

**WRITTEN TESTIMONY OF  
CHAIRWOMAN VICTORIA KITCHEYAN  
WINNEBAGO TRIBE OF NEBRASKA  
BEFORE THE  
U.S. HOUSE APPROPRIATIONS COMMITTEE  
SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES  
AMERICAN INDIAN/ALASKA NATIVE PUBLIC WITNESS HEARING  
FEBRUARY 26, 2025**

**Summary of Budget Requests:**

- **Bureau of Indian Affairs** – Public Safety & Justice – Criminal Investigations and Police Services
- **Bureau of Indian Affairs** – Public Safety & Justice – Detention/Corrections
- **Indian Health Service** – Mental Health
- **Bureau of Indian Education** – Tribal Colleges & Universities
- **Bureau of Indian Education** – Tribal Colleges Facilities Improvement & Repair

Greetings, Chair Simpson, Ranking Member Pingree, and Members of the Subcommittee on Interior, Environment, and Related Agencies (“Subcommittee”). My name is Victoria Kitcheyan and I have the honor of serving as Chairwoman of the Winnebago Tribe of Nebraska (“Tribe”). Thank you for the opportunity to provide testimony on the Tribe’s funding priorities, within the Subcommittee’s jurisdiction, for Fiscal Year 2026 (“FY26”). My testimony will focus on the need to increase funding for the following programs/accounts: Bureau of Indian Affairs (“BIA”), Public Safety and Justice (“PS&J”); Indian Health Service (“IHS”), Mental Health; and Bureau of Indian Education (“BIE”), Tribal Colleges and Universities (“TCUs”).

**I. Increase Funding for BIA Public Safety & Justice – Criminal Investigations and Police Services**

Everyone deserves to feel safe in their community, but that is not the case on our Reservation. To counter the steady decline in policing services, the Tribe has been forced to expend limited tribal resources to perform the BIA’s law enforcement functions. The Winnebago Tribal Council is doing all we can to avoid having a community where criminals feel emboldened and Reservation residents feel vulnerable. However, the federal government must fulfill its responsibilities to the Tribe.

The BIA law enforcement staffing shortages and the overall insufficient level of police services are longstanding issues on the Winnebago Reservation. There have been multiple times when the BIA Police Department in Winnebago was severely short-staffed for various reasons, such as positions being left unfilled for extended periods, officers detailed to other reservations, and officers on administrative or other leave.

Currently, there are only two corrections officers on staff for the Winnebago Police Department and two other positions remain vacant. The fact that two corrections officer positions have been vacant for an extended period raises serious concerns for the Tribe. Previously, when BIA police

officer positions were left vacant, District 1 intentionally never filled those positions, and eventually, the Tribe learned those positions were removed completely from the budget for the Winnebago Agency BIA Policing Services without notice or consultation with the leadership of the Tribe. In addition, several more BIA Officer positions still in the budget have gone for extended periods without being filled.

The failure to provide adequate staff for law enforcement services creates a tremendous burden on the existing staff and results in serious public safety concerns for the Winnebago tribal community. To ensure public safety, vacant positions must be filled within a reasonable amount of time. As a result of the BIA's failure to provide sufficient law enforcement staffing, the Winnebago Police Department has become overly reliant on tribal police officers and tribal conservation officers. These officers, as well as law enforcement support staff, are paid entirely from tribal resources.

The Tribe appreciates the Subcommittee including \$746 million for Public Safety and Justice activities in its FY25 bill, which is an additional \$190.4 million—or 34 percent increase—above the FY24 enacted level. Within that amount, the bill included \$414.7 million for Criminal Investigations and Police Services, an increase of \$140.6 million above the fiscal year 2024 enacted level. The Tribe fully supports these critical funding increases and encourages the Subcommittee to include those in its FY26 legislation.

## **II. Increase Funding for BIA Public Safety & Justice - Detention/Corrections**

The lack of adult and juvenile detention facilities at Winnebago is further contributing to our serious public safety concerns. The closest adult detention facilities are located at the Omaha Tribe's Reservation, which is 11 miles away, and Thurston County, which is 20 miles away. However, there have been multiple occasions where the BIA does not have an active contract with those facilities, or those facilities do not have availability.

Without a local contract, Winnebago Police Officers are regularly required to transport inmates from Winnebago, Nebraska, to Wagner, South Dakota – a five hour round trip – or to other distant correctional facilities because there is no one else to do so. When this occurs, as it does regularly, the Winnebago Reservation is left without adequate law enforcement coverage because the Winnebago Police Department is continuously understaffed.

The lapse in local correctional facility contracts for both adults and juveniles, allowing existing contracts to expire without ensuring extensions or new contracts are in place, and continuously failing to provide adequate staff for both law enforcement services and transportation to correctional facilities is completely unacceptable. Corrections contracts with facilities within a reasonable distance from the Winnebago Reservation for both adult and juvenile inmates must always be in place.

The Tribe supports the Subcommittee's inclusion of \$155.4 million for Detentions/Corrections Programs in its FY25 bill, which is an increase of \$18.5 million above the fiscal year 2024 enacted level.

