

**TESTIMONY OF TOM MAULSON, PRESIDENT
LAC DU FLAMBEAU BAND OF LAKE SUPERIOR CHIPPEWA INDIANS
BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE
ON INTERIOR, ENVIRONMENT AND RELATED AGENCIES
ON INDIAN PROGRAMS IN THE FY2015 BUDGET
APRIL 8, 2014**

My name is Tom Maulson, I am President of the Lac du Flambeau Band of Lake Superior Chippewa Indians, located in Wisconsin. I am pleased to submit this testimony, which reflects the needs and concerns of our Tribal members for Fiscal Year 2015. My testimony addresses BIA, EPA and IHS programs that are vital to my people. I would especially like to thank the Subcommittee for its leadership and commitment to Tribes.

The President's FY 2015 Budget has some important and positive initiatives for Tribes. For example, fully funding contract support costs is a major step forward – and represents an example of the federal government finally keeping its promise to Tribes, in a way that is essential to the success of the Self-Determination Policy. At the same time, in many other critical respects, the Budget provides funding levels that will not protect the basic well-being of Indian tribes and Indian people. Indian country is still struggling from the harsh setbacks we faced as a result of sequestration and the Budget does not restore equity to the funding of Indian programs overall. Based on Treaty obligations and the federal trust responsibility, the federal government should be committed to providing fundamental fairness to Tribes, not just in selected areas but across the board – and appropriations for all programs affecting Indians should provide funding levels based on this fundamental principle. All of the following programs are significant priorities for the Tribe.

BIA Tiwahe (Family) Initiative

The Tribe strongly supports the Administration's Tiwahe (Family) initiative, a broad-based, interdisciplinary, and culturally appropriate program for addressing the needs of Indian families and communities – including child welfare and family services, housing and job training. This program fills an immediate and critical need.

At Lac du Flambeau, over the last few years we have faced a crisis in our community arising from a growing epidemic of drug abuse. The problem has been far-reaching – as we find widespread abuse of prescription drugs, synthetic marijuana, and heroin on our Reservation. The impact on our community has been devastating in terms of the health and well-being of our families.

The situation became so serious that our Tribe last year declared a state of emergency to address this problem. Law enforcement was stepped up to stop those who would bring illegal drugs onto our Reservation and try to sell them to young people in our communities. These law enforcement efforts have led to a large number of arrests. But we also recognize that the solution to this drug problem requires more than enhanced law enforcement. We need a range of professionals – social workers, mental health professionals, educators and others – to provide the services required to help those who face addiction and other health effects from illegal drugs, as well as the families of those affected. Our goal is to protect our community from the dangers of

drug abuse and to provide an opportunity for those who have been afflicted by drugs to rehabilitate themselves and rejoin our community with hope and pride.

Unfortunately, the rise in drug abuse often leaves our children caught in unsafe situations at home. This has led to an increase in the need for foster care and other temporary placements for our children. The Administration's \$5 million increase for Indian Child Welfare programs will help meet this need.

Our efforts to address this drug crisis have been financially costly to the Tribe – as we must plan effectively, educate our students about the threats of illegal drugs, counsel those who need help (and their families), provide health services for those who need rehab, deter distribution of drugs through law enforcement, and provide economic opportunity and cultural support for our community to provide viable alternatives to those who might otherwise engage in drug use. The Administration's Tiwahe Initiative seems well tailored to address this type of problem – as it provides a source of funding to protect Indian families and communities that face challenges that require comprehensive and multi-faceted solutions. We wholeheartedly urge the Subcommittee to support this initiative.

EPA Programs

As we address our drug crisis, we are mindful that one of the cornerstones of a healthy community is a healthy environment. Clean air, water and land are vital for the physical and emotional health of our people, and provide both a foundation for our Tribal culture and the basis for economic opportunity on our Reservation. Today, mining in our area provides a significant challenge to our Reservation environment, and we must take steps to ensure that any development is undertaken in a manner that fully protects our natural resources and our communities. That is our obligation to future generations – to ensure that our lands and waters are adequately protected. Funding for several EPA programs is vitally important.

Tribal General Assistance Program. The Tribe strongly supports the proposed \$30.8 million increase in the EPA Tribal General Assistance Program, known as "Tribal GAP." This program provides base environmental funding to assist Tribes in building their environmental capacity to assess environmental conditions, utilize available data and build their environmental programs to meet their local needs. This is a foundational program for Tribes to address the broad range of challenging circumstances we face regarding our Reservation environment.

Clean Water Programs. The Tribe also supports the proposed increase in funding for the pollution control program under section 106, and for non-point source pollution under section 319 of the Clean Water Act. At Lac du Flambeau, the Tribe has obtained Treatment as a State status under the Clean Water Act for establishing water quality standards, and we have an active program to monitor, maintain and improve water quality, as well as a program to address non-point source pollution. Water is basically everywhere on our Reservation, as we have 260 lakes covering over 17,000 acres, as well as 71 miles of streams and 24,000 acres of wetlands. The section 106 and section 319 programs should be funded at the recommended levels to enable tribes to protect their water resources.

