

Written Testimony of Troy Scott Weston, President of the Oglala Sioux Tribe
"Public Witness Testimony: Fiscal Year 2019 Appropriations"
House Appropriations Subcommittee on Interior, Environment, and Related Agencies
May 10, 2018

Recommendations:

1. BIA – \$200 million increase for law enforcement and detention services.
2. BIA OJS - \$7.5 million for combating the opioid and other drug crises in Indian Country.
3. BIA OJS – \$113.7 million for tribal court development and support services.
4. BIA - \$70 million for the BIA Road Maintenance Program.
5. BIA - Increase support for Welfare Assistance, Social Services, and the Tiwahe Initiative.
6. BIA – Increase funding for ICWA and child protection services.
7. BIA - \$23 million for the Housing Improvement Program to restore it to FY 2005 levels.
8. IHS – Provide full advance appropriations to the Indian Health Service.
9. IHS – Increase funding for IHS Facilities Construction and Maintenance.
10. IHS, EPA – Adequately fund the completion of the Mni Wiconi Project in the Great Plains.
11. DOI, BIE - \$78 million for tribal grant support costs and increased BIE construction funds.

Introduction. Chairman Calvert, Ranking Member McCollum, and Members of the Subcommittee, we appreciate the work you have done in this Subcommittee on behalf of Indian Country, the Great Plains, and our Tribe. The chronic underfunding of Indian Country programs and treaty obligations over the years has taken an enormous toll on our Tribe and our members. We thank you for protecting the interests of Tribal Nations in the FY 2018 Omnibus by rejecting the President's inadequate requests, restoring critical funds, increasing support for key programs, and including helpful report language on significant issues for our Tribe. We also thank you for efforts toward fulfilling the terms of the Fort Laramie Treaty of 1868, which cemented the United States' obligations to the Oglala Sioux Tribe. We are hopeful that these actions will be not only repeated but strengthened in the FY 2019 appropriations.

We believe that two ways to do this are through reformation of the budget process so that Department of Interior funds are distributed based on demonstrated need, and full funding of Tribal Priority Allocations (TPA) identified in Interior programs. Needs-based funding would more efficiently and effectively make use of federal resources, while also respecting the diverse needs of Tribal Nations. TPA supports self-determination and enables Tribal Nations to operate critical programs. Together they make for a stronger and more responsive federal budget. In the spirit of advancing the welfare of my Tribe, I offer the following budget recommendations for FY 2019.

I. Law Enforcement and Public Safety

Improve and Expand Security Infrastructure in Indian Country. The Pine Ridge Reservation remains in serious need of additional police officers. Due to lack of funding, we find ourselves unable to meet even the most basic public safety needs. Our current funding leaves us with four officers covering our approximately 3 million acres each 12-hour shift. This makes each officer *responsible for 700,000 acres, without adequate support and with no backup*. Our lack of police officers has fueled crime, which has become increasingly violent, and allowed a number of different drug networks to move into a community. For over ten years, the BIA has acknowledged that at a minimum, 95 more officers are needed on our Reservation but nothing seems to change.

We were thrilled to see that Congress reinstated the BIA's public safety facilities and housing construction programs in the FY 2018 Omnibus. These programs have been critically needed for many years. Our Medicine Root (Kyle) Detention Project has the distinction of being the Congress's last federally-funded design for the emergency replacement of a tribal detention facility to remain unconstructed. This design, completed just last year, needs to be utilized now as our existing Medicine Root structure was slated for condemnation in 2007, and is still being used to service a community of 50,000 people. We understand that this will be a large undertaking, which may require multi-year funding and we stand ready to work with you and the BIA to address this on-going emergency. **In light of these pressing security infrastructure concerns, we strongly recommend that Congress provide an additional \$200 million for tribal law enforcement and detention services in FY 2019.**

