

Opening Statement

SCIP - *Infrastructure in Indigenous Communities: Priorities for the American Jobs Plan*

April 21st, 2021 - 8:00AM MT

Good morning. The testimony today is heartbreaking to hear because it paints the picture of federal neglect of our obligations, from the dilapidated and impassable roads, to health clinics not built, to homes without running water or electricity. But this hearing: “*Infrastructure in Indigenous Communities: Priorities for the American Jobs Plan.*” is meant to highlight what Congress and this Administration can do to address those infrastructure inequities.

In my view, the brilliance of the American Jobs Plan is that it takes a holistic view to infrastructure. After all, as our witnesses know, the things that keep our communities moving are not just roads and bridges, but also things like broadband, health care, and clean water.

If we believe that addressing the inequities in our country is an important goal of the Jobs Plan, then we must prioritize these fundamental services. So today, we will hear from our witnesses about numerous infrastructure issues facing Indian Country.

Transportation presents one of the most glaring infrastructure needs. About 161,000 miles of roads and trails on tribal lands are eligible for federal funding. Tribal nations and the Bureau of Indian Affairs own and operate about a quarter of these roads.

Although several federal funding streams are available for tribal governments, chronic underfunding and backlogs have resulted in inefficient infrastructure improvements. For example, a 2018 BIA survey estimated that the deferred maintenance backlog was \$498 million. For context, in the last fiscal year, Congress allocated \$36.79 million. This is insufficient.

A stark indication of this neglect, as President Killer notes in his testimony, is that States receive an average of about \$16,000 per mile of state-controlled road whereas tribes receive about 1/64th of that. The Ogalala Sioux Tribe, for example, receives just about \$900 per BIA mile.

The lack of broadband connectivity and development is also a significant problem in Indian Country. Tribal communities are among the most underserved populations for broadband deployment. Even today, geographic remoteness and a general lack of necessary infrastructure

remain barriers to the development of tribal broadband infrastructure.

Although federal agencies like the Federal Communications Commission (FCC) are aware of this long-standing issue, tribal nations are only eligible for support through a piecemeal network of competitive funding opportunities. Currently, there are no dedicated funding streams specifically for tribal applicants or non-tribal entities proposing to serve tribal lands.

Tribal communities received increased broadband funding opportunities through the CARES Act and American Rescue Plan. But those funding streams remain COVID-19 related and are only available for a limited time. Going forward, there must be a dedicated funding stream for the development of tribal broadband infrastructure.

Alongside these priorities, we will hear more about housing and lands infrastructure issues, particularly for Native Hawaiians. One hundred years ago, Congress passed the Hawaiian Homes Commission Act to provide for the rehabilitation of Native Hawaiian individuals through a government-sponsored homesteading program.

In addition, the Act established the Department of Hawaiian Home Lands to provide 99-year homestead leases to native Hawaiians at an annual rental fee of \$1. Unfortunately, demand for these leases has consistently outstripped the available supply, and there are currently around 28,000 applicants on the homestead waiting list.

We will also hear about the importance of the Indian Health Service's (IHS) infrastructure needs. Just one indicator of the IHS' need is that its Health Care Facility Construction Priority List hasn't been updated since 1992.

These are only a few of the many issues we will learn about today.

As we advocate for fully funding infrastructure needs in Indigenous communities, I would also ask our witnesses to highlight structural deficiencies in existing infrastructure programs.

- Should we change matching requirements for tribes seeking federal funding?

- Should we provide grant writing assistance?
- Should we create set-asides targeted at Indigenous communities within existing federal programs?

We are at the moment in history where we can have a lasting impact on Indigenous communities' infrastructure.

I look forward to our hearing today to learn how we can ensure that we get this right. I now recognize Ranking Member Young for his opening statement.