

**Testimony of the Honorable Dr. Buu V. Nygren, President of the Navajo Nation
Before the House Appropriations Subcommittee on Interior, Environment, and Related
Agencies American Indian and Alaska Native Public Witness Days
February 25, 2025**

Yá'át'ééh, Chairman Simpson, Ranking Member Pingree and Members of the Subcommittee. My name is Dr. Buu Nygren, President of the Navajo Nation (“**Nation**”). The Nation is one of the largest Native American tribes in the country. We provide critical governmental services to more than 400,000 members, approximately half of whom reside on the Nation which encompasses more than 27,000 square- miles and spans across the states of Arizona, New Mexico, and Utah. Thank you for holding these in-person public witness days to hear directly from tribal leaders on our FY 2026 appropriation requests. While we recognize the Fiscal Responsibility Act’s impact on the discretionary budget, Congress' trust and treaty obligations to support the health, education, social services, agriculture, and overall well-being of tribal members remain unchanged. We urge the Subcommittee to uphold its treaty and trust responsibility by continuing to provide meaningful funding increases to Indian Country programs that improve quality of life. Some of these programs include:

Exemption of Tribal Funding from Sequestration. Sequestration would have a severe and disproportionate impact on Indian Country, particularly by further underfunding essential services that support the health, safety, and well-being of our communities. Agencies such as the Indian Health Service (“**IHS**”), Bureau of Indian Affairs (“**BIA**”), Environmental Protection Agency (“**EPA**”), and Department of the Interior (“**DOI**”) programs already operate with limited resources, and sequestration would only exacerbate these chronic funding shortfalls. For the Nation, which receives fewer federal funds per acre than other tribes, sequestration threatens to undermine critical programs in healthcare, public safety, education, and environmental protection. It would also hinder efforts to improve agricultural programs, infrastructure, and economic development, areas crucial for community subsistence and growth. The federal government has a legal trust and treaty responsibility to tribal nations, and the current funding levels are already insufficient to meet the needs of our citizens. Subjecting these essential services to further cuts through sequestration would exacerbate the inequities tribal nations face and undermine the promise of socioeconomic justice. We strongly urge this Subcommittee and Congress to exempt IHS, BIA, EPA, and DOI programs serving tribal nations from sequestration. These resources are vital to our communities, and any reduction would have lasting negative effects on our ability to thrive.

Advance and Mandatory Appropriations to IHS & BIA. Advance appropriations have been a huge success for the IHS, providing the agency with much-needed stability for operations and providing basic health care services during the FY 2024 appropriations process. Recognizing this accomplishment, the Subcommittee should continue providing advance appropriations for the IHS in FY 2026 and expand them to critical BIA programs and services, while also making these appropriations mandatory. This would ensure that the federal trust and treaty responsibility to tribes is upheld during times of uncertainty, and this must be done without taking from other tribal programs. We also recommend that there be investments to require the federal agencies to conduct a full assessment and analysis of the funding inequities and proposed estimates to provide full funding for Indian County and their federal partners to provide direct services for tribal members.

Mandatory Funding for Contract Support Cost & 105(d) Leases. The Indian Health Care Improvement Act affirms the federal government’s responsibility to provide healthcare to tribes, while the Indian Self-Determination and Education Assistance Act strengthens this commitment by allowing tribes to manage their own health programs. This self-governance model upholds tribal sovereignty and reduces federal bureaucracy, enabling tribes to tailor services to their communities’ needs. A key part of this system is Contract Support Costs (“**CSC**”), which cover

essential administrative and operational expenses necessary for managing federally funded programs. Additionally, section 105(l) leases reimburse tribes for facilities used to deliver these services. Despite legal requirements to fully fund CSC and 105(l) lease costs, they remain subject to discretionary appropriations, creating instability that forces tribes to navigate shifting federal budget priorities. This often leads to funding shortfalls that undermine critical programs, including healthcare, education, and infrastructure. The Supreme Court’s ruling in *Becerra v. San Carlos Apache Tribe* and *Becerra v. Northern Arapaho Tribe* reaffirmed that CSC obligations must be fully funded. However, as long as these costs remain discretionary, Congress will continue to struggle with meeting them without cutting other essential services. Reclassifying CSC and 105(l) leases as mandatory spending would eliminate uncertainty, ensure reliable funding, and strengthen tribal self-determination as a meaningful and effective policy.

