

Written and Oral Testimony of Nancy R. Martine-Alonzo Secretary/Treasurer
Ramah Navajo Chapter-Ramah Band of Navajos

Submitted to the US Congress:

**HOUSE APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, ENVIRONMENTAL
AND RELATED AGENCIES FY 2016 FEDERAL BUDGET REQUEST, SUPPORT AND
CONCERNS FOR: DEPARTMENT OF INTERIOR (DOI)--BUREAU OF INDIAN
AFFAIRS (BIA)**

March 25, 2015

HONORABLE CHAIRMAN AND COMMITTEE MEMBERS:

I am Nancy Martine-Alonzo, Secretary-Treasurer of the Ramah Navajo Chapter. Thank you for the opportunity to provide oral testimony for consideration under the DOI-BIA FY 2016 Budget. This testimony focuses on the **(1) Detention Facility Operation and Maintenance Funds; (2) The Annual Budget Formulation and Appropriation vs. Actual Funds; and (3) Law Enforcement Appropriations.**

First of all, the Ramah Navajo community sincerely appreciates the House Appropriations Subcommittee on Interior, Environmental and Related Agencies holding these hearings on an annual basis. You have listened to us, taken action to resolve our issues and move forward other matters for resolution. Our testimonies from past years have seen results, such as these: (1) The Contract Support Cost issues has been funded at 100%; however the Direct Contract Costs have not been part of Ramah Navajo Chapter BIA funding since 2012, which is an unresolved issue; (2) Our request to maintain the Ramah Navajo BIA Agency has been addressed and we are very grateful for the intervention by Congressional Delegation and by this committee; (3) Settlement of the class action suit, *Ramah v. Salazar*, is moving toward a final settlement with one more year to go through the process of approvals. If we stay on that schedule, tribes will start receiving their portion of the settlement in the Spring of 2016.

This year we are bringing our priority needs and issues to your attention. We respectfully request your sincere consideration and advocacy with appropriate Agencies to resolve these outstanding needs and issues. They are:

1) Detention Facility Operation and Maintenance Funds

Request: BIA-OJS Funding for the Operation and Maintenance of the Detention Facility, \$3,757,200.

Ramah was awarded a TARP Recovery Act Correctional Facilities grant from the Department of Justice for \$3.8 million on September 21, 2009. Our Detention Facility is at 80% completion with final completion by June 30, 2015 and ready for operation on October 1, 2015. To open our doors, we need the following additional funding:

Additional Reoccurring Operational Costs	\$2,908,925.00
Detention Facility Maintenance	\$ 379,638.00
Start Up Costs and Other Costs	\$ 468,637.00
Total	\$3,757,200.00

- a) Additional Recurring Operational Costs for FY 2016 and Thereafter- \$2,908,925. We are in the process of redesigning the staffing, operations and maintenance of the new detention facility with certified corrections personnel as required by law. To meet the BIA standards and requirements, the Detention Center must be funded at this level in FY 2015 and 2016. We have submitted numerous requests with the BIA-Office of Justice Services for additional funds that are needed in three areas: (1) Add sixteen (16) certified corrections officers to staff the new facility that will be opening in the fall of 2015. The new facility will require a total staff of 25.5 full time certified staff to operate the facility per BIA standards and requirements; (2) Additional operational costs of a modern detention facility, including complex technological security systems and communications; and (3) Network with other services on behalf of inmates, which is much needed.
- b) Additional Recurring Facility Maintenance Costs for FY 2016 and Thereafter- \$379,638. The Office of Justice Services has to incorporate the Facilities Operation and Maintenance as a cost of new detention facility. This is to pay for maintenance, including janitorial services, utilities, refuse disposal, fire protection, vehicle maintenance, communications, pest control, personnel services, equipment, material and supplies, travel, and training.

Detention Facility	12,943 square feet
Outdoor Recreation Units for Inmates	1,795 square feet
Sidewalks	4,032 square feet
Driveways	18,300 square feet
Parking Lots	16,470 square feet
Landscaped Area	1,144 square feet
Total	54,234 square feet

- c) Start Up Cost and Other Funds- \$468,637. Startup cost include: furniture, equipment, one time installation of utilities hardware, transitional costs and other items to make the center operational and comply with BIA standards and requirements. The new facility is located at a site, about four miles from where it was previously. Therefore the cost of the new facility will be a separate expanded detention program transitioning from a 1,550 square feet antiquated building to a 54,234 square feet modern facility. The current detention center has little or no equipment or furniture that they can take to the new facility and be in compliance with BIA standards and requirements. These are onetime costs.

2) **Annual Budget Formulation and Appropriations vs. Actual Funding**

Request: Congress to Recognize the Identified Needs of the Chapter and Appropriate Funds.

