy
- See who is supporting or opposing it (legislators and stakeholders)

Know pathway it needs to take to be enacted

- Become familiar with decision making process
- If a Tribe, does Tribal Council have a committee process? Do they debate in session?
- How readily do decision makers accept public comment?

WHEN A POLICY IS MOVING THROUGH A COMMITTEE



Submit your own position in writing to decisions makers and their staff

- Monitor amendments to the draft policy
- Meet face to face with any legislators/staff working on it

Request a public hearing where you can provide a comment or testimony

Attend committee hearings

- Monitor amendments to the draft policy

Work with your coalition to coordinate a response

- Include the voice of Tribal leaders and subject matter experts

Have contingency plans

- “It doesn’t look like X will pass, but how does Y sound?”

WHEN A POLICY IS AWAITING A FINAL VOTE



Harder to change text/introduce new ideas at this stage

Educate other decision makers

- Tell your story and make sure as many people hear it as possible

Keep in contact with your champions

- If they encounter an obstacle, you want them to include you in problem solving

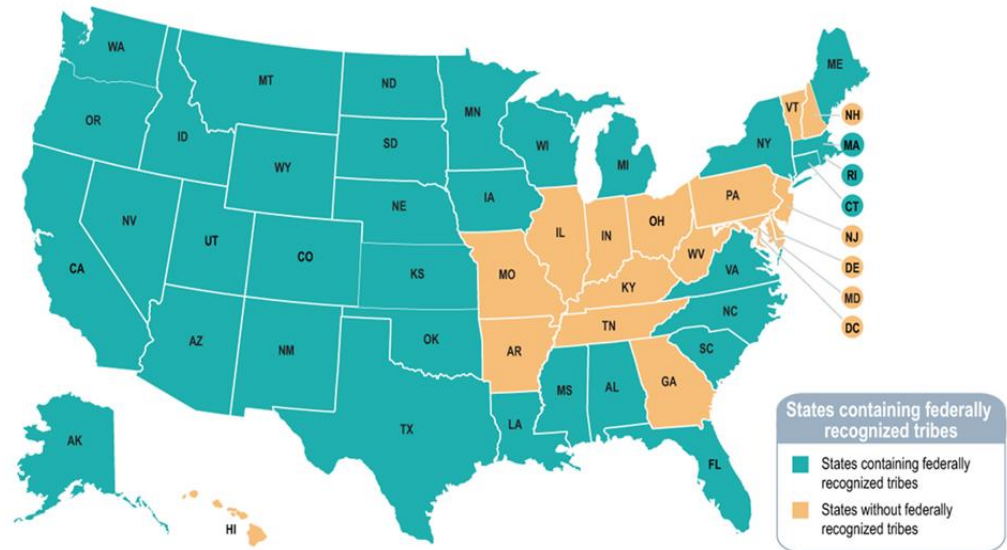
Don't be intimidated!

- If you've made it this far, that's a good sign!

