

**Testimony of Chairman Gerald Gray
Little Shell Tribe of Chippewa Indians
Before the U.S. House of Representatives
Committee on Appropriations
Subcommittee on Interior, Environment, & Related Agencies
February 12, 2019**

Summary of Budget Requests:

- I. Bureau of Indian Affairs - Increase funding for “New Tribes”
- II. Indian Health Service – Increase funding for “New Tribes”
- III. Indian Health Service – Increase funding for “Health Care Facilities Construction”
- IV. Bureau of Indian Affairs/Bureau of Indian Education – Increase funding for Construction generally

Introduction & Background

Good afternoon Chairwoman McCollum, Ranking Member Joyce, and Honorable Members of the Subcommittee on Interior, Environment, and Related Agencies. My name is Gerald Gray and I am honored to serve as Chairman of the Little Shell Tribe of Chippewa Indians. Thank you for the opportunity to testify regarding the Tribe’s funding priorities within the Subcommittee’s jurisdiction.

The Little Shell Tribe is a political successor to signatories of the Pembina Treaty of 1863, which ceded a large area of land in the State of North Dakota to the United States. In 1892, Chief Little Shell refused to sign the so-called “Ten Cent” treaty ceding nearly 10 million acres of prime farm land in the Red River Valley for 10 cents an acre. This action marked the beginning of my Tribe’s nearly 130-year effort to have our relationship with the federal government restored.

The painstaking journey to reestablish our relationship with the federal government recently came to an end on December 20, 2019 when the President signed the National Defense Authorization Act (NDAA). Section 2870 of that Act restored the Little Shell Tribe’s relationship with the federal government, making us the 574th federally recognized tribe.

The Tribe’s provision in the NDAA provides that all Federal laws of general application to Indians and Indian tribes shall apply to the Little Shell Tribe and our tribal citizens. In addition, it makes the Tribe and tribal citizens eligible for all services and benefits provided by the United States to Indians and federally recognized Indian tribes. Finally, the legislation provides that the Secretary of the Interior shall acquire 200 acres of land within the service area of the Tribe to be used for a tribal land base.

With enactment of our legislation, the Little Shell Tribe is taking the first few steps of a new journey to fully restore our relationship with the federal government, rebuild our tribal government, create a tribal economy, provide services to our tribal citizens, and establish a land base. As we undertake this challenge, we keep in mind those who passed on waiting for this day, as well as our future generations.

As a newly restored tribe, we have numerous funding priorities. However, my testimony today will focus on the need to increase the “New Tribes” funding at the Bureau of Indian Affairs and the Indian Health Service. In addition, the Tribe would like to see an increase in funding for Health Care Facilities Construction within the Indian Health Service.

I. Bureau of Indian Affairs – New Tribes Funding

The Bureau of Indian Affairs’ “New Tribes” funding is intended to assist newly recognized tribes carry out the day-to-day responsibilities of establishing and operating a tribal government. Once recognized, the tribe remains in the “New Tribes” category for three fiscal years. This funding is critical for newly recognized tribes because it provides seed money to hire staff, purchase equipment, and begin developing procedures and law.

The FY 2020 budget contains \$1.28 million for New Tribes under the Bureau of Indian Affairs’ Operation of Indian Programs. This funding was to continue Federal support for the six Virginia tribes recognized in January 2018. The Little Shell Tribe requests that the Subcommittee provide an increase in funding for “New Tribes” in order to assist the Tribe in operating our tribal government. Knowing well the struggle that the Virginia tribes endured, we would like to ensure that their funding levels are not decreased as a result of our recognition and classification as a “New Tribe.”

II. Indian Health Service – New Tribes Funding

The Indian Health Service’s “New Tribes” funding assists the agency in carrying out its mission to provide direct health care services to citizens of newly recognized tribes. The Fiscal Year 2020 spending deal contained \$11,463,000 for “New Tribes” under the Indian Health Service’s Hospitals & Health Clinics category. That funding was to provide direct health care services for the six Virginia Tribes recognized in January 2018. The Little Shell Tribe requests that the Subcommittee provide additional funding in order for the Indian Health Service to be able to provide services to a Little Shell tribal population of approximately 5,400 tribal citizens. Once again, the Tribe would like to ensure that the funding levels for the Virginia Tribes are not decreased as a result of our recognition and classification as a “New Tribe.”

III. Indian Health Service – Health Care Facilities Construction

With a long-term goal of establishing a tribal health clinic, the Tribe would like to see an increase in funding for Health Care Facilities Construction. I met with the Indian Health Service (IHS) in Billings, Montana on Wednesday, January 29, 2020 to discuss healthcare options for my people. The IHS staff were very helpful in discussing the Tribe’s status as a direct service tribe and outlining options that the Tribe could pursue when providing healthcare to our people.

However, when I asked if the IHS could construct a clinic for the Tribe in Great Falls, MT to serve our people the answer was no. IHS informed me that there is a list for replacement facilities that it must follow when constructing new facilities. Unfortunately, from what I understand, it could be generations before the Little Shell Tribe would be eligible under the list for funding because

the list is so long and the funding so limited. The IHS said I would need to take my plea to Congress – so here I am. I am hopeful that something can be done to provide my Tribe with funds to construct a clinic.

IV. BIA/BIE – Increased Construction Funding

I have had a lot of meetings over the past month since my Tribe's recognition was restored and I appreciate our federal partners proactive outreach and offers to assist us. One of the things that I learned through these meetings is that facility construction funding for schools, governmental facilities, public safety complexes, and similar buildings is very sparse. Most of the facility construction dollars are tied to priority lists, none of which the Little Shell Tribe appears on. The Tribe does not want to take funding away from other tribes or jump over those that have waited on priority lists, but there should be some sort of funding directed for newly recognized tribes so that they can construct the essential governmental building that they will need to support services.

Conclusion

I appreciate the opportunity to testify to the Subcommittee today. I am available to answer any questions that the Subcommittee may have regarding my testimony.