

**TESTIMONY OF JESSICA BURGER, TRIBAL MANAGER  
LITTLE RIVER BAND OF OTTAWA INDIANS  
BEFORE THE  
APPROPRIATIONS COMMITTEE  
SUBCOMMITTEE ON INTERIOR, ENVIRONMENT and RELATED AGENCIES  
UNITED STATES HOUSE OF REPRESENTATIVES  
MARCH 24, 2015**

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Chairman Calvert, Respected Members of the Committee:

I am Jessica Burger, Tribal Manager of the Little River Band of Ottawa Indians (LRBOI). I am honored to present this testimony on behalf of the Little River Band of Ottawa Indians, regarding our views and priorities for the fiscal year (FY) 2016 President's Annual Budget Request. Our Ogema (Chief), Mr. Larry Romanelli, regrets that he was unable to travel here from Manistee, Michigan, our homelands, to deliver this testimony himself.

LRBOI is pleased with the ongoing commitment of the Administration, to "do right by (our) nations," through appropriations requests for the Bureau of Indian Affairs (BIA) at \$2.9 billion, and the Indian Health Services (IHS) of \$5.1 billion; fully \$323 million and \$461 million above the FY 2015 enacted levels. The increases are positive steps in the United States' efforts to live up to its promises to honor treaty and trust responsibilities, support nation building, and restore our unique governance and self-determination. LRBOI believes that Tribal Consultation works. This Committees' willingness to hear the concerns of tribal leadership and our views regarding the impact of the Administration's budget requests derives informed appropriations language that facilitates the outcomes we are all wishing to achieve – successful, safer and prospering Native Nations.

Since Reaffirmation in 1994, LRBOI has prioritized its economic development efforts, programs, and service delivery to enhance the standard of living of its members. Assisting LRBOI members to achieve a middle class economic standard has been an overarching goal since reaffirmation, and while gains are being made, persistent issues remain:

- over half (56%) of Tribal member households earn less than \$30,000 annually, compared to a mean household income of just over \$64,500 for Michigan residents;
- less than 40% of LRBOI tribal members adults have achieved education beyond a high school diploma, compared to nearly 60% of Michigan adults reporting some degree of higher education;
- 1/3 of tribal members access one or more tribal assistance programs annually – current enrollment stands at just over 4200 persons.

Our Tribe is a "young tribe" – the majority are working age adults (2,652) with a large female overall population (2,228). As the overall demographic suggests, the focus of planning for our future needs will require addressing the issues facing a majority-female population, significantly less than retirement age, lacking higher education, and with annual incomes below federal

poverty level. These factors make achieving “middle class” living standards less likely for many of our people. As the population ages into “elder status” (age 55 and older) – affordable housing, medical and long term health care services for a population that has less opportunity in the workforce and less earning potential due to gender – adds to the potential of instability for our community.

Unfortunately, this is happening now, not someday in the future. Increased need resulting in greater requests and access of our assistance programs, along with diminished revenue sources in FY 2014 (both tribal generated supports and federal program reductions), left unmet obligations in all service categories, adversely impacting our families. Initiatives that were rolled out to Indian Country, specifically the Tiwahe Initiative, did little to assist our efforts. LRBOI implemented our community-specific model targeting the dire impact of poverty on LRBOI families in 2014. We call it “Zoongaadiziwin,” and it includes many of the same service targets, with an end goal to strengthen the family unit. Zoongaadiziwin engages general welfare, counseling supports, education, and employment training opportunities under a case-managed, client-centered process, including client-identified milestones that promote and enhance family stability, ultimately strengthening our community. As our overall numbers are smaller than other tribes, it is difficult to write an effective competitive proposal for this program. LRBOI recommends this initiative be funded as a formula-based tribal priority allocation to put all tribes within reach of this needed assistance.

LRBOI is encouraged by the potential described in the “All of Government” approach to addressing unmet obligations in Indian Country. As suggested, DOI and BIA have historically been the point of contact for Tribes to access resources necessary to address the needs of Tribal communities. We are intrigued by the Generation Indigenous initiative. Creating government-wide collaboration placing priority on “all of the federal government” to assist in the preservation of our most precious resource, Native American Youth, seems very achievable. LRBOI suggests taking this one step further: allow the program dollars to be accessed under a new cross-cutting self-governance line item called “Gen-I Native Youth” in non-BIA agreements, as well as BIA and IHS self-governance agreements.

