

**TESTIMONY OF CHAIRMAN ROBERT MIGUEL
ON BEHALF OF THE AK-CHIN INDIAN COMMUNITY**

**BEFORE THE U.S. HOUSE OF REPRESENTATIVES
APPROPRIATIONS SUBCOMMITTEE ON
INTERIOR, ENVIRONMENT AND RELATED AGENCIES**

May 10, 2018

Chairman Calvert, Ranking Member McCollum, and Members of the Subcommittee:

My name is Robert Miguel and I am honored to serve as the Chairman of the Ak-Chin Indian Community (“Community” or “Ak-Chin”).

First, I would like to thank the Members of this Subcommittee for inviting me to testify today. Despite the Administration’s proposed FY 2018 cuts to the many programs that Tribes utilize, this Subcommittee increased funding for the Bureau of Indian Affairs, the Bureau of Indian Education and the Indian Health Services by over \$700 million from FY 2017 to FY 2018. Thank you for your continued dedication to the trust responsibility of the federal government to Tribes and for the increase in this much-needed funding.

This will be my third time testifying before the Subcommittee and I come today to speak with you on a number of important issues to my Tribe including the proposed BIA reorganization, Tribal Self-Governance and multiple grant programs.

Ak-Chin has always been a farming tribe and our name is directly derived from an O’odham word that refers to a type of farming traditionally practiced by the Ak-Chin people. Throughout our history, we have relied on subsistence and eventually commercial farming for sustenance. Today, we own and operate Ak-Chin Farms which employs about 85 people, cultivates more than 15,000 acres of farmland, and has been a central economic enterprise for the Community since the 1960s. We also have economic entities focused on gaming and hospitality that have grown into major sources of economic development for the entire area.

We are direct neighbors with the City of Maricopa, Arizona, and lie about 35 miles south of downtown Phoenix, Arizona. We are a small but growing tribe with 1,106 enrolled Members, but our recent growth pales in comparison to the rampant growth of our neighbor, the City of Maricopa, Arizona. The City has gone from a population of 1,040 people in the 2000 Census to approximately 48,374 today. The rapid growth has forced our Community to adapt, as well as plan for continued long-term growth in the corridor that connects Phoenix and Tucson, Arizona.

As the area surrounding us continues to grow at one of the fastest rates in the nation, we are committed to being good neighbors while also working hard to build a stronger future for the next generation of Ak-Chin Community members.

Increase in Self-Governance Programs

The Ak-Chin Indian Community has been a Self-Governance Tribe since 2003. Our Compact and Funding Agreement allow us to assume control of program, services, functions and activities to better

deliver these services for our Community members. Self-Governance is a success in our Community as it allows the Community to redesign programs as needed to best serve our people. However, it is likely that I will not be the last Tribal Leader to share bureaucratic challenges of working with the BIA to this Subcommittee. There are long-standing challenges that cannot be changed with the flip of a switch and I commend you all for working to address the systemic issues. Our work with the BIA is ongoing and we are determined to see it through regardless of the setbacks and roadblocks thrown up in the bureaucratic process. *Because of the success of Tribal Self-Governance, we ask the Subcommittee to expand self-governance to include any programs that Tribes are eligible for in both IHS and DOI, as well as being open to compacting under other federal agencies.*

Proposed Reorganization by the Department of Interior

Secretary Zinke recently announced plans to reorganize the Department of the Interior by changing the boundaries of the regions and regional offices of the Department. As this Subcommittee knows, the Department of Interior and the Bureau of Indian Affairs are the focal point of the federal government-to-government relationship with Tribes as well as being primarily responsible for managing the trust relationship with Tribes. Therefore, any reorganization of the Department will directly impact Tribes and how they interface with not just the BIA, but the many other bureaus that Tribes interface within the Department. The potential pitfalls and problems of a reorganization could be devastating to our Community and the many Tribes across the country. Specifically, transferring staff away from regional offices to other regional offices will benefit no one, as many of these staffers have vast knowledge of the local cultures, customs and specific needs of the Tribes in the regions they serve. Any DOI reorganization must have as one of its goals the improvement of the federal trust responsibility to Tribes. *Unfortunately, to date, there has been no consultation with Tribes on this proposed reorganization. We ask the Subcommittee to not appropriate funds for any DOI reorganization until the Department enters into meaningful government-to-government consultation with Tribes. The potential negative effects a reorganization could have on the government's implementation of the federal government's trust responsibility to Tribes cannot be understated. If DOI enters into consultations with Tribes, we ask that this Subcommittee consult with Tribes before appropriating funds or approving the reorganization.*

Ak-Chin Indian Community Federal Program Requests

Indian Health Services (IHS) – Special Diabetes Program for Indians

We ask the Subcommittee to prioritize Indian Health Services (IHS) health grant programs such as the Special Diabetes Program for Indians (SDPI). As IHS stated in its report to Congress in 2014, “There is strong evidence that the SDPI is helping to change the trajectory of the diabetes epidemic.” We agree. In our Community we are utilizing this funding to provide diabetic medical supplies such as meters, strips and also provide one on one, small group— physical activity education and guidance that is goal oriented to each individual. We have also utilized Community 5k fun run/walks, individual and team weight loss challenges, Elders group exercise, and child development PE program for our preschoolers with this program. *We ask the Subcommittee to ensure the SDPI program is given at least level funding of \$150 million in FY 2019. We also ask that the Subcommittee members support increasing the funding authorization level of this funding by supporting swift passage of H.R. 2545 – the Special Diabetes Program for Indians Reauthorization Act of 2017.*

IHS - Community Health Representatives program, Health Education program, and Tribal Management program.