PERCENT OF CONGRESSIONAL LEADERS WHO REPRESENT INDIAN TRIBES

The Senate: 68%

The House of Representatives: ~ 26%



States containing federally recognized tribes

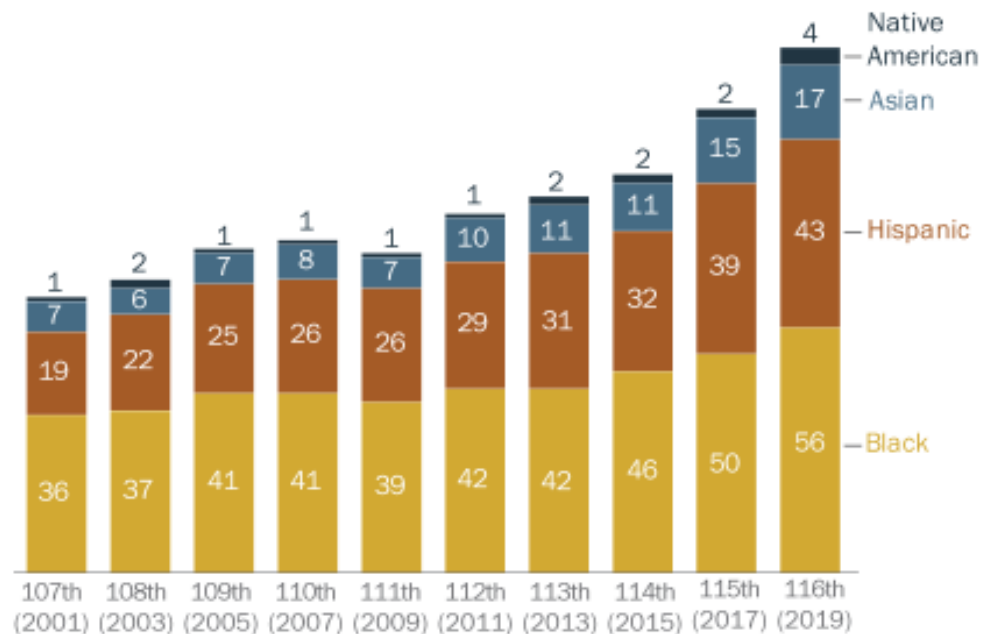
- States containing federally recognized tribes
- States without federally recognized tribes

According to the 2010 American Indian Federal Reservations data compiled by the US Census Bureau and the Bureau of Indian Affairs

WHO IS IN CONGRESS?