All tribes are facing record numbers of youth committing suicide, facing homelessness and not achieving high school diplomas, let alone seeking higher education degrees. To illustrate the need for the Committee, I provide two examples:

First, we have a youth in our community that served as Tribal Princess; her story is not typical in Indian Country. She comes from a stable family unit that is affluent by most standards. She has achieved exceptional SAT and ACT scores and is in her junior year in the public school system. Yet, she is failing classes, contributed in part to the medical challenge of being a type 1 diabetic, which takes her out of class with missed school days, and a diagnosis of acute depression and anxiety disorder. This perfect storm has culminated in 3 suicide attempts in the past 18 months of her life. In addition, her family is faced with inadequate mental and medical specialty practice availability. Juvenile psychiatric services are non-existent, and the closest medical specialty services are over an hour and a half drive away. Both have limited openings. I know her well; she is my daughter. She has so many gifts, and simply cannot climb out of the mire that is her

world – depression, self-image issues, and chronic illness. In my role as the Administrator for our Tribe, I am unable to secure the professionals my community needs to address her issues. She is not the only one. I am sad to report, we also had a “successful suicide attempt” on March 15<sup>th</sup> of this year and lost a promising young woman. We will never realize her potential. Her family is devastated.

These are just two examples. We have many for our small population. In 2014, our Behavioral Health Department addressed 12 suicide attempts. Our local referral system is overloaded. We simply cannot recruit and retain mental health service providers or specialty medical practice needs with short-term granting initiatives. LRBOI asks the committee to place the funds in the hands of the Tribes under self-governing authorities to allow the flexibility to address community-specific priorities. Create a true “all of government” approach and dedicate funds to a “Gen-I Native Youth” tribal share and priority allocation. Allow the tribes to align the funds to the priority areas the tribes determine, on a recurring funding basis, to ensure that the issues facing youth and their families are addressed with sustainable, successful interventions and services.

Sustainable programs require stable base funding inclusive of adjustments for inflation, population and in an ideal scenario, utilization. All of those factors should converge to create realistic support that enhances the potential of addressing the challenges faced in Indian Country: health status, employment and training, child welfare, and education. LRBOI appreciates the Administration’s proposal to create a three-year mandatory appropriation for contract support costs. This proposal presents an opportunity for the Federal Government to comply at long last with the decisions in the *Cherokee*, *Arctic Slope* and *Ramah* Supreme Court cases. LRBOI would like the Committee to consider a permanent mandatory appropriation for contract support costs, removing them from the discretionary budget scenario to permanent appropriation. To enact this would eliminate the risk of untoward program reductions in discretionary budgets and protect the Congressional intent of those funds – to provide needed services to American Indian/Alaska Native peoples.

A permanent mandatory appropriation for contract support costs would have an immediate impact on the following ongoing challenges:

- Services are vulnerable during times when short-term mandatory spending measures enacted by Congress expire and require reauthorization. The uncertainty of renewal results in roll-back of program delivery at the local level, and redirection of funds that support services to meet the costs of service provision. Or, in some cases, the uncertainty of renewal results in elimination of services altogether.
- The amounts necessary for contract support costs are often in dispute. Establishment of “such amounts as may be necessary” to pay full contract support costs places the onus on the agencies and tribes to work together to determine the actual costs to ensure accurate appropriations of *only the total dollars needed*. LRBOI urges the Committee to consider adding the

establishment of a permanent contract support cost workgroup that will provide ongoing technical assistance and convene quarterly to assist with the determination of those “necessary amounts” from year to year.

- Contract support cost shortfalls are not determined in a timely fashion. A mandatory appropriations scheme that carries funding forward in each fiscal year could require the IHS and BIA to consult with and share shortfall information with tribes through the establishment of deadlines in the appropriations language, with the goal of appropriations year-to-year being only those funds “necessary” to achieve full payment. LRBOI asks the Committee to compel the agencies to produce the shortfall reports for fiscal years 2013 and 2014 and to engage now to finalize information for fiscal year 2015.

As the President’s proposal suggests, mandatory full funding of contract support costs will enhance health care delivery by stabilizing the cost base year-to-year. Tribes will be able to plan on a long-term basis the types of services that can be delivered. LRBOI encourages the Committee to support permanent mandatory appropriations. It is a clean deal. LRBOI does not support the transition to mandatory appropriations with a “special appropriations” creating a demonstration project that is aimed at establishing the funding formulas. The shortfall reports are already in the hands of Congress. Build from those documents the permanent appropriations mechanisms, with immediate implementation in fiscal year 2016. It is doable and necessary.

LRBOI appreciates many of the proposed increases in the President’s fiscal year 2016 budget. The increases are necessary and promising. We see the positive impact of ongoing meaningful consultation that is occurring through the Tribal Interior Budget Council and National Budget Formulation Workgroup as it relates to the recommendations of those groups in the translation of budget priorities. We urge the Committee to continue to support the efforts of these tribally-driven bodies to inform the work of the Administration and, ultimately, Congress. We also believe in the partnership that continues to evolve out of the federal Indian trust relationship. The United States and Native Nations truly do share a “sacred bond” borne from treaties – a mutual exchange for the benefit of both “nations.” LRBOI urges the Committee to do right by our Nations; help us ensure the future of our children, our families, and the Seven Generations to come.

Little River Band appreciates the opportunity to present this testimony to the Committee on these important matters. I am happy to answer any questions the Members of the Committee may have.

KchiMiiigwech (Many Thanks)  
Gdagaanaagaanik (All Our Relations)