

**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**

March 6, 2019

Chairwoman McCollum, Ranking Member Joyce, 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”) and to give testimony to you today on our Community’s priorities.

First, I would like to thank the Members of this Subcommittee for inviting me to testify today. Despite the Administration consistently proposing cuts every year 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 \$303 million from FY 2018 to FY 2019.

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.

I am here for my 4th appearance in front of this Subcommittee and today I am here to testify on a number of important issues to my Tribe including funding for health care programs, Tribal Self-Governance and other important 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, we cultivate more than 15,000 acres of farmland, and the Farms have 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 1,114 enrolled Members and 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.

Advanced Appropriations and Partial Government Shutdown Effects

Advanced appropriations are a necessity for Tribes going forward to ensure that funds are available in advance to alleviate the unfortunate circumstances so many faced during the partial government shutdown. Currently, critical federal programs at the Department of Education, Department of Housing and Urban Development, Department of Labor, and Veteran’s Affairs are all authorized for advance appropriations. Funding uncertainty causes Tribes to redistribute

funds from other Tribal programs, just to get by. Advanced appropriations will prevent future lapses in funding associated with government shut downs and will help in keeping critical services uninterrupted.

The recent partial government shutdown caused unnecessary interruptions of our annual negotiations for Bureau of Indian Affairs (BIA) Annual Funding Agreement and also in our Tribe's efforts to become an Indian Health Service (IHS) Self-Governance Tribe under Title V. Our payments were not disbursed on time and we had to adjust our government operations.

Also, the National Tribal IHS Budget Formulation meeting was canceled due to the shutdown. This is concerning, as this meeting is usually conducted in February every year in collaboration with IHS Areas and federal partners. Understanding this budget was for FY2021, we are concerned the IHS budget is now delayed which could negatively impact the incoming budget years for Indian Health Service.

Health Care Programs and their Importance to the Ak-Chin Indian Community

One of our Tribe's top priorities and challenges is to provide our Members with high quality health care and health services. Ak-Chin is a fairly young Community. 40% of our Member base is under 18 years of age while almost 13% is over 51 years of age. This is important for predicting health disparities and prevention going forward. In 2017, the Community conducted a Community Health Assessment to determine areas of emphasis and need for prevention and outreach. Diabetes prevention and metabolic syndrome risk factors will continue to be emphasized on strategies for prevention. We have developed a Community Based Action Plan to help determine areas of emphasis for need and identify areas of strength when it comes to health and wellness for our Community Members.

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

As I testified last year, the IHS SDPI health grant programs are critically important to our Community and our goal of providing high quality health care and health services to our Community Members. In our Community we are utilizing this funding to emphasize physical activity and youth programs. In addition, it provides diabetic medical supplies such as meters, strips and also to provide one on one, small group— physical activity education and guidance that is goal oriented to each individual. With this program we have also utilized fitness based-initiatives including Community 5k fun run/walks, individual and team weight loss challenges, Elders group exercise, adult group exercise classes, and child development PE program for our preschoolers as well as other youth programs throughout the year. *The SDPI program was reauthorized by Congress in 2018, and SDPI was renewed for 2 years. We thank the Subcommittee members who supported this reauthorization and your support to continue funding this very important program. We ask the Subcommittee to increase funding for the SDPI program to \$200 million in FY 2020.*

Self-Governance

The Ak-Chin Indian Community is a compacted Self-Governance Tribe with the BIA. The Compact enables the United States to maintain and improve its unique and continuing trust relationship and responsibility to the Community through tribal self-governance for various

programs, services, functions, and activities (PSFAs) such as our public safety, social services, courts, road maintenance and various other vital programs.

The Community is also a compacted Self-Governance Tribe with IHS at this time for our EMS Ambulance Program. The Community has been in the planning phase for the past couple of years on the further expansion of Ak-Chin healthcare. The ultimate goal is to make informed decisions about which PSFAs to assume and necessary steps to successfully support these programs. The Community applied and received two Tribal Self-Governance IHS Cooperative Agreements Grants under Planning and Negotiation. We truly appreciate as the funding have assisted the Community with furthering the future of Ak-Chin healthcare.

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. Self-Governance programs remains a top priority for our Community.

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 funding this program at \$14.9 million in FY 2019 and not zeroing out the program per the Administration's request. However, because of the importance of education and the increased demand at Ak-Chin and throughout Indian Country, we ask the Subcommittee to increase this funding to \$16 million in FY 2020.*

EPA Tribal General Assistance Grant Program

This program under the Environmental Protection Agency's General Assistance Program is important for Tribes like ours who are dealing with numerous environmental issues. In the past our Community 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 2019, which was \$21.24 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 2020. This additional funding will help meet the demands 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 section 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 proposed zero funding in FY 2019 for this important program to combat water pollution. *We thank the Subcommittee for continuing to fund this program at \$170.9 million in FY 2019. However, with the increased use of fertilizers, herbicides and insecticides throughout the west, the demand to manage these pollutants is increasing. We ask the Subcommittee to increase funding to this program to \$190 million in FY 2020.*

Rural Broadband

Rural Tribal communities have inadequate access to broadband service, creating a disparity that grows daily as society becomes increasingly dependent on internet-based communications. By expanding access to the 2.5 GHz band would assist with retaining accessibility to up to date technology in regards to healthcare, public safety, and education. I understand there is funding for this in the Department of Agriculture, However, we recommend the Subcommittee consider making rural broadband expansion funding available for Tribes through the Bureau of Indian Affairs or Bureau of Indian Education as this is a public safety, educational and healthcare issue.

Conclusion

Again, I would like to thank the Chairwoman and Ranking Member for holding this hearing and engaging in the government-to-government consultation to hear our Community's priorities. We hope this Subcommittee will continue its good work and address the challenges Tribes face with an Administration that has in the past recommended zeroing out multiple programs that Tribes rely on to ensure the well-being of their Tribal Members.

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.