



**THE TOHONO O'ODHAM NATION OF ARIZONA
TESTIMONY OF THE HONORABLE NED NORRIS, JR., CHAIRMAN**

**U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE FOR INDIGENOUS PEOPLES OF THE UNITED STATES
“Examining Federal Facilities in Indian Country”
June 17, 2021**

Introduction & Background

Good afternoon, Chair Leger Fernandez, Ranking Member Young, and distinguished Members of the Subcommittee. My name is Ned Norris, Jr., and I am the Chairman of the Tohono O'odham Nation (the Nation), a federally recognized tribe located in southern Arizona. Our Reservation is more than 2.8 million acres, one of the largest in the country, and we share a 62-mile border with Mexico.

Thank you for the opportunity to testify today. Like many tribes, we rely on a number of federal facilities on the Reservation to provide basic services to our tribal members, including schools and health facilities. And like other tribes, many of our facilities are in very poor condition, and funding to replace or rebuild them has been perpetually inadequate. Investment in this critical infrastructure in Indian Country must be included in the American Jobs Plan, as part of the President's commitment to vastly improve the country's federal facilities.

First, I want to address Indian education facilities.

Serious investment in Indian education facilities is desperately needed. In 2016, the Interior Department's Office of Inspector General issued a report on the “Condition of Indian School Facilities.” The report found “major facility deficiencies and health and safety concerns, including: asbestos, radon, and mold; structural concerns and condemned buildings; electrical issues; grounds and drainage problems; damaged and deteriorated roofs; plumbing, corrosion, and moisture damage; reliance on temporary structures as permanent solutions; and problems with fire safety systems.”¹

¹ Department of the Interior Office of Inspector General, *Condition of Indian School Facilities* (Sept. 30, 2016), last accessed June 10, 2021, https://www.doi.ig.gov/sites/doi.ig.gov/files/FinalEval_BIESchoolFacilitiesB_093016.pdf.

Almost five years later, the Fourth Quarter FY 2020 facility condition index for the Bureau of Indian Education (BIE) **identified 86 BIE schools that are in poor condition.**² Fewer than half of those schools are in an “active” facility improvement program, and the process for implementing those improvements is slow, extremely bureaucratic, and most important, drastically underfunded.

The Nation’s Santa Rosa Ranch School is one of our schools that is on the BIE facility improvement list. It was built in the 1960’s, and currently serves about 73 students in grades K through 8. In 2015, the Nation’s Education Department asked the Nation’s Planning and Economic Development Department to inspect the school because of concerns about the conditions. The inspection revealed a host of safety issues including: no working fire suppression system; electrical, heating and cooling issues; faulty lighting fixtures; plumbing issues; asbestos in two buildings; structural cracks; extensive leaks and water damage; walls and ceiling tiles in need of repair and replacement; rotting boards; security lights that were inoperable; buckling sidewalks; and failure to comply with the Nation’s safety codes or the Americans with Disabilities Act. The Nation recommended that the buildings be replaced.

Three years later, in December 2018, after the Nation raised further alarms about conditions at the school, BIE leadership and safety personnel identified “high priority deficiencies” and closed the school.³ In March 2019, BIE reopened the school with five temporary modular units.⁴ The school is still using those modular buildings.

In 2020, BIE conducted a site assessment and developed a plan for renovation of some buildings and replacement of the main academic building at the Santa Rosa Ranch School. In March 2020, BIE reported that it was in the process of completing a contract for site planning, architecture and engineering, and that the Office of Facilities was moving forward with the planning, abatement, and demolition of the old main academic building to make way for the new facility. As of now, BIE reports that the planning and conceptual design for the project is complete, that it expects to begin soliciting contracts in July 2021, and expects to award a design-build contract in November 2021. The estimated completion date is June 2023.

While the Nation appreciates that progress has been made in the planning for the Santa Rosa Ranch School, the fact that our children attended school for years in an unsafe, unhealthy facility is not acceptable, nor is the fact that so little progress has been made to permanently address those conditions.

² BIE Facilities Condition Index (January 2021), https://www.bia.gov/sites/bia.gov/files/assets/as-ia/ofpsm/dfmc/FY_2020_Q4_FCI_Report_Poor_FIRB_01_28_21_Sec508.pdf

³ See also Letter from Edward Manuel, Chairman, Tohono O’odham Nation to Rep. Raul Grijalva re: conditions at Santa Rosa Ranch School and underestimated costs of repairs, requesting replacement (Dec. 18, 2018).

⁴ Department of the Interior, *Assistant Secretary Tara Mac Lean Sweeney Reopens Improved, Expanded Santa Rosa Ranch School* (Mar. 25, 2019), last accessed June 10, 2021, <https://www.doi.gov/pressreleases/assistant-secretary-tara-mac-lean-sweeney-reopens-improved-expanded-santa-rosa-ranch>.

Second, I want to address Indian health care facilities.

The COVID-19 pandemic laid bare the inadequacies of federally-funded healthcare facilities in Indian Country, which unnecessarily cost lives. This is why investment in Indian Health Service facilities, which provide healthcare to millions of Native Americans, is absolutely necessary. The National Tribal Budget Formulation Workgroup noted in its fiscal year 2021 recommendations that “[a]t current rates of funding, if a new [IHS] facility were built today, it would not be replaced for 200-250 years!”

Our IHS-funded Hospital in Sells, Arizona is over 50 years old, and is completely inadequate to meet the Nation’s healthcare needs. Although the Nation has over 34,000 members, the Hospital has only 14 beds, and is not equipped to handle many of our members’ most basic medical needs. The Sells Hospital cannot provide telemetry beds for patients that require more intense monitoring, operating rooms, anesthesia, or MRIs. We cannot admit respiratory patients because there is no ventilator support. The Nation cannot routinely deliver babies due to the lack of anesthesia and OB/GYN specialists to back up family physicians.

A Replacement Hospital for the Nation has been on the IHS facilities construction funding priority list for **over 20 years**. Despite the Nation’s pleas, to date, IHS has allocated only a little over \$15 million in funding for planning, which is a small fraction of the estimated \$225 million needed to complete construction of the hospital. According to the IHS FY 2021 Facilities Planning Five-Year Plan, the Sells Replacement Hospital is not expected to receive further funding until FY 2022.⁵ IHS estimates that funding to complete the project will be available in FY 2023, but even if that estimate is correct, our members will not have access to a new facility that provides better, more comprehensive healthcare until 2024 at the earliest.

Conclusion

The Nation’s members have waited for more than 25 years for a decent, accessible healthcare facility -- and they are still waiting. The Nation’s children have been put at risk and at unfair disadvantage by attending unsafe schools. Our situation illustrates the dismal condition of federally-funded facilities in Indian Country, and the critical importance of investing in these facilities in the American Jobs Plan, or any other infrastructure package.

Thank you for your time today. I am happy to answer any questions.

⁵ See IHS FY 2021 Annual Facilities Planning (Five-Year Plan) (Mar. 5, 2020), last accessed June. 9, 2021, https://www.ihs.gov/sites/dfpc/themes/responsive2017/display_objects/documents/projects/Planned_Construction_Priorities.pdf.