Growing racial and ethnic diversity in Congress

Number of nonwhite U.S. House and Senate members by race/ethnicity

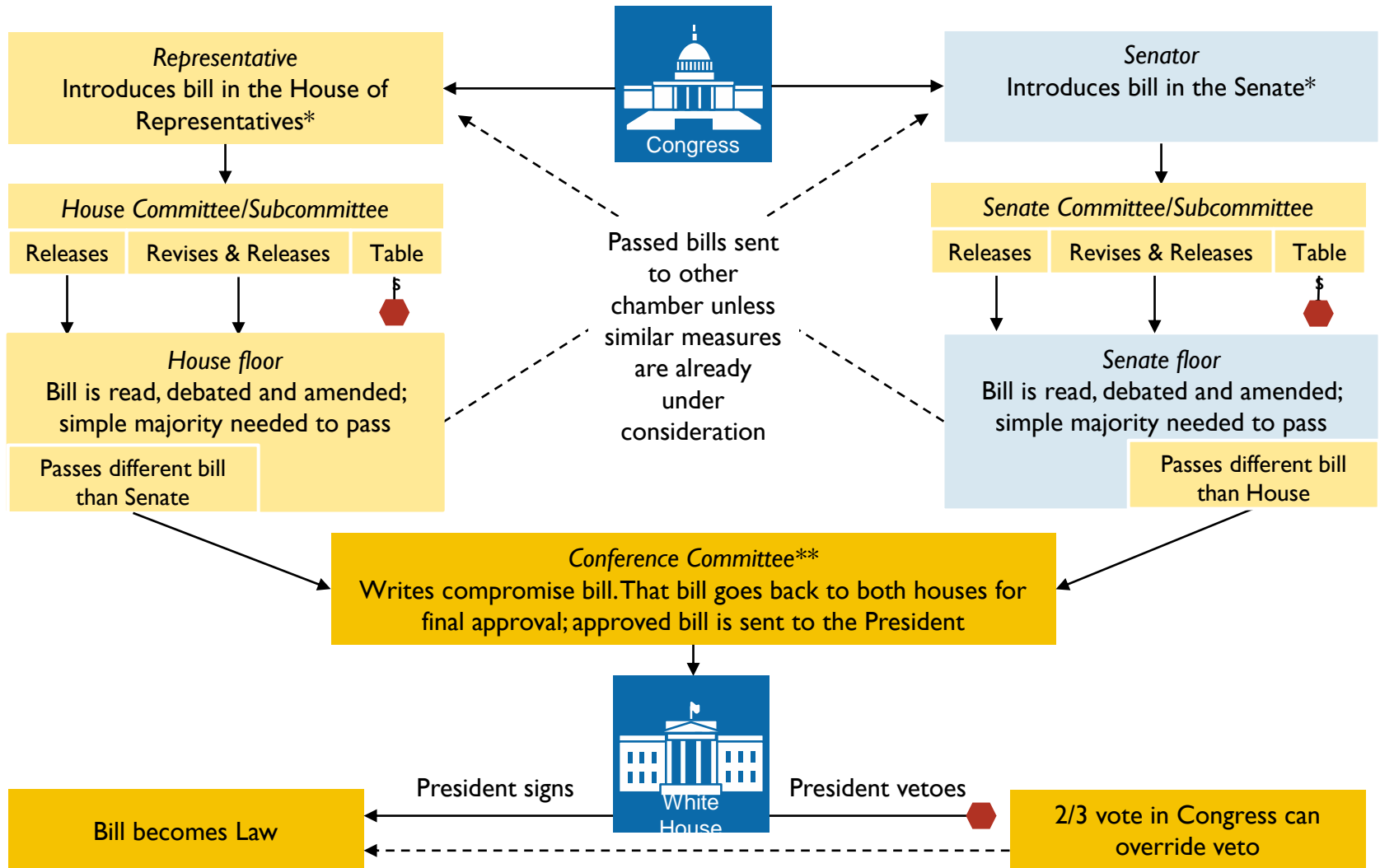


Note: Nonvoting delegates and commissioners excluded. Figures represent makeup of Congress on the first day of each session. Only first year of each Congress is labeled. Asian includes Pacific Islanders. Members who have more than one racial or ethnic identity are counted in each applicable group.

Source: Congressional Research Service, CQ Roll Call, Brookings Institution.