Strengthen Emergency Medical Services. The Navajo Nation Department of Emergency Medical Services (“NNEMS”) is essential to the health and safety of both residents and visitors, responding to more than 20,000 calls and nearly 14,000 transport requests in 2024 alone. Despite its critical role, NNEMS continues to face severe funding shortfalls that limit staffing, equipment, and service expansion. Before 1965, ambulance services were nonexistent on the Navajo Nation. The Navajo Nation Police Department took on this responsibility but struggled with limited resources and difficult terrain. In 1980, NNEMS was established with special appropriations from the IHS, but a 17% funding cut in 1982 drastically reduced staffing and operations. Since then, chronic underfunding has made it difficult to meet the growing emergency medical needs of the Navajo people. Serving over 314,000 people, NNEMS is a cornerstone of the Nation’s emergency response system. In 2021, it handled 31,500 calls, but third-party billing revenues fell short of covering operational costs. Without additional federal support, EMS services will remain strained, impacting response times and access to critical care. To address this, Congress must increase IHS funding for personnel and contract support costs, setting aside \$4 million (\$3.5 million for staffing and \$500,000 for contract support) for the Navajo Nation. Additionally, Congress must establish a dedicated budget line-item for Tribal Emergency Medical Services to provide consistent funding. These investments are necessary to sustain and strengthen emergency medical care on the Navajo Nation.

Providing \$2.9 Billion to BIA’s Public Safety and Justice Account, including an Increase of \$26 million for the Nation. The Nation is critically under-resourced in public safety, with only 218 officers and 35 criminal investigators to cover 27,000 square miles, resulting in a ratio of 0.85 officers per 1,000 residents—far below the FBI’s recommended 3.4 to 3.5. This shortfall leads to over 200,000 service calls annually, with dangerously long response times and inadequate correctional facilities, forcing the early release of offenders and increasing risks to the community. The BIA recognizes a \$1.7 billion need for tribal law enforcement, \$1.5 billion for tribal courts, and \$284.2 million for correctional facilities across all tribes. However, current funding is drastically insufficient, at about 20% for law enforcement, 40% for prisons, and only 3% for courts. With a rise in violent crimes, the Navajo Nation urgently requires investments in public safety infrastructure, including temporary modular facilities, durable police vehicles, and specialized emergency equipment like snowmobiles. The Tribal Interior Budget Council has clearly outlined these needs. It is imperative for Congress to fully fund the Public Safety & Justice account.

Providing \$46 Million to the BIA’s Indian Child Welfare Act (“ICWA”) Program. ICWA program is severely underfunded and subject to unnecessary funding restrictions. As a result, the Navajo ICWA Program currently operates with a \$3.4 million shortfall even with limited personnel.

We therefore request the full-funding amount of \$46 million for ICWA programs. The Navajo ICWA program services preserve and reunite Navajo children with their parents, next of kin, or other appropriate families depending on the best interest of the child.

Providing 1.2 Billion to Support Broadband Access for the Navajo Nation. Broadband availability on the Navajo Nation is significantly low in comparison to the rest of the country. . The reservation, spanning parts of Arizona, New Mexico, and Utah, comprises a vast and rugged terrain, including rural and sparsely populated areas. Geographic challenges, such as the dispersed population, difficult terrain, in addition to little tribal access to spectrum on our lands, means it is costly and complex to deploy broadband infrastructure. Outdated and insufficient telecommunications infrastructure further compounds the problem, leaving many areas without fiber-optic cables, cell towers, and other necessary infrastructure for high-speed internet access. We are working to expand our broadband infrastructure as quickly as possible while bridging the connectivity gaps in our most rural areas with Low Earth Orbit satellite equipment such as Starlink units. We therefore request \$1.2 billion to support the Nation’s broadband efforts. We also request your support in securing more access to and control over spectrum within the Navajo Nation, which we use to connect our people, especially our first responders and our most remote communities.

Providing \$1.1 Billion for BIA’s Housing Improvement Program (“HIP”). The Nation strongly encourages the Subcommittee to fund BIA’s HIP program at \$1.1 billion. HIP is a much-needed program providing housing resources to the neediest tribal members residing in Indian Country who cannot meet U.S. Department of Housing and Urban Development program income thresholds. Whether it supports emergency housing repairs, renovations, replacements, or even more recently, down payment assistance, it helps those who need it most.

