



Written Testimony of Charles Martin, Chairman, Morongo Band of Mission Indians

March 9, 2022

*Submitted electronically to:
IN.Approp@mail.house.gov*

The Honorable Mike Simpson
Chairman
Subcommittee on Interior, Environment
and Related Agencies
House of Representatives
Washington, DC 20515

The Honorable Chellie Pingree
Ranking Member
Subcommittee on Interior, Environment
and Related Agencies
House of Representatives
Washington, DC 20515

RE: FY24 Annual Appropriations

Dear Chair Simpson and Ranking Member Pingree,

On behalf of the Morongo Band of Mission Indians, I submit the following testimony for the Subcommittee on Interior, Environment and Related Agencies hearing on the fiscal year 2024 annual appropriations bill. The subcommittee has requested written testimony from tribal leaders on the issues and needs of Indian Country related to the Department of Interior, the Indian Health Services, and other Agencies. The agencies and programs involved in the Tribe's requests are: **Bureau of Indian Affairs**.

Like many tribes, Morongo recently completed the Tribal Budget Formulation - Preferred Program Ranking Tool developed by the Bureau of Indian Affairs to assist with their budget formulation process. My comments today reflect the funding priorities the Morongo Tribe has identified for the betterment of our tribe and its citizens.

Strengthening Tribal Communities

Aid to tribal government is a useful and versatile funding source for all Tribes to support governmental operations and maintain tribal sovereignty. While Morongo does much to supplement all aspects of our government, it is imperative that Congress never forget its Trust responsibility to tribes by working to strengthen our communities with funding for education, healthcare, and land management.

After Congress has made certain education, healthcare and land management have been fully addressed, Morongo would advocate for resources to be directed to the following areas:

Indian Child Welfare

In an effort to stabilize the community and keep native children with their Tribes, we ask that Congress fund the Indian Child Welfare Act and Social Services surrounding foster care placements and adoptions. There are a number of critical programs at the BIA that support these efforts and consistent with the recommendations you have received from the National Indian Child Welfare Association we encourage Congress to fully and robustly fund the following priorities:

- Indian Child Protection and Family Violence Prevention grant programs and resource center - \$93 million
- Indian Child Welfare Act On-Reservation grant program via TPA - \$30 million,
- Indian Child Welfare Act Off-Reservation grant program - \$5 million
- Welfare Assistance (\$90 million), and 5) Social Services - \$80 million

These programs directly prevent the separation of Indian families and also provide assistance for the reunification of families. Tribal ICWA directors have become central contact points for Tribes and Indian families in seeking assistance for temporary and permanent placement of Indian children. The work of ICWA staff has resulted in improved coordination and compliance with the Indian Child Welfare Act, which has been proven to provide better outcomes for kids.

Tribal Priority Allocations

The Morongo Tribe is proud to be a Self-Governance tribe, either compacting or contracting nearly every aspect of the federal government's services to the tribe. Tribal Priority Allocations (TPA) are critically important flexible funds that allow the Morongo Tribe to direct the resources that would be spent by the BIA on the tribe based on need within our own government. Unfortunately, the funding the Morongo Tribe receives through the TPA program funds less than 1% of our governmental budget. This is woefully inadequate.

To help demonstrate what an Incredibly small pot of funds are made available for many of the programs, a few years back the Tribe received one-time funding to help support our tribal court in the amount of \$63,385 to cover a period of three years. By comparison, Morongo spent \$572,000 in 2022 on our tribal court. We encourage Congress to significantly increase the funding available to tribes through TPA.

Tribal Law Enforcement and Justice Support

Morongo operates its own tribal fire and police departments, both of which frequently respond to emergencies in neighboring cities and unincorporated county areas as part

of the tribe's mutual and automatic aid agreements. Morongo is also launching a ground and air ambulance program that will strengthen emergency medical response not only on the Reservation but across the surrounding region. However, we are left largely alone to carry the burden that is often created by those not affiliated with our tribe.

As the Committee knows, California is a Public Law 280 state. The BIA has chosen not to fund police for tribes in Public Law 280 States. The Bureau tells us that in P.L. 280 states like California, the state—not our tribal government—has primary criminal jurisdiction. So we don't need the money, they say.

That is wrong. If we don't provide emergency services for our citizens and the many people visiting our reservation annually, no one will. We cannot ignore public safety and just say someone else will handle it.

Tribes need funding for civil matters, such as encroachments, and more importantly trespass issues. These issues are so overlooked and not dealt with in Indian Country. The BIA does not have enough staff or have the tools to deal with the trespass issue. Many tribes deal with illegal dumping, household trash, sometimes hazardous material, people who squat and live on the land that are non-native. There may be encroachment issues between tribal members property, the tribal member being encroached on has no recourse and is sometime subject to abuse by the neighbor.

Morongo appreciates that the Committee is already engaged on this issue. We supported the language included in the Fiscal Year 2023 omnibus that seeks to provide funds to tribes the BIA has forgotten. But I am here to tell you that you need to go further. Every tribe must receive some BIA law enforcement funding so that we can protect our people. If the BIA won't allocate the money to keep us safe, you need to force them to do it. To that end, I ask that you set a minimum allocation of \$500,000 for each tribe within the BIA public safety line item.

BIA Realty Services & TAAMS System Modernization

Despite being able to process the vast majority of realty services requests through our self-governance program, the Morongo Tribe continues to struggle with significant delays in the processing of BIA realty services requests when any form of assistance is required from the regional office. This problem is exacerbated by archaic rules that prevent Morongo from accessing the records of other tribes, which we need to do regularly as we contract to provide realty services to 4 other local tribes.

The impacts of these delays are felt by tribal members who need to get Section 184 housing title certified, and as well our ability to approve business leases. BIA needs significantly more resources to process realty requests and improve the Trust Asset and Accounting Management System (TAAMS).

Thank you for providing the Morongo Band of Mission Indians with this opportunity.