

**TESTIMONY ON FISCAL YEAR 2018 APPROPRIATIONS
FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA
KEVIN R. DUPUIS, SR., CHAIRMAN
BEFORE THE HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON INTERIOR, ENVIRONMENT AND RELATED AGENCIES
May 16, 2017**

I am Kevin R. Dupuis, Sr., Chairman of the Fond du Lac Band of Lake Superior Chippewa. I would like to thank you for inviting me to testify on FY 2018 Appropriations for Indian programs funded through the Interior Department, Indian Health Service and Environmental Protection Agency. On behalf of the Band, I also want to express our appreciation for the work you have done over the years, including your recent work on FY 2017 funding, to ensure that federal funds are available to assist tribes in meeting longstanding needs.

Our Reservation is in northeastern Minnesota. It is a small part of our aboriginal homeland and was established by the Treaty of September 30, 1854. We have approximately 4,200 members and provide health, education, social services, public safety and other governmental services to more than 7,300 Indian people who live on and near our Reservation. With the assistance of the federal government, as well as other public and private partners, we have been working to find effective solutions to end the legacy of poverty that has plagued our community, so that we are able to provide good jobs, grow the local economy, educate our children, prevent crime, and care for our elders and infirm. We are proud of what we have accomplished, but much still needs to be done and federal funding is essential to these efforts. Because of this we are deeply troubled by the severe cuts that the President proposes be made in FY 2018. Such radical cuts are counter-productive. The modest investment of federal funds has allowed the Band to use Band resources and attract private partners to carry out projects that create jobs and benefit the local economy. We urge Congress to maintain federal funding for these important programs.

Bureau of Indian Education. The Band operates the Fond du Lac Ojibwe School. Our school serves an average of 340 children from pre-K through 12th grade. Our students come from very low-income households; more than 90% of our students qualify for free or reduced rate lunches. We rely on federal funds from both the Interior Department and Education Department to run this school. We are making progress in improving the outcomes for our students. For example, high school graduation rates for American Indians in Minnesota have improved from 37.9% in 2003 to 52.6 % in 2016, but are still well-below state-wide rates. We have always been handicapped by limited resources. Past federal funding for education has never kept pace with need. As shown by data compiled by Minnesota, in 2016, there remain significant disparities between American Indians and the population statewide on education:

	Living below Poverty	3 rd Grade Students at 3 rd Grade reading level	8th Grade Students at 8 th Grade math level	High School graduation rates
Statewide	10.2%	57.3%	58%	82.2%
MN Indian	25.1%	35.8%	30.3%	52.6%

From: Minnesota Compass, <http://www.mncompass.org/education/overview>.

We very much appreciate Congress’s decision to increase overall education funding for FY 2017 by \$39 million above the FY 2016 funding level. But we are deeply troubled by the President’s

Budget Blueprint for FY 2018. This blueprint proposes a 12% cut to the Interior Department budget, without saying how those cuts might affect Indian education. The threat to our school is compounded by the Blueprint's proposed 13% cut in Education Department funding (another critical source for our school) combined with the plan to move federal money to school choice. The drastic cuts that the President proposes will only hurt our students.

Because education is so critical to success later in life, we urge Congress to increase federal funding for Indian education programs. At a minimum, funding for these programs should be maintained at FY2017 levels. The key elements of Indian education funding through Interior are:

- ISEP which is the primary source of school funding provided through Interior. It covers salaries for teachers, teacher aides, and administrative personnel and is essential to our ability to recruit and retain qualified teachers.
- Tribal Grant Support Costs which helps pay for accounting, insurance, background checks, legal and record-keeping.
- School Facility Operations and Maintenance which keeps the building safe, pay for preventative maintenance, and cover insurance and utility costs.
- Student Transportation which allow us maintain, repair, and replace buses.
- Early Childhood Development funds (FACE), which is critical to providing preschoolers with skills to be school-ready.
- Johnson O'Malley, which assists Indian children in public schools.

BIA: Public Safety and Justice. We appreciate Congress's decision to increase funding for BIA's Public Safety and Justice by \$8 million above FY2016 levels. Although we are a small community in a PL-280 state, we are on the front lines combating major crimes. We face a serious drug epidemic which includes opioids, meth, heroin, as well as prescription drug abuse. Because of that epidemic, our law enforcement department is called upon to respond to a growing number of substance abuse related crimes as well as drug overdoses and deaths. These include a troubling number of offenses involving juveniles. Our law enforcement also responds to many other matters, including domestic disputes, disturbances, disorderly conduct, property damage, theft, trespass, suspicious activity, unwanted persons, medical emergencies, fire, neglected children, missing persons, suicide threats, and traffic-related issues. The demand on our law enforcement has increased over the years. In 2016 our law enforcement responded to more than 8,200 incidents and calls for service – an increase from past years where the numbers were: 8,000 in 2015; 6,000 in 2014; 5,342 in 2013; 5,100 in 2012; and 4,900 in 2011.

We address law enforcement by a combination of tribal and available federal funds and cooperative agreements with local law enforcement agencies. We now have 19 full time officers, and 3 administrative staff. We are hiring two more full-time officers so we will have a total of 21 officers. To effectively meet need, we should have 23 to 25 full time officers, with 3 full time investigators. As present, we have only 1 investigator which is not enough. We need to be able to do more drug investigations so we can reduce the amount of drugs entering our community. We also have unmet need for equipment. We lack basic equipment for our investigation unit – from binoculars to more sophisticated surveillance equipment like video cameras and digital recorders. Our patrol cars are aging and need more-costly service repairs. Federal funding is essential to meet those needs. We urge Congress to increase funding for tribal law enforcement.