PEW RESEARCH CENTER

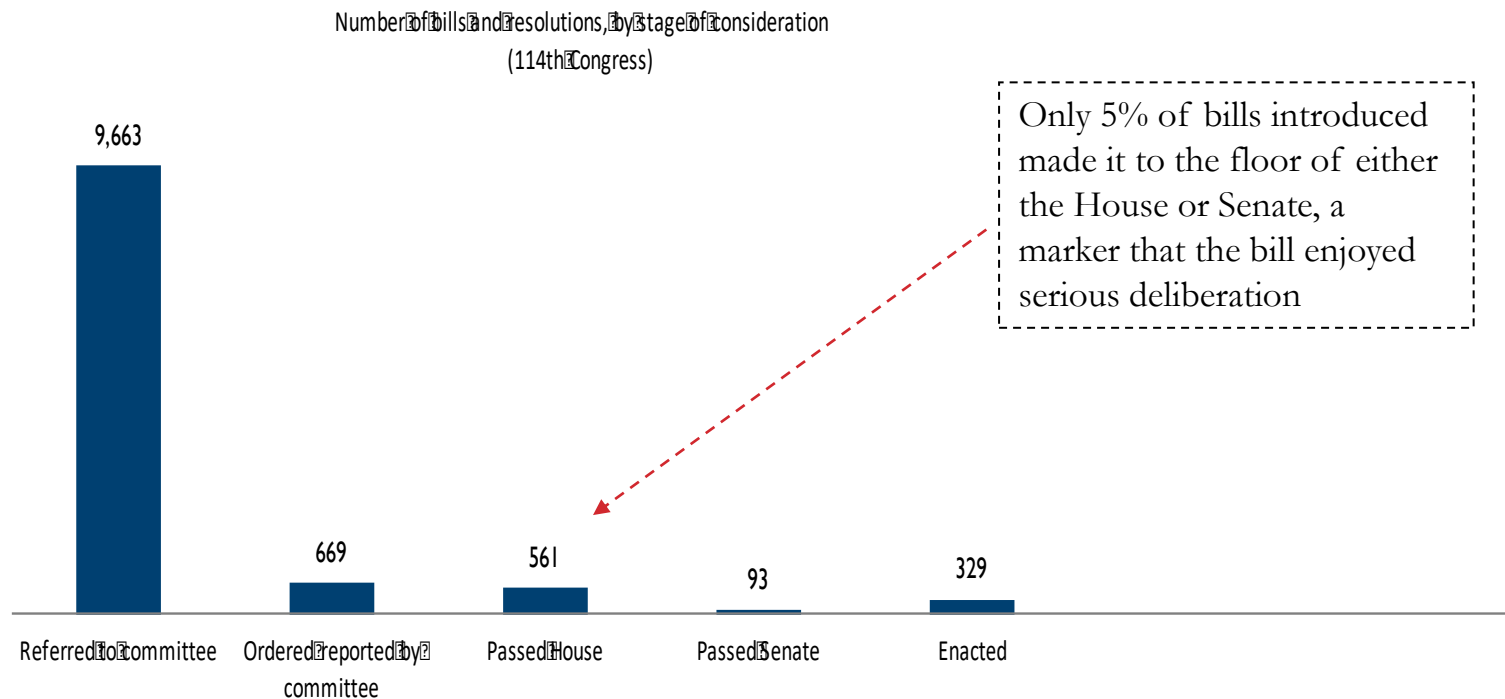
HOW A BILL BECOMES A LAW



*Legislation may be introduced in either chamber except for tax law, which must originate in the House **Most major legislation goes to conference committee; When one chamber passes legislation originating in the other without making changes, bill goes directly to President

ONLY 3% OF BILLS INTRODUCED IN CONGRESS BECOME LAW

A breakdown of the legislative process in the 114th Congress



Analysis

- The vast majority of legislation (86%) in the 114th Congress failed to become law, and most never even came close; only 5% of bills and resolutions were voted on in at least one chamber

BUILDING A RELATIONSHIP WITH DECISION MAKERS



Trust is key

- Lawmakers need to be able to trust that information provided to them is accurate
- You need to be able to trust that the representatives will make a good faith effort to help with your issue

Strive to be a source of information for them

Be amicable, not confrontational

- You want them to be a partner

State your case – firmly, if you must

Remember, fundamentally, YOU are THEIR boss

TIPS FOR BUILDING RELATIONSHIPS WITH POLICYMAKERS AND STAFF

Engage with the office

Invite them to speak at Tribal events in their/your district

Form relationships with staff working on issues relevant to you

- Call and find out who they are
- Ask NIHB if you need help

You want to be a source of information for them

Contact them about current issues

- “Just calling to let you know the Tribe got the EPA grant we applied for”

Get to the point where if they want to know more about Tribal environmental health issues, you are the first person they think of



WHAT SHOULD WE BE SAYING?



USE DATA TO SUPPORT YOUR STORY

In Advocacy, the Story Comes First

- **Decision makers are human, and humans respond to stories**
- **Data supports the story; It is not the story**

Did your program save or improve someone's life or wellness?

- **That is the important thing, whether it happens once or 500 times**

Did a budget cut force you to make painful decisions?

- **What services are you no longer able to offer a program participant?**

Policy makers want to see results

- **Stories and data support a conclusion as to whether the status quo is working or not**

WHAT IF SOMEONE SAYS THE DATA TELLS A DIFFERENT STORY?

Honestly assess the data

“You want more funding for your program, but the issue in the community has improved so the need is less”

