

Sac and Fox Nation

920883 S. Hwy. 99 Bldg. A • Stroud, OK 74079



Principal Chief GEORGE THURMAN
Second Chief ORVENA (TWIGGY) GREGORY
Secretary MARY F. MCCORMICK
Treasurer JARED A. KING
Committee Member STELLA NULLAKE

**TESTIMONY OF THE HONORABLE GEORGE THURMAN, PRINCIPAL CHIEF
SAC AND FOX NATION
SUBMITTED TO THE HOUSE APPROPRIATIONS
SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
ON THE FY 2015 BUDGETS FOR THE BUREAU OF INDIAN AFFAIRS AND
THE INDIAN HEALTH SERVICE**

APRIL 8, 2014

Good morning to the Subcommittee Members and congratulations to Chairman Calvert as the new Chairman and to Congressman David Valadao, the newest member on this Subcommittee. I am George L. Thurman, Principal Chief of the Great Sac and Fox Nation, home of Jim Thorpe, one of the most versatile athletes of modern sports who earned Olympic gold medals for the 1912 pentathlon and decathlon. On behalf of the Sac and Fox Nation thank you for the opportunity to present our requests for the FY 2015 Budgets for the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS).

A fundamental goal for Indian Country governmental services is parity with similarly situated governments or services. Although Tribes have made some progress in addressing terribly inadequate public services that many Americans routinely take for granted, they are still experiencing what the U.S. Commission on Civil Rights called "A Quiet Crisis" of unmet Federal funding needs. Full funding of Contract Supports Costs is a step in the right direction for Tribes to be paid the costs of performing services under contract with the Federal government enjoyed by non-Tribal Federal contractors. It is not fair that the Federal government's legal obligation to pay CSC requires reducing Tribal funds to meet the Federal trust obligation to Tribal Nations.

In FY 2013 Tribal programs incurred cuts totaling over \$500 million under the sequestration. We were not able to recover the sequestered funding under the Murray/Ryan budget deal and the BIA and IHS Spending Plans further disappointed our expectations for budget equity during these fiscally strained times. ***We strongly urge Congress to fully restore sequestration cuts from FY 2013 and exempt Tribal funds from future sequestration. It threatens the trust responsibility and reduces portions of the budget that are not major contributors to the deficit.***

I. TRIBAL SPECIFIC REQUEST - \$4.95 Million to Fully Fund Operations of the Sac and Fox Nation Juvenile Detention Center (SFNJDC) - Bureau of Indian Affairs – Public Safety and Justice - Office of Justice Services – Detention/Corrections Account

II. NATIONAL REQUESTS – BUREAU OF INDIAN AFFAIRS

1. **Public Safety and Justice - Law and Order – Detention/Corrections:**
 - a. **Increase the 2015 Request (\$192.9 million) by \$4.95 million for Detention/Corrections to fund the SFNJDC**
 - b. **Fully fund all provisions of the Tribal Law and Order Act of 2010;**
2. **Restore 2013 Sequestered Cuts (\$119 million) to Tribal Program Funding**
3. **+ \$19.3 million over FY 2014 for Tribal Priority Allocations Account**
4. **\$4 million over FY 2015 request to fully fund Contract Support Costs (CSC);**
5. **\$500,000 for Johnson O'Malley education assistance grants to support a new student count in 2015 and provides funding for the projected increase in the number of students eligible for grants; and,**
6. **Office of Self-Governance (OSG) – Provide increased funding to the OSG to fully staff the office for the increase in the number of Tribes entering Self-Governance.**

III. NATIONAL REQUESTS – INDIAN HEALTH SERVICE

1. **Restore 2013 Sequestered Cuts (\$220 Million) to Tribal Health Services;**
2. **Support IHS Mandatory Funding (maintain current services);**
3. **+\$30 million over FY 2015 request to fully fund Contract Support Costs (CSC);**
4. **+\$50 million over 2015 request for Purchased and Referred Care; and,**
5. **Restore \$6 million to the Office of Tribal Self-Governance (OTSG) to fulfill legal requirements under Title V of P.L. 106-260 which increased the responsibilities of OTSG.**

I. TRIBAL SPECIFIC REQUEST - \$4.95 Million to Fully Fund Operations of the Sac and Fox Nation Juvenile Detention Center (SFNJDC) - Bureau of Indian Affairs – Public Safety and Justice - Office of Justice Services – Detention/Corrections Account

In 1996, the Sac and Fox Nation Juvenile Detention Center (SFNJDC) opened its doors as the first regional juvenile facility specifically designed for American Indians/Alaska Natives, as well as the first juvenile facility developed under P.L. 100-472, the Self-Governance Demonstration Project Act.

