

House Natural Resources Committee Testimony
The Honorable Dusty Johnson
Member Day Hearing
November 2, 2023

Chairman Westerman, Ranking Member Grijalva, and Members of the Natural Resources Committee,

Thank you for the opportunity to testify before the committee today. As we near the end of the first half of the 118th Congress, it has been a great privilege to have been invited to speak alongside the committee to discuss issues of great importance to South Dakotans.

Due to the hard work of this committee and its staff, hearings have been held on 4 of my legislative proposals, and one recently passed the House by voice vote. H.R. 3371, the *Wounded Knee Massacre Memorial & Sacred Site Act*, places 40 acres of land into restricted fee status for the Oglala Sioux Tribe and Cheyenne River Sioux Tribe. This bill passed out of this committee with unanimous support, and I thank you for your attention to this historic legislation.

H.R. 3579, the *Tribal Trust Land Homeownership Act*, seeks to cut through red tape from the Bureau of Indian Affairs (BIA) that has slowed down the processing of mortgages. This bill creates statutory timelines where BIA must process and approve mortgages for property on tribal trust land within 20 or 30 days. My colleague, Senator John Thune, passed this bill in the Senate by unanimous consent, and I urge the committee to take this bill up in the next markup.

H.R. 386, the *Mount Rushmore Protection Act*, prohibits the federal government from using funds to alter, change, destroy, or remove any face, name, or feature of the memorial, located in the Black Hills of South Dakota. This bill also prevents the U.S. Board of Geographic Names from changing the name of the mountain.

But today, I would like to focus on the *Restoring Accountability in the Indian Health Service Act*. This committee held a hearing on a discussion draft of this bill in July. During that hearing, I outlined the many gaps in care and inadequate, abysmal nature of IHS facilities across the Great Plains region.

The Department of Health and Human Services (HHS) Office of Inspector General did a study of IHS's mismanagement over the December 2015 closure of the Rosebud Hospital Emergency Department in South Dakota. This study highlighted a lack of staff, inconsistent leadership, and a lack of oversight which all resulted in deficient care and the emergency room's closure.^[1] While most providers at these facilities do good work and are passionate advocates for their patients, we have seen a culture where bad providers are allowed to continue harming their patients.^[2] The Government Accountability Office (GAO) published a 2018 study showing a 25% staff vacancy rate at IHS facilities across the United States for all provider roles.

^[1] Indian Health Service. "Rosebud Hospital: Indian Health Service Management of Emergency Department Closure and Reopening: A Case Study". *U.S. Department of Health and Human Services: Office of Inspector General*, July 2019. <https://oig.hhs.gov/oei/reports/oei-06-17-00270.pdf>.

^[2] Integritas Creative Solutions. "A Focused Retrospective Review by ICS, Of IHS Respect to Allegations of Sexual Abuse: A Medical Quality Assurance Review." *Indian Health Service*, January 2020. [integritas-ihs-response-to-sexual-allegations-wsj.pdf](https://www.integritas-ihs.com/wp-content/uploads/2020/01/integritas-ihs-response-to-sexual-allegations-wsj.pdf).

Poor, insufficient staff leads to poor outcomes. The Pine Ridge Indian Reservation has the lowest life expectancy – 66 years – in the United States.^[3] The stories of substandard healthcare are commonplace and not new. My colleagues, Senators Barrasso and Thune and now Governor Noem had first proposed this bill in 2017. Reform to IHS staffing is long overdue.

This bill tries to recruit and retain more healthcare professionals to direct service facilities through establishing a competitive pay system, creating a staffing demonstration program, institute whistleblower protections, and allow for quicker removal due to misconduct. My office and the Indian and Insular Affairs Subcommittee staff are working to finalize the bill language in a way that makes purposeful progress in addressing the staffing needs of Indian country. I look forward to seeing this bill introduced soon and hope the committee will work with me to find ways for the federal government to fulfill its trust duty to provide better healthcare for Native Americans.

Thank you again for all the important work accomplished by this committee, and for holding this Member Day Hearing.

^[3] Laura Dwyer-Lindgren, Amelia Bertozzi-Villa, et al. "Inequalities in Life Expectancy Among US Counties, 1980 to 2014: Temporal Trends and Key Drivers." *JAMA Internal Medicine: Health Care Policy and Law*, July 2017.