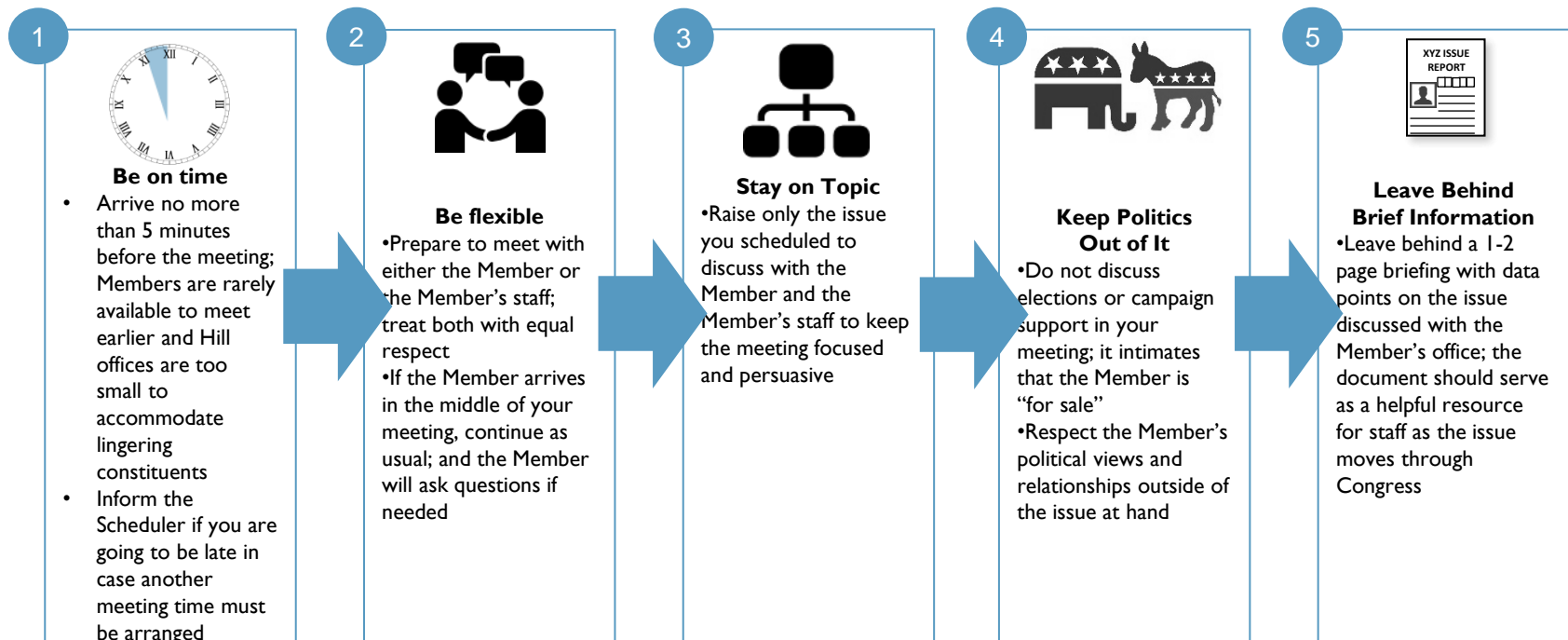
- Improvements show program is effective
 - Easy to advocate for enhancing successful programs
- Compare to neighboring, non-Tribal community
 - Disparity may still exist, showing need for more resources

“You want more funding for your program, but the issue in the community has gotten worse so your program is not working”

- Situation may have been even worse without the program
 - Compare to a control group for analysis
- What are the causes for the lack of improvement?
 - Is increased awareness of the issue making reporting more widespread?
- What changes can be made to the program to be more effective?

PREPARING FOR MEETINGS WITH POLICY MAKERS

What to Keep in Mind When Conducting a Meeting with a Policy Maker in Congress or in Tribal Government



OTHER TIPS

- ❖ Arrive with some knowledge of the Policy Maker: What policy areas are they interested in? How long have they been in office? What do you have in common?
- ❖ Introduce yourself: Who are you and why you are an authority on the topic. Brag a little about cool things your health program is doing.
- ❖ Get to the point: Don't spend a lot of time beating around the bush. Your overview and ask should be no more than 3 minutes
 1. Be prepared to answer questions
 2. Offer your assistance to provide more information or to talk further



OTHER TIPS

- ❖ Assume the person you are talking to doesn't know anything about Tribes, the environment, or health: Make sure to explain why these three issue areas are each central to your work.
- ❖ Make it personal: Make sure to emphasize why this “ask” should matter. Will people lose services? Will there be jobs lost? What will happen to the community?



