

OMAHA TRIBE OF NEBRASKA

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Testimony Chairman Vernon Miller March 24th, 2015

Good morning esteemed members of this committee. My name is Vernon Miller and I am Chairman of the Tribal Council of the Omaha Tribe of Nebraska. I was elected to the Tribal Council in November 2013 and further elected by the Tribal Council as Chairman in 2014. Prior to my election, I was a High School Business Teacher at Omaha Nation Public Schools for 8 years. Because of my professional and tribal council experience, I have some personal knowledge of how the budgets of the BIA and the IHS impact our tribal members.

We are a federally recognized tribe living on the Omaha Reservation in northeastern Nebraska and western Iowa. Our total land area is approximately 307 square miles with a population of approximately 8,400. We have an unemployment rate of over 70%. The Omaha Tribe has suffered for years as a result of dishonored treaties, which translates to inadequate funding, high poverty rates, and the loss of much of our land base due to the failed federal policy of allotment. Our rural location, combined with the fact that it was only about 4 decades ago that we were able to run our own governmental programs, has made it very challenging for the Tribe to develop viable economic ventures to fund critical government and social programs.

We operate Bureau of Indian Affairs (BIA) and Indian Health Service (IHS) programs, most of which are crucial to our tribal members. In addition to providing needed services, these programs also offer sorely needed employment for both Indian and non-Indians. These programs are offered 365 days a year using only federal funds and our limited tribal income, with very little assistance from the State of Nebraska. Current and past BIA and IHS funding have never met our full basic needs.

I'd like to discuss some of the most critical needs of my people First, in our community, we do not have federal dollars to help pay for our water systems, to repair infrastructure or provide water to our people. In essence, the IHS turned over a 30-year-old water infrastructure to us in the 1980's and said, "Run it!" Unfortunately, because of the lack of expertise in managing this critical infrastructure combined with lack of funding, our community suffers from frequent "boil orders" and is under a Consent Decree with the EPA. In sum, our Reservation lacks critical infrastructure to deliver the most basic need of a human being: *Clean Water*.

Second, like most Tribes, we have inadequate law enforcement and court services on our reservation. With regard to our Tribal Court, it relies on grant-funded programs to meet core court functions such as clerical staff and probation services. The building which houses our court and incarceration facility is literally falling apart. We are so financially burdened; our judges have been forced to cancel scheduled court days in order to limit payroll expense. We

do not have a full time bailiff, no process server, no child support clerk, or a juvenile probation officer. For at least the last decade, we have lacked a dedicated criminal investigator. As a result, we lack the resources to investigate and ultimately prosecute in areas such as "white-collar crime", because any resources we have must be dedicated to crimes of violence. We continue to wrestle with the issue of juvenile detention; in this regard, the closest juvenile detention facility available for long -term detention is located one thousand miles from Macy, on the Ute Mountain Reservation in Colorado. Thus, we are burdened with not only the cost of transportation, but also the loss of and expense for police officers on travel. Finally, our detention staff operates with a single, un-equipped high-mileage vehicle, and our staff operates with virtually no standardized equipment or uniforms and most of the prisoner supplies and food service equipment have not been replaced or updated in over a decade.

Third, our roads are crumbling. With the help of BIA funding, we improved the surface condition of 70% of our reservation roads; ironically, however, due to the lack of maintenance funding, our road system is again deteriorating to the point of needing total reconstruction. This is a waste of federal funds. The government should fully fund road maintenance and not rely on the tribe's road construction funds to perform road maintenance. In sum, the BIA budget for Tribes has been around \$26 million for 20 years; it should be at about \$160 million per year. I respectfully urge you to review the Great Plains Regional roads maintenance budget, which shows needs that are extensively documented by deferred maintenance records.

Fourth, my Tribe's General Welfare Assistance Program has suffered from a substantial deficit from last year's funding and anticipates a shortfall for the current FY 2014. Unfortunately, since 1994, Congress has included a statutory cap on the level of funds BIA can use for Welfare Assistance. Accordingly, our Welfare Assistance programs are forced to cease services due to a lack of funds. This type of a financing structure continues to fuel a crisis driven system. For example, on the Omaha Reservation, we average approximately \$30,000 per month in requests for welfare distributions and we foresee a shortfall of over \$100,000 for FY 2014, meaning we triage who is in more need of services: a vulnerable adult who is being financially taken advantage of by family; or, placing a child that was sexually abused by a family member; or, deciding if a family will receive financial assistance to ensure heat and food are available.

Next, is a subject close to my heart: Education. The Great Plains Region possesses a high number of Bureau of Indian Education (BIE) funded Schools. Of the \$2.4 billion appropriated for the operation of Indian Programs, a mere 20% of the funding is in the BIE budget. Of the funds received to operate schools, the BIE uses two-thirds for administrative activities and the schools receive only one-third (of funds to operate. \$22,000 plus is allocated per child but this results in only \$7,900 per child at the local level. BIE is top heavy with high paid staff; the emphasis must shift to more funding at the local level where education of our children is taking place in challenging environments which warrant greater investment per pupil. In sum, eliminate positions at the Central Office of the Bureau of Indian Education and increase and retain Education staff at the local Agency level including funding the tribe's Tribal Education Department/Agency as The State Educational Agency. BIE should be a pass through agency for funding and allow the Educators at the local level to determine their reading programs and curriculum. I respectfully recommend that you address the BIE findings in "The Bonner Report Recommendations" and implement the BIE Recommendations.

Finally, Our people do not receive HIP dollars. Our homeowners have vacant houses falling down because we have no true economy to help us help ourselves, no money to repair a broken water pipe, or a broken water heater, and no tax base to aid us. This fiscal year Great Plains Region initiated a Pilot Project for Native Homeownership as an additional option. In an effort to leverage assistance to additional applicants, it is imperative HIP moves forward with collaborative efforts with other complementary housing programs to increase program benefits and participation. It is imperative that the Bureau of Indian Affairs expands such strategic efforts, as Housing and Urban Development's strategic plan makes no mention or reference to Indian Tribes.

Because I bring these challenges to you, I pray that you hear the reality of the lives we the Omaha who live back in Nebraska are living with. I traveled all this way here today because our needs are great, because I honor the opportunity to meet with the leaders of our United States, and because I too am a leader. Through all of this we are still Omaha, those that go "against the current", put our heads down and fight to get ahead, we are still strong today, and live together as a united people, enjoy our traditions, and our Omaha ways, share meals together, share our medicine in a sacred circles and pray to the same God that you do.

In closing, the Omaha and many other Tribes are struggling to operate our BIA and IHS budgets, on the limited dollars we are provided, and our job is made a thousand times more difficult when we are forced to operate in these conditions. Continuing resolutions result in delayed awards, and delayed awards decrease the effectiveness of our programs and services.

Mr. Chairman, thank you for allowing me this time and this opportunity to speak.