

HOUSE APPROPRIATIONS COMMITTEE
TESTIMONY OF GOVERNOR STEPHEN ROE LEWIS
GILA RIVER INDIAN COMMUNITY

March 17, 2026

Chairman Simpson, Ranking Member Pingree, and distinguished members of the Subcommittee, thank you for the opportunity to submit testimony on behalf of the Gila River Indian Community (“Community”). The Community’s testimony includes the following: 1) \$4.7 million request in BIA Trust - Real Estate Services to complete the requirements under Public Law 115-350, the Community’s trust accounting legislation; 2) legislative language under Indian Affairs, Administrative Provisions, allowing the Secretary to support the sixth-grade expansion at Casa Blanca Community School; 3) request for continued appropriations support for 105(l) payments for Tribal Leases; and 4) support for funding required to address severe drought conditions in the Colorado Reiver Basin, including any funding necessary to implement Colorado River Basin Post-2026 Guidelines.

\$4.7 Million to Implement Public Law 115-350, the “Gila River Indian Community Federal Rights-of-Way, Easements and Boundary Clarification Act”

On December 21, 2018, the Gila River Indian Community Federal Rights-of-Way, Easements and Boundary Clarification Act (“Act”) was signed into law. The Act enabled the Community to obtain the full benefits of a settlement the Community reached with the United States resolving Federal litigation that originated in 2006 and was resolved in 2017. Part of the 2006 settlement included, among other things, a reconciliation of the Community’s non-monetary trust assets for the alleged mismanagement of these resources by the United States. The Settlement acknowledged that the lack of clearly documented and delineated Federal rights-of-way for Bureau of Indian Affairs roads, irrigation canals and transmission lines were detrimental to the provision of Tribal government services and the development of lands throughout the Reservation.

The Act mandated that the Bureau of Indian Affairs survey, document and publish all Federal rights-of-way on the Community’s Reservation by December 21, 2024, six years after the date of enactment. The Act also authorized the Bureau of Indian Affairs to contract for such surveys with the Community or a third party. The Community has utilized the funding appropriated to date — \$500,000 in fiscal year 2020 and \$500,000 in fiscal year 2023—to begin surveying these roads, irrigation canals and transmission lines.

Unfortunately, the six-year deadline has passed due to inadequate funding. Additional appropriations of \$4.7 million are needed to complete the surveys for the rights-of-way of the remaining 223 miles of roads and 338 miles of electrical corridors.

The Community has the capacity to complete these surveys in a timely and efficient manner and to accomplish the work within the fiscal year 2027 appropriations cycle. This funding would allow the Community to complete the survey work required under the Act and finally fulfill the terms of this federal settlement.

Request: \$4.7 million in fiscal year 2027 appropriations through the Bureau of Indian Affairs

Trust-Real Estate Services program to implement the rights-of-way requirements in the “Gila River Indian Community Federal Rights-of-Way, Easements, and Boundary Clarification Act”, Public Law 115-350.

Legislative Language to Support the Sixth-Grade at Casa Blanca Community School

In 2021, the Community completed construction on the Casa Blanca Community School utilizing section 105(l) of the Indian Self-Determination and Education Assistance Act. Under the program the Community designed and constructed the school in coordination with the Department of the Interior and then entered into a lease with the Department for the cost of construction. This project was the second construction project completed under the innovative 105(l) pilot program developed by the Department—with the help of the Community and the support of this Subcommittee—to improve infrastructure in Indian Country.

Prior to construction, the Community relied on the Department’s documentation designating Casa Blanca as a K-5 school and planned for construction of a K-6 school in accordance with Interior Appropriations bill language that allows funds to be made available for up to one additional grade if approved by the Secretary of the Interior. The existing school, which was nearly 100 years old, was too overcrowded to house a fifth grade, which only highlighted the need for a new school that would accommodate the space, academic and cultural needs of the Community’s students. Nonetheless, the Department was aware of the Community’s plans to construct a K-6 facility due to reliance on the school’s prior identification as a K-5 school.

Near the end of lease negotiations, the Community was informed from the Albuquerque Bureau of Indian Affairs office that the school was misidentified previously and was only considered a K-4 school which would limit the expansion of a grade to a K-5 school. The Casa Blanca Community School was completed in August of 2021. Since that time the Community has worked with the Department to address lack of funding for a sixth grade at the school—a grade level that is critically needed for all of the Community member students in the area. Without the sixth grade, students face the prospect of attending up to three or four schools prior to graduation which is disruptive to their academic studies and success. The need is especially urgent for special needs students, who struggle to obtain the same level of educational accommodations within the Community’s Reservation, forcing these students to travel substantial distances outside of the Community.

Although the Community consistently requested BIE address the issue, the Department indicated that legislative action is needed. The Department provided confirmation to Appropriations staff and the Community that the budgetary impact to make this change would be minimal (under \$370,000). This funding is nominal compared to the impact on the Community’s students. The requested language would be as follows:

*“No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau of Indian Education school systems as of October, 1 1995, except that the Secretary of the Interior may waive this prohibition to support expansion of up to one additional grade when the Secretary determines such waiver is needed to support accomplishment of the mission of the Bureau of Indian Education, or more than one grade to expand the elementary grade structure for Bureau-funded schools with a K-2 **or K-4** grade*

structure on October 1, 1996.”