Providing \$5 Billion to Address Abandoned Uranium Mine Clean-up on the Nation. Over 500 abandoned uranium mine sites on Navajo land are causing environmental and health hazards, including cancer risks and kidney damage. Despite some funded remediations, over half of these sites lack federal funding. The Navajo Nation predicts it will need \$4 to \$5 billion more to cover the current increasing costs and future cost increases of cleaning up, monitoring, and maintaining for the remaining 46 priority sites. Since 2008, federal agency efforts have not yielded plans for long-term waste disposal off Navajo lands, and the EPA has not fully assessed the impact[s] of creating multiple disposal sites on Navajo Trust and Allotment Lands. Two disposal facilities in Colorado and Texas are analyzed by EPA as potential destinations for the waste. But the costs of long-distance transport prevent the selection of these two sites as a final remedy. The EPA's cost analysis for cleaning up Quivira AUM reveals a stark contrast: \$40 million for on-site containment versus \$550 million at a RCRA facility. The prohibitive cost of the latter prompts the EPA to propose use of Navajo Nation land for cleanup, underscoring the need for more disposal options elsewhere. In 2021, the EPA, alongside DOI, DOE, DOD, and NRC, the States of AZ, NM, CO, UT; and the tribes - Acoma, Laguna, Ute Mountain Ute, and Navajo Nation, began focused discussions to identify potential long-term disposal solutions. The inter-governmental workgroup concluded in December 2024, but no concrete off-site cleanup plans have been established. The DOI, DOE, and NRC should also contribute to the solutions for long-term waste management. Additionally, the EPA has not requested funds to evaluate 239 lower-priority, unfunded AUMs. A \$500 million allocation from the FY26 budget is recommended to start addressing these AUMs.

Fulfilling Federal Obligations for the Navajo Indian Irrigation Project (“NIIP”). In 1962, P.L. 87-483 authorized the development of 110,630 acres of farmland and an annual diversion of 508,000 acre-feet of water from the Navajo Reservoir to the Navajo Indian Irrigation Project lands. Approximately 30,000 of the 110,630 acres of farmland remains undeveloped. Funding to build out the NIIP is critically needed. Appraisal level costs provided by the U.S. Bureau of Reclamation in 2019 estimated \$985 million to complete the project. Additionally, under an existing P.L. 93-638 contract, the federal government is obligated to cover the NIIP’s operations and maintenance (“O&M”) expenses. However, the BIA has failed to keep pace with increasing O&M expenses for the NIIP and other Indian Irrigation Projects. The NIIP Condition Assessment, which was conducted by the Bureau of Indian Affairs in 2016, estimates over \$175 million in remediation costs resulting from an extensive deferred maintenance backlog. In order to meet its obligation, the federal government needs to increase funding to the following: **(1)** Due to a continued lack of past necessary funding, total funding needs for NIIP’s O&M will be \$8.7 million in FY 2026. We therefore request the Natural Resources Management; Irrigation Operations & Maintenance funding be increased to \$25.5 million total in FY 2026. **(2)** Increased funding for the WIIN Act, Public Law 114-322, Title III, Subtitle B, Irrigation Rehabilitation and Renovation for Indian Tribal Governments and their Economies to \$35 million annually. **(3)** NAPI is ready to complete Block 9, stage 2 and 3 of the NIIP but lacks the promised funding to do so. We respectfully request that the Resources Management Construction fund be increased to \$90 million in FY 2025, \$30 million specifically for irrigation construction funding, of which no less than \$12 million go to the NIIP.

Funding to Support the Indian Water Rights Settlements. As mentioned in the BIA’s 2025 Budget Request, the Permanents section of the Bureau of Reclamation’s 2025 Budget Request includes a proposal to expand the Indian Water Rights Settlement Completion Fund to cover the costs of enacted and future water rights settlements and address the ongoing Operation, Maintenance, and Repair requirements associated with several enacted Indian Water Rights Settlements managed by the Bureau of Reclamation. This proposal would provide a total of \$2.8 billion - \$250 million annually over ten years for enacted and future water rights settlements, and \$34 million annually over ten years to be transferred to the Bureau of Reclamation for operations, maintenance, and rehabilitation requirements associated with a number of settlements, including the Navajo-Gallup Water Supply Project. The Nation urges this Committee to adopt this proposal as it would provide a dedicated funding source to address the Nation’s unresolved water related claims against the United States, while at the same time funding clean drinking water for our people.

Conclusion: The Nation strongly urges the Subcommittee to act on these recommendations in FY26, both to uphold its trust and treaty obligations to the Navajo people and to remedy some of the grievous injustices the federal government itself created and perpetuated. Thank you for taking the time to consider the Nation’s comments and the needs of the Diné people. We look forward to working you to enact a FY26 appropriations package that addresses these needs. *Ahéhee’* (Thank you).