Maintain Funding and Expand the Scope of Dedicated Drug Crisis Funding in FY 2019. We appreciate the inclusion of \$7.5 million in new opioid funding in the Criminal Investigations and Police Services category in the FY18 Omnibus. We strongly believe, however, that this funding needs to be flexibly administered so that it can be used to address not only opioids but other drugs that cause immeasurable harm in tribal communities. **We, therefore, recommend that Congress maintain the \$7.5 million in funding to combat the national drug crisis and expand the scope of the initiative to include other drugs beyond opioids.**

Further Justice by Investing in BIA OJS Tribal Court Development Programs. We are in critical need of federal funding to support the recruitment and retention of skilled staff, as well as procurement of appropriate supplies and equipment for our Tribal Court and legal services to effectively exercise this fundamental aspect of our tribal sovereignty. **We recommend that Congress allocate \$113.7 million for tribal court development services in the BIA Office of Justice Services.**

Connect Tribal Communities to Essential Services through Increased BIA Roads Funding. Funding for the BIA Road Maintenance program has been level funded at approximately \$26 million for several fiscal year cycles, despite the accumulation of almost \$60 million in backlogged maintenance needs in the Great Plains Region and over \$380 million nation-wide. We are often forced to expend our limited tribal funds to cover the difference in roads maintenance funding and need – a financial strain that is compounded by the fact that efforts to control snow and ice on our roadways can consume up to 65% of our annual budget each winter. Funding is so tight that routine bridge maintenance is not performed until it reaches a state of emergency. Consequently, our citizens must confront unsafe road conditions every time they drive their children to school, commute to work, or simply travel within the Reservation. This is unacceptable. The BIA should receive and distribute adequate funding to Tribal Nations so that we can maintain safe transportation networks in our communities. **We urge you to provide at least \$70 million for BIA Road Maintenance to promote safety in Indian Country.**

II. Social and Human Services for Strong Tribal Communities

Maintaining Critical Social Services and Support for the Tiwahe Initiative. Our Reservation's unmet need is alarming and well-documented. The average American can expect access to quality healthcare, childcare services, employment opportunities, and diverse recreational experiences. The average Oglala tribal member faces a much starker reality. We must contend with high rates of infant mortality, chronic illness, intergenerational trauma, limited to

nonexistent economic development, and limited recreational outlets, among other factors. The BIA's Human Services account which includes Social services is essential to meeting our citizens' complex needs and promoting their well-being. We urge you to reject the President's proposed reductions to Welfare Assistance, Social Services, and the Tiwahe Initiative and, instead, provide increases for them. Together these umbrella categories provide an array of irreplaceable services to Tribal Nations. To strengthen the delivery of Social Services in Indian Country we also recommend that Congress direct the BIA to develop a 5-year Strategic Plan pursuant to tribal consultation. **We recommend Congress increase support for Welfare Assistance, Social Services, and Tiwahe Initiative activities in FY 2019. We also urge you to provide dedicated funding within these categories to address the staggering unmet needs in the Great Plains. We also ask you to expand the Tiwahe Initiative, of which our Tribe wants to be a part.**

Protecting Tribal Youth and Communities under ICWA. Our Child Protection Services (CPS) and ICWA program conduct integrated child and family services on our Reservation. Families form the bedrock of our community – transmitting our Oglala traditions across the generations and ensuring the future prosperity of our Tribe. Providing safe, nurturing home environments to both children and adults is one of the primary goals of all Tribal Nations. Our efforts to achieve this goal have been challenged by chronic underfunding, which limits our ability to deliver services, manage caseloads, and recruit and retain qualified staff. **Increased funding for BIA ICWA and child protection services is urgently needed to operate effective and safe foster care, guardianship, and adoption activities.**

Restore BIA Housing Improvement Program Funding to Promote Homeownership. Our Reservation has a terrible housing shortage with an unmet need of 4,000 new housing units and 1,000 housing units repaired. Many of our citizens live in dilapidated, overcrowded, and often unsafe conditions that no American should have to endure. Chronic and even short-term exposure to these conditions affects the physical, social, and mental state of our people. HIP has played a central role in assisting families under 150% of the HHS Poverty Guidelines that live in substandard housing and have no other resource for housing assistance. A stable living environment translates into improved family conditions, employment rates, and academic achievement. **We recommend that Congress provide \$23 million for HIP in FY 2019.**