- a) BIA Funding Process is not Transparent nor Fair. Every year the BIA puts tribes through an “exercise” to prioritize unmet needs and budget requests. The Chapter complies with these requests, and even though our local priorities makes it to the national priorities list, the funding increase is never received at our 638 tribal contracted level. However, the

BIA federal operated similar programs receive the substantial increase such as in law enforcement.

- b) Increase overall P. L. 93-638 Funding for the Chapter. At this time, the Chapter's P. L. 93-638 funds need to be increased 25% across the board to begin to meet the needs of the community. Further increases are needed to continue to meet the needs of this community.
- c) Funds are not coming down to the tribes that are contracting under Indian Self-Determination Act, P.L. 93-638. We are kept at the previous funding level each year and we have not receive increases unless a program has become one the top priorities at the national level. But we see BIA operated programs receiving additional funds that have the newest vehicles, equipment, and technology for their programs. Yet, the Chapter is using old equipment, working in antiquated buildings, and have limited technology. Our employees have not had a cost of living increase since 2009.

The table below shows over the past five (5) years what Ramah Navajo Chapter has received;

Contract	Year-2011	Year-2012	Year-2013	Year-2014	Year-2015
Master-CTGP	\$ 786,209	\$ 784,103	\$ 764,290	\$ 764,290	\$ 764,290
Fac. O&M	\$ 135,978	\$ 135,978	\$ 106,259	\$ 99,138	\$ 108,968
Law Enforcement	\$ 667,377	\$ 674,906	\$ 650,868	\$ 673,323	\$ 650,868
Correction	\$ 369,882	\$ 377,500	\$ 361,295	\$ 363,903	\$ 361,295
Total:	\$1,959,446	\$1,972,487	\$1,882,712	\$1,900,654	\$1,885,421

3) Law Enforcement Appropriations

Request: Congress to Appropriate Monies for Ongoing Services Needed by the Ramah Navajo Chapter.

- a) Appropriate Funding to Correct Wages Paid to Ramah Chapter Police Officers- \$500,000 to Comply with CFR 25, Subpart D, §12.34. All contracted police officers through P. L. 93-638 must be paid the same wages as a BIA police officer; however, the BIA does not fund this mandate. At this time, we are losing officers to other jurisdictions because they can pay better than the Chapter. That is about \$75,000 an officer that the Chapter has trained, sent the Academy, and holds commissions from the Federal Government, the State of New Mexico, the Navajo Nation, and several counties. We lose that much every time an officer leaves because of poor pay. In 2014 two officers left for better pay and more opportunity, In 2012 and 2013, 5 officers left the RNPd for other opportunity.

It is true that there is currently a “feeding frenzy” from larger agencies who are giving pay increases, officer sign on bonus money, college education loan payments, housing down payments, and other stipends for knowledge, abilities, and skills like bi-lingual, college degree, specialty team, etc..., to solicit and offer smaller agency personnel (like RNPd) who have certified police officers, to come to work for the larger agency.

We are asking for this ongoing appropriation to comply with regulations and to keep good, hard-working officers in our Police Department. Our Officers should be salaried at the same rate as Federal/Bureau Police Officers and comparable to the chart below.

SALARY TABLE 2014-RUS (LEO) including special base rates at GS-3 through GS-10 and incorporating the 1% general schedule increase and a locality payment of 14.16% for the locality pay area of rest of U.S. total increase; 1% effective January 2014.

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
1.	20,527	21,213	21,896	22,575	23,558	23,659	24,333	25,014	25,040	25,679
2.	23,080	23,629	24,393	25,040	25,320	25,064	26,808	27,553	28,297	29,041
3.	30,216	31,055	31,894	32,733	33,572	34,411	35,550	36,089	36,928	37,768
4.	33,920	34,862	35,804	36,746	37,688	38,629	39,571	40,513	41,455	42,397
5.	39,012	40,067	41,122	42,176	43,231	44,286	45,341	46,396	47,451	48,505
6.	41,130	42,304	43,479	44,654	45,828	47,003	48,178	49,353	50,527	51,702
7.	44,403	45,709	47,015	48,321	49,626	50,514	52,238	53,544	54,850	56,156
8.	46,282	47,728	49,174	50,621	52,067	53,513	54,960	56,406	57,853	59,299
9.	49,520	51,117	52,715	54,312	55,909	57,506	59,103	60,700	63,297	63,894
10.	54,534	56,293	58,053	59,812	61,571	63,330	65,089	66,849	68,608	70,367

In closing, the Ramah Navajo Chapter has been very successful and diligent stewards in operating programs under the P.L. 93-638 and has been meeting the needs of the Band of Ramah Navajos since 1986. We value the funds that are appropriated by Congress that has made a difference in the lives of our people. We have had “clean” audits since 1986. The Ramah Navajo Chapter appreciates the continued support of Congress as it strives to make funding and laws available for Indian Nations and their organization to provide services to their people. We would be happy to provide you with further information on any of the foregoing projects.

Thank you.



Nancy R. Martine-Alonzo, Secretary/Treasurer,
Ramah Navajo Chapter