



TESTIMONY OF CHIEF EXECUTIVE MELANIE BENJAMIN  
OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE OF MINNESOTA  
BEFORE THE U.S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON APPROPRIATIONS  
SUBCOMMITTEE ON INTERIOR, ENVIRONMENT AND RELATED AGENCIES  
FISCAL YEAR 2015 BUDGET REQUEST  
APRIL 8, 2014

Mr. Chairman, Members of the Committee, I am the Chief Executive of the Mille Lacs Band of Ojibwe. We are located in east and north central Minnesota. My testimony will focus on the Bureau of Indian Education (or “BIE”), the Indian Health Service (or “HIS”), the Environmental Protection Agency (or “EPA”) and the Bureau of Indian Affairs (or “BIA”).

**I. Bureau of Indian Education: Pine Grove Academy in District III (Lake Lena)**

Our Mille Lacs Reservation stretches across three Districts. District I is on the south shore of Lake Mille Lacs. District II includes areas over 60 miles to the northeast of Lake Mille Lacs, and District III includes areas 80 miles east of Lake Mille Lacs. These distances make educating our children a challenge, especially in winter conditions.

In 2013, the U.S. Department of Education reported that Native Americans in Minnesota had the lowest on-time high-school graduation rate in the country. This is not just a black eye for Minnesota -- which otherwise prides itself on education -- it is a national disgrace given that Minnesota has one of the largest populations of Native American students in the nation.

There is hope, however. The Minnesota Campaign for Achievement Now recently concluded that three schools in Minneapolis, Cloquet and Detroit Lakes are making strong academic gains because they are cultural immersion schools that set high expectations for their students and integrate tribal history, culture and language. At these schools, student proficiency rates for reading and math are as high as 80%.

Mr. Chairman, we have a cultural immersion school on the Mille Lacs Reservation in Districts I and II. But we have none operating today in District III, where our children have no access to culturally-based education. I am coming to you today with a cost-effective solution, but it will require increased support from this Subcommittee and from the BIE. First, I’ll briefly describe how we historically arrived at this point.

In 1972, our students at the public school in Onamia, Minnesota walked out of their classes in protest of the racism they experienced. They asked our Tribe to start a school which embraced traditional Ojibwe values, taught the language of their grandparents, and created an atmosphere that was inclusive, safe and conducive to learning. Our Tribe responded by establishing Nay-Ah-Shing School in District I, where for the last 42 years we have taught our own students from pre-kindergarten through 12<sup>th</sup> grade. We are now starting a community college in District I. District II has a state-chartered, cultural immersion school for our children where they learn many of the same values we teach at Nay-Ah-Shing.

Which brings me to District III. Band members in District III want their children to have the same language and cultural immersion educational opportunities that are offered to other children throughout our Reservation. In the past, we have bused the children of District III over 80 miles to the Band's Nay-Ah-Shing school in District I, but that is over a daily three hour bus ride for small children. For all of our children, but especially our littlest ones, busing has proven to be too much of a burden. And, at nearly 800 miles each week, it is very costly.

About eight years ago, several parents worked with the Tribe to establish the Pine Grove Leadership Academy in District III. Its facility was located in the midst of a beautiful forest at the site of a former campground. In addition to a core curriculum, the students were taught the language and traditions of the Ojibwe. Unfortunately, at the height of the recession, we had to close Pine Grove after its authorizing sponsor was forced to cut back administrative staff expenditures. Pine Grove never received BIE support. I want to work with the Subcommittee to re-open Pine Grove with BIE support.

Research proves that cultural immersion works for Native American students. We simply must do whatever we can to turn around the dismal graduation rates of Native students in Minnesota. The answer for Pine Grove is in one sense traditional and in another sense innovative. The Band proposes to re-open our District III Pine Grove school as a satellite of our BIE-supported Nay-Ah-Shing school. We seek to accomplish this by using 21st Century technology and smart planning with regard to teachers and administrators. We believe we can do this with relatively little funding from the BIE, but we do need BIE support for the several dozen students at Pine Grove.

We understand that the BIE is not authorized to expand the programs or facilities it supports, but what we propose is not an expansion. Whether we bus our students to Nay-Ah-Shing in District I or provide them with the Nay-Ah-Shing education through a satellite Nay-Ah-Shing school in District III, they would be counted and supported by the BIE either way. Using technology to deliver a culturally-based education would also be cost-saving and environmentally sustainable, contrasted with 800 miles per week in fuel. Nay-Ah-Shing is in the midst of reorganizing, and we appreciate the administrative support of the BIE with regard to training our school board members. As Nay-Ah-Shing reorganizes, this would be a fitting time to add our Pine Grove classrooms as a satellite school of Nay-Ah-Shing.

We firmly believe that all of our Band's children are entitled to an education that will provide them with an opportunity to know their language, traditions and culture. We want our tribal elders to expose them to the stories of our Band and history from our Ojibwe viewpoint as well as other perspectives. Studies show that our kids will do better in life with this type of education which mixes Ojibwe with reading, writing, math, science and all the required subjects they will need to succeed in college.

For the sake of our children, we ask that the Subcommittee require the BIE to work with the Mille Lacs Band to support Pine Grove as a Nay-Ah-Shing satellite school for our District III children. We believe this can be done in a cost effective, creative, technologically savvy and pedagogically effective manner, teaching the wisdom that has its origins in our language and traditions from time immemorial.

