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Navajo Nation
April 7, 2014
Testimony for the U.S. House of Representatives
Committee on Appropriations
Subcommittee on Interior, Environment, and Related Agencies

I. Introduction

This testimony addresses the Navajo Nation's budgetary priorities and needs for the following agencies and affiliated programs: the U.S. Department of Interior, the Indian Health Service, and the U.S. Environmental Protection Agency. Specifically, I will discuss programs within Interior dealing with Natural Resources, Public Safety and Justice, and Education. Within the Indian Health Service I will address Health Care Facility Construction and the Direct Service line item. Within the Environmental Protection Agency Budget, the Navajo Nation continues to advocate for funds to cleanup uranium legacy mines.

The above listing reflects the Navajo Nation's federal budget priorities to strengthen sovereignty and promote self-sufficiency.

Underlying these budget priorities is the fact that tribal funding is a sacred trust responsibility, and a legal and moral obligation.

Last year, I testified that tribes should be held harmless and not be subject to political whims, such as sequestration. This was unfortunately not the case. Budgets across Indian Country and, certainly, within the Navajo Nation, have never seen such dismal funding numbers. Many programs, such as Impact Aid, have not received full funding since the 1960s. Tribal program funding at the Bureau of Indian Affairs has seen a marked decline since the 1970s. The current method of federal program funding reinforces a perpetual state of poor financial planning for tribes and other local governments.

The Navajo Nation commends this body for recommending the full funding of contract support costs for the BIA and IHS, which we see reflected in the recent proposal put forth by the administration.

II. Natural Resource Management

Several times a year, myself and other tribal leaders sit down with the BIA, and map out what our funding priorities are for the upcoming year. While the end result is never as much as our people need, at least we engage in a meaningful consultation that outlines what we think is important. The sequester process circumvented this consultation process and undermined the ratified Native American treaties. The fiscal 2015 administration proposal contains some positive recommendations. In the face of the loss, due to sequester, anything less than a 2 percent increase is a net decrease when administrative costs and inflation are considered. Flat lined programs or those with moderate decreases are, in reality, cuts of eight to eleven percent from pre-sequester dollar impact numbers.

The result of the Budget Control Act is that tribes lose ground every year for the next several years. Our citizens are feeling the effects and the message is loud and clear. Tribal funding is not seen as a legal obligation, but rather a discretionary line item. It also tells us that underlying treaties are not seen as legally binding documents.

Within the Interior Budget, the Navajo Nation has advocated for an increase in the Natural Resource Management line item. This is where large land-based tribes, typically those that are most economically depressed, can see real progress. The regulatory approval and permit requirements to develop a sustainable economy on tribal land are burdensome and prohibitive. Funding this line item adequately will allow tribes, like the Navajo Nation, to more effectively use our resources by fully providing the dollars necessary to do approvals and permits.

III. Public Safety and Justice

While the administration's public safety recommendations increase the overall public safety and justice line items, fire safety received the of this increase, while law enforcement and courts funding remains stagnant or decreases.

Law Enforcement

The need for increased law enforcement funding is an agreed upon priority across Indian Country. The bipartisan Indian Law and Order Commission (ILOC) released a recent report to Congress recommending sufficient funds be directed to Indian Country law enforcement to address immediate public safety needs. The Navajo Nation fully supports the finding of the commission.

The ratio of police officers on the Navajo Nation is approximately six per 10,000 people far less than similar non-reservation based rural areas in the US, which average 22 officers per 10,000 people. This disparity results in increased call response times, and allows more bad actors to get away with crime. There are currently 280 commissioned officers on the 27,000 square mile Navajo Nation. These officers respond to over 250,000 service calls per year. The Navajo Nation commends the administration's support for increases in public safety funds; however the amounts simply are not enough.

Tribal Courts

The Navajo court system serves the Navajo people through: Tribal Courts, Peacemaking, Probation and Parole. Our justice system fully embodies the traditional values and processes of the Navajo People in accordance with Navajo Nation laws, customs, traditions and applicable federal laws.

The Navajo Nation proudly has one of the most, if not most, sophisticated tribal court system in the country. We are held up as a model for tribal law. This stability and reputation has assisted in developing a stable environment favorable to attracting private investment and assisting in public safety. Our court system is a contracted through PL 93-638 from the federal government however; the federal government only pays eight percent of the cost of running the court.

Finally, the Navajo Nation strongly advocates for the full funding of the Tribal Law and Order Act to further address the concerns of public safety and the judicial system in Indian Country.

IV. Health

Health

For most residents on the Navajo Nation the Indian Health Service is the only provider of health care within a reasonable distance. Many of our people drive an hour or more one way to get to critical services. The need for facilities is vital as is the need for direct service funding. The Navajo People do not have the luxury of utilizing a non-IHS solution on most parts of the reservation.