This language would alleviate the specific issue at the Casa Blanca Community School which has already been constructed as a K-6 school, while also allowing the Bureau of Indian Education to determine overall expansion needs across the school and dormitory system. It is important to note, that the Community is the only pending request for a one-grade expansion, so any estimates about what the future potential funding might be are not before the Committee in this appropriations cycle.

Request: Include waiver language in the fiscal year 2027 Interior Appropriations bill to allow expansion of more than one grade for a school that was K-2 or K-4 as of October 1, 1995.

**Continued Support for the Indian Self-Determination and Education Assistance Act,
Section 105(l) Lease Program**

The Indian Self-Determination Education and Assistance Act (“ISDEAA”), at 25 U.S.C. § 5324(l) mandates that the Secretary of the Interior or Health and Human Services enter into a lease, commonly referred to as a “105(l) lease”, with a tribe or tribal organization for a facility used for the administration and delivery of ISDEAA services and further mandates that the Secretary reasonably compensate the tribe for the use of the facility.

The Indian Health Service (“IHS”) has entered into 105(l) leases with tribes for several years, while Interior began receiving requests to enter into 105(l) leases with tribes more recently starting in 2019. In partnership with this Committee and the Department of the Interior, the Community was the first tribe to enter into a lease with the Department of the Interior through a pilot program to construct the Gila Crossing Community School in 2019.

Since that time, the Community has continued its construction program to update Tribal governmental buildings that faced decades of overcrowding and inadequate facilities to carry out our basic governmental functions. Since the initial school, we have constructed a second school, the Casa Blanca Community School, a new Police Department and in three weeks, we will hold an opening for our new public safety building that will house police, fire, and EMT’s in one building. This public safety building will increase safety and decrease response times for emergencies that occur on a portion of our large reservation.

This summer, the Mississippi Band of Choctaw Indians will sign a lease on a new school that will replace a school built in the 1960’s that will serve over 2200 students in the BIA’s largest single school district. As you can see, the construction program is growing at a healthy pace and serves as an example of how tribes can be innovative while also bringing efficiencies to the construction process and serving as good stewards of federal funds.

The 105(l) program has proven very successful for Indian Country and is just beginning to realize its potential. Ultimately, funding for this program should be classified as mandatory funding to align with the mandatory nature of the program as set out in ISDEAA. We encourage appropriators to continue to support the program and begin a dialogue with Budget Committee members on a path toward mandatory funding to ensure the growth of the program doesn’t interfere with the substantial funding needs throughout the Department of the Interior and Indian Country.

Request: Engage with the Budget Committee to create a path for reclassification of 105(l) payments to mandatory payments for tribal leases at the Bureau of Indian Affairs and IHS.

Support for the Funding Required to Implement Colorado River Basin Post-2026 Guidelines

The Colorado River Basin is currently experiencing the most severe drought conditions throughout the entire Basin. This region is home to over 40 million people, and its economy provides nearly twenty percent of all annual federal revenues. The Congress has consistently provided critical funding to help the seven Basin States address the current drought. This funding has helped to shore up the critical reservoirs in the Basin, and to greatly improve the efficiency of water use in the Basin. Additional funding is critical for the region at this time and the Community urges you to consider supporting additional funding this year.

In addition, the current operating guidelines for the Colorado River Basin expire at the end of September 2026. The 7 basin states and 30 tribes within those states have been in negotiations with Interior on new guidelines that will manage operations at Lake Mead and Lakes Powell after 2026 (“Post-2026 Guidelines”). The Community is the largest entitlement holder to Colorado River water delivered through the Central Arizona Project and has been very engaged with other stakeholders in trying to reach consensus on the Post-2026 Guidelines.

To date, there is no current path forward to reach consensus on the Post-2026 Guidelines and Interior has not indicated what will occur if an agreement among the 7 basin states is not reached by the end of September. The Community does expect the federal government to comply with federal law and consult with the Community prior to taking any federal action. The Community also expects the federal government to honor our Congressionally approved water settlement passed in 2004 and the trust responsibility Congress directed them to undertake at that time to protect it.

It is unrealistic to expect that any agreement can be reached among the 7 basin states without sufficient funding to offset any potential cuts to tribal water allocations. Cuts to Congressionally approved tribal water rights without an offset program would be a violation of Interior’s trust obligations owed to tribes, like the Community, that have Congressionally approved settlements. Therefore, we anticipate Interior will come to appropriators and Congress to address the funding needs associated with any Post-2026 Guidelines.

The Community’s request for this Committee is to support funding generally, as it has in the past, to address the ongoing severe drought in the Colorado River Basin, and also any tribal mitigation funding and funding needed to implement any Post-2026 Guidelines, provided these guidelines live up to Interior’s trust obligation owed to basin tribes. The Post-2026 Guidelines will impact over 40 million water users in the basin, along with 7 states and 30 tribal nations. An absence of the requisite funding to implement any Post-2026 Guidelines would have significant environmental and economic impacts throughout the Basin.

Conclusion: The Community appreciates the work of this Committee throughout the fiscal year 2026 funding cycle to ensure Committee that critical funding increases were in place for healthcare, public safety, education and other programs carried out by tribal governments.