At that time, the Bureau of Indian Affairs made a commitment to fully fund the SFNJDC operations; however this commitment was never fulfilled. Even though the Nation continues to receive and use Federal dollars to address the issue of juvenile delinquency and detention for Tribes in the Southern Plains Region and Eastern Oklahoma Region, it has never received sufficient funds to operate the facility at its

fullest potential. Full funding to the facility by the Bureau would relieve financial burdens on Area Tribes to pay for detention services elsewhere and keep Tribal youths close to home.

Full funding would allow the Nation to provide full operations including (but not limited to):

- Juvenile detention services to the 46 Tribes in Oklahoma, Kansas and Texas;
- Rescue more of our at-risk youth and unserved youth in need of a facility like the SFNJDC;
- Re-establish programs we have lost due to inadequate funding such as: On-site Mental Health Counseling; Transitional Living, Vocational Training, Horticulture, Life Skills, Arts and Crafts, Cultural Education and Activities, Spiritual Growth and Learning;
- Offer job opportunities in an area that is economically depressed; and,
- Fully staff and expand staff training to address high volume of staff turnover which will allow for continuity in operations and service delivery.

Most recently at the FY 2016 Regional Budget Formulation Session, these Tribes continue to support and endorse full funding for operation of the SFNJDC and included it as a priority in their "Top 10 Budget Increases" for the FY 2016 BIA Budget.

The current funding level represents only approximately 10% of what is needed to fully fund the Juvenile Detention Center. Additional funding in the amount of **\$4,950,000**, over what Sac and Fox already receives in base funding (\$508,000), would fully fund the facility at a level to address the need of juvenile delinquency in the tri-state area and create opportunities for employment for more Tribal members.

The SFNJDC is a 50,000+ square foot, full service, 24 hour, 60 bed (expandable to 120 beds) juvenile detention facility that provides basic detention services to all residents utilizing a classification system based on behavioral needs to include special management, medium and minimal security. Our facility was designed to provide programs including behavioral management, alcohol and substance abuse, spiritual and cultural growth and learning, self-esteem, arts and crafts, health and fitness, horticulture, nutrition, life skills, vocational technical training, counseling, educational programs and a Transitional Living Center.

Through a partnership with the local High School, students are afforded an education at the public school level, including a graduation ceremony and issuance of a certificate upon successfully achieving the state requirements. Additionally, the Sac and Fox Nation has an on-site Justice Center providing Law Enforcement and Tribal Court services and the Nation also operates an on-site health clinic which provides outstanding medical services that include contract service capabilities for optometry, dental and other health-related services.

The lack of adequate funding from the BIA and decreases in base funding have mushroomed into underutilization and erosion of the programs our facility was built to offer. Our current funding levels only allow us to provide an alcohol and substance abuse program, some health and fitness activities and a basic education program. We have lost our programs for vocational training, horticulture, life skills, arts and crafts, on-site counseling and transitional living. The passage of the 2010 Tribal Law and Order Act was applauded by the Sac and Fox Nation because we saw this as an opportunity for the Federal government to finally step up to its pledge to fully-fund the SFNJDC and honor its Treaty and Trust obligations to our people. However, the lack of funding is also impeding the implementation of TLOA!

In 1996, the SFNJDC was built as a model facility in Indian Country. And nearly 20 years later there is still a need for such a facility to help our youth return to their traditional healing and spiritual ways. As a Self-Governance Tribe we operate our Tribal government on the premise that we are the best provider of the services and know which services are most needed in our communities. We saw the increasing need in the 1990's for a facility like the SFNJDC and we acted on our instincts to help our youth by giving them a place to turn their lives around and the access to programs, services and holistic care they needed to recover and heal. Sadly, the number of Native American youth, and juveniles overall requiring detention has not decreased. The Sac and Fox Nation Juvenile Detention Center was built with the same ideals that the Tribal Law and Order Act Long Term Plan to Build and Enhance Tribal Justice Systems espouses today. The SFNJDC has the facility, staffing, ability, commitment and capacity to provide superior detention and rehabilitation services to Native American youth, as well as any youth in the tri-state area in need of our services. We do not understand the Federal government's desire to fund the construction of more detention facilities while our beds remain empty.

With access to full funding for operations, the SFNJDC will have the stability to fulfill the mission the Tribal Leaders envisioned to help our youth once again find their way and recover from the ills that resulted in them coming to the Facility. With adequate funding we believe it is possible to thrive and benefit the lives of juveniles who enter our Center and are desperately in need of our help to develop and assist them to have a more healthy and productive future.

Thank you for allowing me to submit these requests on the FY 2015 Budgets.