The Indian Health care system is severely underfunded and for tribes like ours that depend nearly exclusively on their services. This can mean the difference between life and death. With IHS currently funded at approximately 55 percent of its need the outcome is a strained healthcare system that struggles to work well for its patients. The fundamental trust responsibility for healthcare demands that we do more to fulfill the obligation of basic health care to the Navajo people and all Indian tribal members.

The Navajo Nation has promoted the planning and construction of healthcare facilities in order to improve delivery of health services to the Navajo People. One of the funded facilities within the president's request is the Kayenta Arizona Health Center. When completed, this facility will provide quality healthcare to 19,253 people. The Navajo Nation strongly supports the fiscal 2015 president's budget proposal of \$85 million for four national projects, which include the project.

The Navajo Nation supports the proposed Opportunity, Growth, and Security Initiative, which includes a request of an additional \$200 million for construction of Indian Health Service facilities. Currently, the Navajo Nation has five healthcare facilities projects that are on the National Indian Health Services Construction Priority List.

V. Education

Scholarships

A sustainable economy requires a highly educated work force. More than a third of our tribal citizens are younger than 18 years old. The Navajo Nation's Office of Scholarship and Financial Assistance receives more than 17,000 applicants for financial aid each year. The Nation provides a significant portion of funds to be disbursed. Even when added to the federal share from the BIA Higher Education Grant Program, we have to turn away 60 percent of our applicants.

Increasing numbers of Navajos are attending college and delays in scholarship funding can hinder their progress. The distribution of program funds has been delayed frequently in recent years due to the use of continuing resolutions to fund government operations. The Navajo Nation wants to see the program authorized as a forward funded line item much like other education line items. Forward funding insulates program funds from delays in the appropriations process, thereby eliminating the uncertainty and inability to plan that results from delayed funding disbursement.

BIE

The Navajo Nation fully supports the administration's proposal for the ongoing evaluation of the Bureau of Indian Education System. The Navajo Nation has the largest number of federally funded schools 66 out of 183, over a third.

Johnson O'Malley

Additionally, the Navajo Nation supports full funding of the Johnson O'Malley Program. The JOM Program serves more than 49,000 eligible Native American students age three through twelfth grade

on or near the Navajo reservation. JOM assists with educational needs, support and opportunities, basic school programs, plus college and career ready education needs. Some of the success that the Navajo Nation has experienced language preservation can be attributed to JOM. According to recent census statistics Navajos maintain the highest rate of language usage at 70 percent.

VI. Environmental Needs

EPA

The Navajo Nation has made no secret of the hurdles we have faced in complying with what we feel are burdensome federal regulatory requirements. We fully appreciate the need to protect our environment. The Navajo Nation is after all, our sacred Dine'tah - our mother earth. What we cannot abide by are regulations that do little to nothing to assist in cleaning up the water and air, and yet do everything to decimate our tribal economy.

We ask that resources be put forth to assist tribal coal based economies such as ours, to invest in both cleaner coal technologies and in renewable projects. The Tribal General Assistance Grant within the EPA budget has a proposed 47 percent increase. This is great news and we would like direction from this committee to ensure that increases get put toward addressing the energy and economic crises in non-renewable dependent based tribal economies.

Uranium

The Navajo Nation continues to live with the Cold War legacy of uranium mining. The uranium from Navajo land from 1944 to 1986, was used to meet the federal government's demand for nuclear weapons material. For more than four decades, thousands of Navajos worked in uranium mines. Eventually, miners and families were diagnosed with terminal lung cancer and respiratory disease. Prior to uranium mining, Navajo People were virtually cancer-free with the lowest lung cancer rate of all Native American Nations. Of the nearly 500 abandoned uranium mine sites located throughout the Navajo Nation; only one has been fully assessed. The U.S. EPA has estimated the total volume of contaminated materials to be about 871,000 cubic yards at the Church Rock, New Mexico site alone.

In 2007, congressional hearings and briefings were held regarding the health and environmental impacts of uranium contamination on the Navajo Nation. Subsequent to the hearing, EPA, the Department of Energy, the US Nuclear Regulatory Commission, BIA and IHS were asked to develop a coordinated five-year plan to address eight objectives, without funding to support the plan.

The Navajo Nation requests the federal government adequately fund the ongoing five year plan and cleanup and to fund a long-term, comprehensive health assessment and research on the impact of uranium mining on the Navajo Nation

VII. Conclusion

The federal government has a treaty responsibility to both protect and assist tribes in protecting our land and resources, and developing a sustainable permanent homeland. The priorities outlined by the Navajo Nation seek to strengthen the sacred trust relationship and assist the Navajo Nation in furtherance of self-sufficiency and tribal sovereignty.