HOW MEETINGS CAN GO #1

“PREACHING TO THE CHOIR. LET’S DO SOMETHING.”

Policymaker/staff are committed.

- He/she may have already taken a stance on the issue

Thank them for the support

Try to maximize the meeting time

- Get a firm commitment on some sort of action
- Ask what they are hearing from others about the issue
- Ask who else should be approached
- Ask what tactics and information would be most helpful in advancing the cause

This is when follow up and next steps are vital to cement the commitment and your engagement in the action



HOW MEETINGS CAN GO #2

“SOUNDS GOOD, WE’LL FOLLOW UP”

Policymaker is noncommittal

Very common, especially if they are unfamiliar with your issue

This is not a bad thing

Be respectful

- Don’t expect a decision right away
- Lots of factors influence legislator’s actions
- They need time for evaluation

Do find out what would help them

- “What further information would be helpful to you?”
- “What would help you feel comfortable with our position?”

Make sure they actually follow up!



HOW MEETINGS CAN GO #3

“THAT IS NOT MY POSITION”

Decision makers state opposition to your ask

Not very common

Don't be rude or confrontational

You want them to come around, so make it as hard as possible for them to dislike you

Listen to their disposition

- Try to find the source of their opposition
- If they say something against Tribes, offer to provide resources about the legal basis of sovereignty
- If they say something against your health program, invite them to visit so you can show them what is really going on

Be sincere in wanting them to be your ally

Take what you did learn to inform a revised strategy



FOLLOW UP!

Send a thank you message

- Keep it brief
- Remind them of the issue at hand
- Leave a link to any additional information
- If you brought hand outs to the meeting, send an electronic copy!