BIA: Trust-Natural Resources Management. We appreciate Congress's decision to increase by \$9 million funding for BIA Trust-Natural Resources in FY17. We urge Congress to substantially increase funding for this program in FY18 as funding levels have never met need. Natural resource management is vital in Indian country where the basic subsistence needs of many Indian people (especially those living in poverty) depend on natural resources. This is certainly true at Fond du Lac. By Treaties in 1837, 1842 and 1854, the United States acquired our aboriginal territory but, to ensure that we could sustain ourselves and our families, expressly promised that we retained rights to hunt, fish and gather natural resources within and outside our Reservation. Our members depend on and exercise these treaty-protected rights to put food on the table and for ceremonial practices that serve as the foundation for our culture. The stewardship of those natural resources – through scientific study, resource management, and enforcement of Band laws that regulate Tribal members who hunt, fish and gather those resources – are an important source of employment for many of our members. Funding for Trust-Natural Resources Management allows us to protect, enhance, and restore natural resources.

The funding for these programs has also led to other successes. For example, with modest funding from the Interior Department (along with tribal funds), we developed a solar energy facility which we are using for our hotel and casino. And with help from federal funds, we have been developing biomass heating systems for our community buildings. These small federal investments have big cost savings and go a long way to help us be self-sufficient.

Forest resources are an important asset to the Fond du Lac Band. The Interior Department just recently highlighted the importance of protecting forests from wildfire. Yet fire preparedness funding is below the most efficient level (MEL) and while we do not yet know the details of the President's proposed FY18 budget cuts, proposals have been made in the past to reduce fuels funding from Indian forestry. These funds should not be cut. Fire preparedness and fuels funding create (and maintain) jobs in Indian forestry and protect Indian and non-Indian lands.

US Fish and Wildlife Service. The FWS is a valued partner in the Band's wildlife and fisheries research and restoration programs. We request that the overall budget of the FWS be increased, with a particular increase to the Native American Liaison and Tribal Wildlife Grant programs.

Environmental Protection Agency (EPA). We are very concerned about the overall reductions being made to EPA funding and urge Congress not to permit any more reduction. We rely on EPA grants to clean up brownfields and administer clean water and clean air programs. These programs are important to protecting the health of our community, so that we have safe water to drink and can continue to rely on fish, wild rice, and game to put food on the table. These federally-assisted programs are also good for the economy. The small amount of federal funds that help us protect the environment boosts tourism and creates jobs.

- **Great Lakes Restoration Initiative (GLRI):** We appreciate Congress's decision to maintain funding for GRLI in FY17 at FY16 levels, and urge Congress to continue to fund this important initiative at this level. It is critically important for all communities along the Great Lakes—states and tribes—to be able to clean up past pollution and respond to damaging invasive species. The work funded by the initiative is also good for the economy. It protects major commercial fisheries as well as the recreation and tourism industries which depend on the lakes.

Tribes and states are already investing their own funds to restore and protect the lakes, but cannot do the work without federal help.

- Water Quality. We have a federally approved water quality standards program that has seen annual funding declines, while the need and Band's responsibilities have increased. Given the current threats to water resources in our region, we urge that Tribal section 106 funding be doubled so that we can do the work needed to protect the water we drink and which are critical to the fish and game that are central to our and the state's economy.

- Air. In conjunction with our water quality monitoring responsibilities, the Band has a long-standing air monitoring program that has also faced a steady decline in federal funding. We request that air quality program funding for tribes be increased.

- Wetlands. One-half of our reservation is made up of wetlands. Proper management and restoration of this valuable resource is impossible without adequate and consistent federal funding. We request sustained wetland monitoring and protection program funding.

Indian Health Service. We very much appreciate Congress's decision to increase funding for IHS in FY17, as this is essential to address the high rates of medical inflation and the substantial unmet need for health care among Indian people. Indians at Fond du Lac, like Indians throughout the Nation, continue to face disproportionately higher rates of diabetes and its associated complications, than the rest of the population. As reported by Minnesota, in 2015, the rate of diabetes among American Indians was 18.4%, more than double the rate of the population statewide. See Minnesota Compass, <http://www.mncompass.org/health/overview>. Heart disease, cancer, obesity, chemical dependency and mental health problems are also prevalent among our people. All Indian tribes should receive 100% of the Level of Need Formula, which is absolutely critical for tribes to address the serious and persistent health issues that confront our communities. The Band serves over 7,300 Indian people at our clinics, but the current funding level meets only 33% of our health care funding needs.

To make progress in reducing the disparities in Indian health, we urge Congress to continue to increase funding for IHS by a minimum of 37% in FY 2018, including increases of: \$169.1 million for full funding of current services; \$145.8 million for binding fiscal obligations; and \$28.5 million for Contract Support Costs. We also urge an increase of \$1.6 billion for program expansion increases, with the top priorities given to Hospitals & Health Clinics; Purchased/Referred Care; Mental Health; Alcohol & Substance Abuse; and Dental Health. Expanded resources for treatment and community education capacity are especially needed to combat the epidemic of drug abuse. Additional funding for the Methamphetamine, Suicide Prevention Initiative should be made available to tribes and the IHS so that this "new sickness" can be addressed. Best practices in pharmacy inventory and prescription monitoring need to be modeled and replicated throughout Indian Country.

Finally, we have deep concerns about any legislation that cuts or changes the way in which Medicaid is paid to IHS-funded health care providers. Medicaid is a key source of funding for our health care programs—funding that is not available from IHS but which is available to us when we serve Medicaid-eligible Indian people. Medicaid fills a critical gap for the Indian health system, covering needed surgeries, preventative care, and dental care which saves lives. If Medicaid dollars are cut, or block-granted to the states, or allocated per capita, then substantially larger increases will be needed in IHS funding. Miigwech. Thank you.