III. Advance Indian Health Care in the Great Plains

Provide Full Funding and Advance Appropriations for the Indian Health Service. One of the United States' most sacred treaty obligations is providing for Indian healthcare. Yet, in the Great Plains, this moral and legal responsibility has been very nearly abandoned. Decades of underfunding and under-resourcing the IHS have contributed to a severe healthcare crisis in our community – residents of Oglala Lakota County, for example, have among the lowest life expectancy in America. Full advance appropriations for the IHS would promote greater stability in services, medical personnel recruitment and retention, and facilities management. We are also pleased to see that Contract Support Costs have been fully funded in FY 2018, and we urge that support to continue. **We urge Congress to fully fund advance appropriations for the IHS in FY 2019. We also would like your commitment to recruiting, retaining, and training health professionals for health facilities in the Great Plains to continue in FY2019 and beyond.**

Increase Funding for IHS Facilities Construction and Maintenance. We are grateful for the increase in funding for the IHS Facilities account in the FY 2018 Omnibus. Adequate and safe medical and treatment facilities are essential not just for patients and staff, but for instilling

community trust and confidence in the services they receive. The Pine Ridge Hospital struggles with inadequate facilities and a burgeoning user population. The Hospital was designed to serve a user population of 22,000 but, in fact, serves almost double that amount with an active user population of over 51,000. **We urgently recommend that Congress provide an additional increase in the IHS Facilities account for FY 2019 and ask that funding within this account be directed to address the critical facilities needs of the Great Plains Region.**

IV. Water Infrastructure and the Mni Wiconi Project

Provide Adequate Funding to Complete the Mni Wiconi Project. Our Tribe is the lead sponsor of the Mni Wiconi Project (Pub. L. 100-516, as amended), which provides potable water from the Missouri River to three reservations and the West River/Lyman-Jones Water District. Funding is needed to complete the necessary community water systems upgrades on the Pine Ridge Reservation. The Tribe is working with several federal agencies to implement its plan to complete the upgrades. The Tribe, however, needs almost \$25 million to upgrade 19 existing systems and transfer them into the Mni Wiconi Project, as intended by the Act, where they will then be operated and maintained pursuant to authorized funding under the Act. **We ask you to increase funding for the IHS Sanitation Facilities Construction account and EPA Revolving Funds so these agencies can better contribute toward bringing this monumental project to completion.**

V. Education Facilities and Programming

Increase Funding for the BIE to Provide Native Youth with Safe and Structurally Sound Learning Facilities in their Home Communities. Education represents the seed from which meaningful opportunity and life-long success grows. To flourish, we must provide our children with safe and vibrant classrooms and engaging areas to play, as well as with wraparound services that address their needs after-hours in safe houses, youth centers, recreational parks, and other programs. Our six tribal grant schools and associated facilities are in dire need of support. Our Wounded Knee and Little Wound schools require complete replacement. All six of our schools desperately need funding for operations and maintenance, which are currently funded at less than 50% of the need. **We strongly recommend that Congress provide \$78 million for tribal grant support costs for tribally controlled schools and a significant increase in BIE school construction and repair funds to address the dire and growing needs of our youth.**

Reject Proposed Elimination of Johnson O'Malley (JOM) and Scholarship and Adult Education Programs. We oppose the President's proposed elimination of these two vitally important programs for our people. Our citizens rely on the Scholarship and Adult Education programs in their efforts to strive for further education and broadened opportunities. The JOM program is critical for our students who are enrolled in public schools. It helps them compete academically with their non-native peers, incorporates Native language and culturally-based education activities, and provides help with extra-curricular activities which facilitates self-esteem and staying in school. We use JOM for a number of services, including tutoring, school supplies, lab fees, incentive awards, and educational field trips. Through JOM and our hands-on approach with students, parents and school counselors, we have seen a dramatic rise in our graduation rates. These programs must be supported, not eliminated.