### **III. Increase Funding for Indian Health Service - Mental Health**

There is a mental health crisis across the nation, and it is no different in Indian Country. However, tribal members in Indian Country who are in crisis often face an additional burden in receiving necessary and life-saving treatment outside of the reservation. The Tribe's Twelve Clans Unity Hospital is unable to provide the necessary treatment for these mental health crises. Therefore, like many other rural hospitals and emergency departments, treatment is sought elsewhere at locations that are equipped to handle these emergency situations.

The Tribe worked to enact legislation in the State of Nebraska ("State") that provides for the recognition of tribal mental health commitment orders and for the transportation of and commitment of persons civilly committed under tribal law. This law will help facilitate critical, timely evaluation and care of behavioral health patients; eliminate inefficient jurisdictional bottlenecks when attempting to find placement and effectuate timely transportation to treatment facilities; and provide for cooperation between tribal and non-tribal medical facilities and law enforcement agencies.

Now that the State acknowledges tribal commitment orders, our federal partners can no longer skirt their responsibility to provide and bear the financial cost for the healthcare of tribal individuals as the Eighth Circuit Court of Appeals ("Eighth Circuit") has clearly laid out in *White v. Califano* ("*Califano*"). As a result of that case, the Great Plains Area administers an involuntary civil commitment program ("Califano Program" or "Program") to pay hospital charges for American Indians who require involuntary psychiatric hospitalization, usually for short stays of one week or less.

As a result of the *Califano* decision in 1990, Congress began appropriating \$1.8 million in the IHS budget to pay for the involuntary commitment of reservation Indians in state mental hospitals. Despite the Eighth Circuit's ruling in the *Califano* case applying to all states and tribes within the Eighth Circuit, the Tribe has never been able to access the Califano Program. Once the Tribe became aware of the Program, we began working with IHS to clarify eligibility and the parameters of the Program.

On August 22, 2024, IHS sent a Dear Tribal Leader Letter ("DTLL"), which stated that all Great Plains Area Tribes within the Eighth Circuit are eligible for the Program. The DTLL noted that IHS was proposing to calculate tribal shares of the \$1.7 million program as follows: an equal share of 30 percent of the funding for each Tribe and a prorated portion of 70 percent based on user population. The Tribe agrees that the Area Shares methodology is an equitable method to determine tribal shares for the Program. However, we want to ensure that our use of those shares is not restricted as we know how to best address the mental health needs in our community.

The Tribe supports the Subcommittee's inclusion of \$140.7 million for Mental Health/Social Services in FY25 bill, which is \$10.9 million above the fiscal year 2024 enacted level. We encourage the Subcommittee to provide a substantial increase in funding for the Califano Program, which currently sits at \$1.7 million. The Tribe has been unable to access the Program for nearly 35 years and the \$1.7 million will be shared amongst 17 Tribes as well as the Trenton Indian Service Area and Rapid City Service Unit.

#### **IV. Increase Funding for Bureau of Indian Education – Tribal Colleges & Universities**

Little Priest Tribal College (“LPTC”) was established as an educational institution by the Winnebago Tribe to fulfill the goal of its namesake, Chief Little Priest, “Be Strong and Educate My Children.” Its major focus is to provide a two-year associate degree and certification and prepare students to transfer and successfully complete a major at a four-year institution. Another equally important part of the college’s mission is to provide Ho-Chunk language and cultural awareness as well as provide training opportunities for upgrading job skills and improving employment opportunities.

In the last four years the college’s enrollment has almost doubled. The current spring enrollment is 225, which is the highest enrollment ever in any semester. The college also has doubled the number of programs from 6 to 12 in the last 4 years. Also, last year, the college celebrated the highest graduating group. To allow for LPTC’s continued growth and positive impact on the community, the Tribe urges the Subcommittee to increase funding for Tribal Colleges and Universities.

The Tribe appreciates the Subcommittee including \$94.9 million for Tribal Colleges and Universities in its FY25 bill, which is \$7 million above the fiscal year 2024 enacted level. However, any funding cuts to Title III would significantly impact the college’s growth, as margins are already extremely tight. We particularly emphasize the critical role of Title III Part A and Part F funding for LPTC and all TCUs.

#### **V. Increase Funding for Bureau of Indian Education – Tribal Colleges Facilities Improvement & Repair**

Many LPTC buildings are 20 to 70 years old and in need of improvements and/or repair. Funding for large, deferred maintenance projects is needed for the Library and Museum/Student Services Building, Food Service Building, and Administration Building, which was built in 1954. In addition, funding is needed to address overcrowded classrooms, limited housing, and lack of office space. Funding is also needed for LPTC to implement its Master Plan that would expand the campus onto an adjacent 10-acre site. Five new buildings are planned at an estimated total cost of \$60 million. Planned buildings include Career & Technology Education Building, Cultural & Student Center, Dormitory, Wellness Center, and Day Care Center.

LPTC is thankful for Facilities Improvement & Repair funds that have enabled the College to respond quickly to routine repairs and maintenance. LPTC has also been able to use federal COVID funds to begin the construction of a new Science building, USDA funds to help construct a Career and Technical Education (CTE) building, and Department of Labor funds to help launch LPTC’s newly approved Carpentry program.

With the costs of many of these facilities rapidly increasing we are working diligently to secure the necessary funds so we can avoid using the funds that allow us to provide free tuition. The Tribe appreciates the \$19 million for Tribal Colleges Facilities Improvement and Repair in its FY25 bill and urges the Subcommittee to provide additional increases for this account.