The Administration's FY 2019 budget includes zeroing out the Community Health Representative program, the Health Education program and the Tribal Management program. These are important programs that Tribes rely on to maintain and improve the health of their citizens. Losing these programs would remove funding that is used to train health professionals, educate children on health issues and assist Tribes in providing health services to its Members. *We thank the Subcommittee for funding these programs at level and increased funding in FY 2018 from FY 2017. We urge the Subcommittee to not follow the Administration's funding requests on these programs and to increase funding in FY 2019.*

Opioid Addiction Crisis in Indian Country

As reported in January 2017, there were at least 716 people in Arizona believed to have died of the opioid-related overdoses during a six-month timeline, exceeding the 2016 entire calendar year according to the Arizona Department of Health and Human Services. Indian Health Service recently cited in a Senate hearing that they have seen a five-fold percentage increase in overdose deaths between 1999 and 2015. The opioid epidemic is affecting our Tribal communities and is straining our Tribal Resources. More funding is needed to ensure Tribes have the adequate resources to combat the opioid epidemic affecting our people. *The FY 2018 appropriations bill included \$7.5 million in the Criminal Investigations and Police Services fund to help people affected by opioid addiction. We ask the Subcommittee to include funding in the FY 2019 bill of at least \$25 million as this epidemic in our country is disproportionately affecting Native Americans.*

EPA General Assistance Grant Program

This program under the Environmental Protection Agency's General Assistance Program (GAP) is important for Tribes like ours who are dealing with various environmental issues. In the past our Tribe has used funding from this program to complete a Tribal Environmental Plan, draft an Integrated Solid Waste Management Plan, and conduct solid waste outreach activities under the Community-Based Social Marketing pilot program developed by the Region 9 Tribal Solid Waste team. *We thank Congress for appropriating \$65.47 million in funding for this program in FY 2018, which was \$19.7 million more than was requested by the Administration. We ask for an increase in funding to this program to a total of \$70 million in FY 2019. This will help meet the needs of Tribes dealing with various environmental issues.*

Environmental Protection Agency - Nonpoint Source - Section 319 Grants

The Section 319 grants developed under the Clean Water Act are used to address pollutants from water run-off that move to water sources such as lakes and rivers. Ak-Chin has implemented the Clean Water Act 319 since March 2000. The Community has completed several restoration projects to restore impacted areas to our prior cultural conditions, such as harvesting and planting native vegetation (cottonwood trees) within the watersheds with assistance from this program. *The Administration requested no funding in FY 2018 for this important program to combat water pollution. We thank the Subcommittee for funding this program at \$170.9 million in FY 2018. However, with the increased use of fertilizers, herbicides and insecticides in our country the demand to manage these pollutants is increasing. We ask the Subcommittee to increase funding to this program to \$180 million.*

Johnson O'Malley Grant Program (JOM)

Ak-Chin, like many other Tribes, has utilized this funding to meet the unique educational needs of our youth. This continues to be a highly successful program and the demand is growing in our Community. We have used this funding in the Community by enabling JOM students to have a successful school year by providing vital school essentials for preschool, elementary, middle, and high school students. The Community has 71% of low to moderate income families within our population and many parents cannot afford quality backpacks that will last the duration of the year and the school supplies needed for the classroom. The Ak-Chin JOM program distributes backpacks and school supplies every July before the onset of the school year during our annual Back to School Bash. *We thank the Subcommittee for increasing funding for this program by \$125,000 in FY 2018. However, because of the importance of education and the increased demand in Indian Country, we ask the Subcommittee to increase this funding to \$16 million in FY 2019.*

Bureau of Indian Affairs Road Maintenance Fund

As stated previously, the surrounding area on our reservation continues to see rapid growth and our roads are seeing more use by the local Community. We are in need of additional funding in the program to meet the maintenance needs of our roads. Additional funds are needed for our Road Maintenance Improvement Plan as identified in the Tribal Transportation Improvement Plan (TTIP) the Community shall preserve, upkeep, and restore roads, rights of way, and structures as nearly as possible or practicable to their original conditions as constructed or improved repair and service to roads and bridges that are a part of the Federal Aid road system. Thank you for the FY2018 One-Time funding from the BIA Western Region in the amount of \$29,283.00 for our Road Maintenance program. *We thank the Subcommittee for the \$4.3 million increase in FY 2018 to \$34.65 million. In order to keep up with traffic demands, we request an increase of \$5 million in FY 2019 to \$39.65 million.*

Bureau of Indian Affairs Indian Community and Economic Development Grants

I testified on this grant program last year and its importance to our Tribe. We appreciate the responsiveness of the Subcommittee Members and their decision to increase the funding for this program by \$4.6 million to \$46.4 million in FY 2018. This grant has assisted our Community through the years in the completion of our Library, Recreation, Education, Community Centers, as well as parks for you. *We ask the Subcommittee to increase funding for the Indian Community and Economic Development Grants program by \$5 million in FY 2019 to \$51.4 million.*

Conclusion

Again, I would like to thank you for holding this hearing and for the invitation to testify. We hope this Committee will continue its good work and address the challenges Tribes could face with a potential BIA reorganization and the zeroing out of programs that the Administration has recommended. Congress can and should push the BIA to focus on being a good trustee to Tribes and to focus on improved delivery of services to Native Americans.

Again, thank you for the opportunity to testify today and to share with you our Community's priorities. I hope my testimony today has given you meaningful insights into how these federal programs are positively impacting our Community members.