Brownfields. The Brownfields program provides funding for tribes and others to assess and clean up lands that have been contaminated. At Lac du Flambeau, we face challenges from

brownfields, including a threat to groundwater from perchlorate – the result of a fire at a former fireworks store. Brownfields funding is divided among those seeking funding – so the more tribes that participate in efforts to clean up their contaminated lands, the less money is available for each tribe. While the number of tribes needing these funds has been increasing in recent years, the funding has not. We urge the Subcommittee to provide greater funding so tribes can properly protect their homelands and clean up brownfields.

Great Lakes Restoration Initiative. The Tribe strongly supports funding for the Great Lakes Restoration Initiative. For the indigenous people of Wisconsin, the Great Lakes represent the lifeblood of our culture and the foundation of our economies. The protection and preservation of the Great Lakes are necessary to preserve the tribal communities that have made the Great Lakes area their home since time immemorial.

BIA Programs

With a few notable exceptions – like the Tiwahe Initiative – the 2015 Budget provides basically flat funding for Indian programs. Over the last several years, other agencies within Interior – like the Fish and Wildlife Service and the National Park Service – have seen increases greater than those of the BIA. The U.S. has a trust obligation to tribes and must not place tribes last in terms of equitable funding. With growing populations and expanded challenges, Tribes are forced to provide services for their people and protections for their homelands without adequate funding for key programs, including the following:

BIA Public Safety and Tribal Courts. Enactment of the Tribal Law and Order Act and the Violence Against Women Act reflect the growing role for Tribal law enforcement and judicial systems. Tribes need the resources to meet these increased responsibilities. As already noted, tribes face broad law enforcement challenges, including those arising from drug abuse. Enhanced law enforcement on the ground also requires additional Tribal Court resources – as more arrests require more Tribal Court processes. We support the Administration’s proposed increase for Public Safety and Justice, and urge the Subcommittee to provide a like increase for Tribal Courts.

BIE Tribal Education Programs. Education remains a critical investment in the future of the tribes. The Johnson-O’Malley Program provides vital support for Indian students in public schools. While the Administration has requested a small increase, the funding for this program remains far below the need. We must do more for our students in public schools. Likewise, we are proud to see an increasing number of our students attending and graduating from colleges and other post-secondary institutions. But the cost of such education is staggering and funds must be available for our students to succeed in higher education. More scholarship funding is needed. The Tribe also supports the Administration’s proposed increase in BIA funding for fellowship and training opportunities for post graduate study.

Road Maintenance. Proper road maintenance on the Reservation is essential for the safety and health of our community, and for promoting economic opportunities. We urge the Subcommittee to increase funding for this important program.

Tribal Natural Resource Management and Development; Tribal Fish Hatchery Operations and Maintenance. Tribes are leaders in natural resource protection and BIA

natural resource funding is essential to maintain our programs. Lac du Flambeau has a comprehensive Natural Resources Department and dedicated staff with considerable expertise in natural resource and land management. Among our many programs, the Tribe operates a fish hatchery, that stocks many of our lakes. Along with our other natural resource programs, our fish production activities are essential to protect our natural resources and to foster economic activity on our Reservation. We support full funding for these programs.

Conservation Law Enforcement Officers. Conservation Law Enforcement Officers are responsible for enforcing hunting and fishing regulations related to the exercise of treaty rights, but they also are often the first to respond to emergency situations. These officers play an integral part in protecting our cultural and economic resources, as well as assisting with protecting public safety. We urge the Subcommittee to provide increased funding for Conservation Law Enforcement as an acknowledgement of the importance of Tribal conservation law enforcement officers to the federal law enforcement family.

Circle of Flight: Wetlands Waterfowl Program. We urge the Subcommittee to continue to provide support for the BIA Circle of Flight Program. This program supports Tribal efforts throughout the Great Lakes Region to restore and preserve wetlands and waterfowl habitat within Tribal territories.

Great Lakes Indian Fish and Wildlife Commission. The Tribe strongly supports the work of the Great Lakes Indian Fish and Wildlife Commission (“GLIFWC”). GLIFWC assists in protecting and implementing its treaty-guaranteed hunting, fishing and gathering rights. We urge the Subcommittee to fully support the programmatic funding for GLIFWC from both BIA and EPA. GLIFWC has played an invaluable role in providing science and sound management practices for our off-reservation resources. This role could not be filled by any other agency.

Cooperative Landscape Conservation. The Tribe supports full funding for this program, to assist tribes in preparing for the impacts of climate change. Overall, the Tribe is pleased that the Administration is placing a high priority on addressing climate change – which is essential to the Nation’s future. From the Tribal perspective, each Tribe needs to have staff trained, and to undertake locally developed climate change adaptation plans in light of local circumstances. Climate change has significant implications for both on-reservation systems and ceded territory Treaty Rights. We urge the Subcommittee to ensure that Tribes are included in all programs designed to address climate change.

Indian Health Service Programs

Tribal health programs have never recovered from the impacts of sequestration. As health care costs rise, and tribal populations increase, tribal health care remains at risk. Tribal member life expectancy remains 4 years shorter than other Americans, and tribal members continue to suffer disproportionately from a wide range of serious health conditions. More funding is needed across all IHS programs to begin to address these disparities. One program of particular importance is Purchased/Referred Care which has been tragically underfunded for many years – with funds running out well before each fiscal year ends. Our family members should not be forced to do without needed health care based on the time of year they become ill. We strongly support the \$15.4 million increase for purchased/referred care services (along with \$32.5 million increase for medical inflation) proposed for the FY2015 Budget.