## **II. Indian Health Service: Diabetes/Dialysis and its Costs**

Mr. Chairman, I first want to thank the Subcommittee for its continuing commitment to fighting diabetes in Indian country. As a tribal leader, I don't know a single family whose lives have not been impacted by this disease. The Special Diabetes Program for Indians (SDPI) will help us go a long way in this great battle, and while SDPI mandatory funding is not within this Subcommittee's jurisdiction, we know your support has helped make SDPI a reality. We especially say "Miigwech" to our friend Betty McCollum for championing the SDPI legislation.

At Mille Lacs, we face many of the same challenges as other tribes across the country when it comes to diabetes. One problem we have is that we do not have adequate kidney dialysis service within a reasonable driving distance. As a consequence, I have seen many of our people unwilling to obtain dialysis treatment. One of our prominent Band members, Frank Boyd, had lived with diabetes for a number of years. When he learned his kidneys were failing, he would drive himself the 60 miles round trip to the available dialysis unit. Frank was a strong man; however, the disease, the weakening impact of dialysis, and especially the long drive to get treatment, caused him to give up on dialysis. He could have lived another decade or two with a kidney transplant. But he was a proud man and so he chose to not ask others for help. He died of kidney failure. He also died of our failure to provide him with a better way to get dialysis treatment. We are working with our neighbors to get a dialysis unit closer to the aging population in our local community, Indian and non-Indian alike, who need this service. I ask that you help us find creative ways to provide dialysis to all of the people in rural communities.

## **III. Environmental Protection Agency: Cleaning up Lake Mille Lacs**

Mr. Chairman and Members of the Committee, Lake Mille Lacs is a crown jewel of Minnesota lakes. However, after decades of septic systems leaching into the Lake, the pollution was becoming more and more evident a few years ago. Through the efforts of Congress, the EPA and partnering with Kathio Township and the small town of Garrison, our Tribe built a state-of-the-art wastewater treatment facility. The Army Corps of Engineers later worked on the connectors phase. I am pleased to report that the Lake is getting cleaner as the years go by, but now we face other threats to the quality of the Lake.

Invasive species such as the zebra mussel have damaged the Lake and despite the Band's collaborative research with the State of Minnesota, we have yet to find a solution to this predator. As a consequence, our Lake's walleye population is in sharp decline, and young walleye in particular are not surviving well. Just 5 years ago, safe harvestable levels were set at 600,000 pounds. This year those levels have been reduced to 60,000, of which only 5,100 pounds are allocated to Mille Lacs Band members.

We appreciate the assistance we have received in the past and especially commend the EPA, the Committee, and the Minnesota congressional delegation for the State and Tribal Assistance Grants (or "STAG") that assisted in the construction of our wastewater treatment facility. Likewise, we appreciate being included as an environmental infrastructure project by the Army Corps in its FY14 work plan so we can eliminate more septic systems, make the plant

work more efficiently, spur economic growth and jobs, and clean the Lake. Again, "Miigwech" to our great Congressman Rick Nolan. There is no greater natural resource to the Band than Lake Mille Lacs, and we seek to work with Minnesota and the federal government to keep it clean for generations to come.

#### **IV. The BIA and IHS: Expanding Tribal Self-Governance Authority**

Mr. Chairman, over a quarter of a century ago, a group of tribal leaders testified before this Subcommittee in a series of hearings that led to the formation of the Tribal Self-Governance Demonstration Project in which the Mille Lacs Band was an original participant. Today most of these leaders have since walked on: Roger Jourdain, Wendell Chino, Joe DeLaCruz and Arthur Gahbow – Art preceded me as Chief Executive of the Mille Lacs Band and was my mentor. Together those tribal leaders and this Subcommittee made history, having the courage and foresight to see that the future of federal Indian policy was in Indian tribal governments making more decisions locally; in tribes themselves redesigning programs to fit each tribe; and in tribal governments setting spending priorities rather than someone in Washington. As Tribal Self-Governance authority was made permanent, this Subcommittee helped ensure that the BIA and IHS properly implemented it.

We do have one request. From the earliest days of the Self-Governance demonstration project, the Mille Lacs Band has always sought to negotiate its tribal share of the funding reserved by the BIA for its Central Office functions. As one of the first tribes to participate in Self-Governance, we respectfully request that this Subcommittee remove from its appropriations bill the language which year after year has exempted BIA Central Office funding from the tribal share negotiation process. There is no sound policy reason for this exemption, and the BIA has used it, in conjunction with reorganization efforts, to keep significant appropriations away from our negotiations to deliver more tribal services under Tribal Self-Governance authority.

Likewise, both the IHS and BIA have withheld significant amounts of funding from tribal negotiations claiming it must spend those dollars on activities that are inherent federal functions. However, much of this activity is governmental in nature, and involves duties our tribal government has assumed. While it may well be inherently governmental, it is not inherently federal. We ask the Subcommittee's help in addressing this issue so that we can maximize your support for the delivery of services at the level where they are most critically needed -- our Reservation communities.

We thank this Subcommittee for its bi-partisan support of tribal Self-Governance and Self-Determination through the years. We firmly believe that governmental decisions made locally by Indian tribes are the best policy for the federal government to support. We also firmly believe that in order for the federal government to maintain its trust responsibility to Indian tribes, this Subcommittee must work to uphold all promises made to Indian tribes under the treaties and statutes over the centuries and in the recent decades.

We look forward to a bright future thanks to this Subcommittee and its members. We are eager to work with you in the days and years ahead. Miigwech!