Don't be pushy

Send any requested information within 2 days

Stay in touch

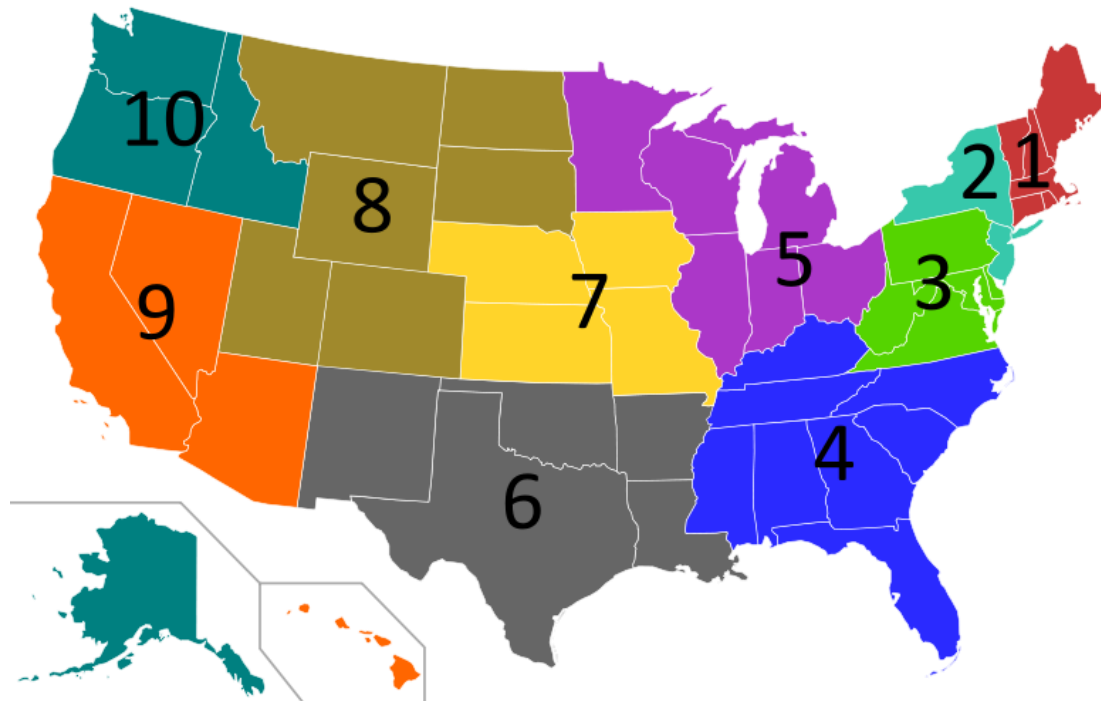
AFTER A LAW PASSES

- Depending on the scope of the bill that passes, the implementation of the policy can have varying timetables.
- **It can be immediate**
 - Example: The CARES Act providing \$1,200 economic stimulus checks
- **Or can take several years**
 - Example: No Child Left Behind enacted policies based on “annual yearly progress.”
- **For the Environmental Protection Agency (EPA), we can see both take place.**



ADVOCATING AT THE LOCAL LEVEL

- What's your EPA Region?
 - Depending on your Tribe's location, your first point of contact will be your Region Office.
 - They act as the federal government representative in your area.



ADVOCATING AT THE LOCAL LEVEL

- **Some of EPA's regional offices have developed additional procedures to assist in their implementation of the EPA Policy on Consultation and Coordination with Indian Tribes.**
- **Check the Federal Register!**
 - The EPA releases daily proposed rulemaking notices, request for public comments on pending permits, notice of public meetings, air plan approvals, etc.
- Depending on new legislation or renewal of existing legislation, the EPA may engage in Tribal Consultation.
 - Ad hoc
 - Not as routine of a process for EPA as IHS/HHS

"EPA consults government-to-government with federally recognized tribes when our actions or decisions may affect tribal interests."

EPA Policy on Consultation and Coordination with Indian Tribes, adopted May 4, 2011

To decide which tribes are affected, EPA may:

- Conduct a sector analysis (water, natural gas, etc.)
- Identify and interact with affected tribal nations
- Interact with EPA's tribal partnership groups or other tribal organizations

What is Consultation?

- A process of meaningful communication and coordination between EPA and tribes **PRIOR** to EPA actions and decisions.
- A flexible, multi-stage process that can be tailored to needs of individual tribal nations.
- Interactions that can be supported by a combination of in-person meetings, teleconferences, and informational sessions.

EPA consultation with tribes ensures proposed actions/decisions consider tribal interests such as environmental impacts on tribal lands or treaty rights.

EPA uses a 4-phase consultation process with tribal nations:



EPA sets a **broad** consultation standard and requires that all comments be considered. Regional and Headquarters Offices may have additional tribal consultation procedures.

OTHER WAYS TO ADVOCATE FOR YOUR PROGRAM AT HOME



POWER OF THE PEN



- Write an Op-ed piece
- Organize a letter-writing campaign
 - E-mail is the best way (but also social media)
- Post testimonials on their social media page
- If you can't get a meeting, write a letter
- Pass a Tribal resolution and share it with their office
 - NIHB can help with sample letters and resolutions

HOST A SITE VISIT

Invite the policymaker to your facility or Tribe and to see your program in action

First-hand experience will help them learn about innovative things you are doing, but also challenges you are facing

Have them speak with health directors, administrators, patients, employees, and community members

If they don't respond, keep trying!!!



BE A GRASSROOTS ORGANIZER

Engaging other community members is really the key to effective advocacy. There is power in numbers

Go to community events /fairs/pow wows, school events, sporting events, and talk about these issues

Have people fill out postcards, record a testimonial on your phone, write down their experience

Pass out information with issues on how folks can help



CONCLUSION

- It is critical to advocate in order to get things done
- If you know the system in which you are working, you can make it work to your advantage
- Use data to tell your story and recruit allies and champions
- Have confidence in your position:
 - No one knows your issues better than you
 - One person saying no is not the end of the road



QUESTIONS?

Brett Weber

bweber@nihb.org

Public Health Policy & Programs Manager

Erin Morris

emorris@Nihb.org

Congressional Relations Associate

National Indian
Health Board

