

Testimony of Michael Chavarria, Governor of the Pueblo of Santa Clara, New Mexico
“Public Witness Testimony: FY 2019 Appropriations”
House Appropriations Subcommittee on Interior, Environment, and Related Agencies
April 30, 2018

Recommendations:

1. IHS – Provide full funding and advance appropriations for the Indian Health Service.
2. IHS – Maintain funding for Community Health Representatives.
3. IHS - \$150 million in mandatory funding for SDPI.
4. BIA – Increase funding for disaster recovery and prevention programs.
5. BIA – Establish a BIA Emergency Response Fund.
6. USFS – Increase support for Tribal Forest Protection Act implementation.
7. BIA – \$3 million for the BIA Endangered Species Program.
8. BIA – \$30 million for the Tribal Climate Resilience Program.
9. DOI - \$30 million for Department-wide Landscape Conservation Cooperatives.
10. EPA – Provide full funding for the EPA General Assistance Program.
11. BIA OSG – \$2 million in baseline funding for the Office of Self-Governance.
12. BIA – Maintain \$1 million in dedicated funding for NAGPRA implementation.
13. BIA – Increase funding for Tribal Historic Preservation Offices under the NHPA.

Introduction. Thank you Chairman Calvert, Ranking Member McCollum, and members of the Subcommittee for the opportunity to testify on the important topic of federal funding for American Indian and Alaska Native programs under your jurisdiction. My name is J. Michael Chavarria and I am the Governor of the Pueblo of Santa Clara, also serving in the capacity of the Chairman for the Eight Northern Indian Pueblos Council and Vice-Chairman for the All Pueblo Council of Governors (APCG). Santa Clara Pueblo is located north of Santa Fe, New Mexico, in the foothills of the Valles Caldera Park Service Unit. On behalf of my Pueblo, we thank you and your staff for your hard work in protecting the interests of tribal nations in the federal budgeting process. The federal budget plays an essential role in fulfilling the Federal Government's trust and treaty obligations to tribal nations by ensuring that critical programs and services receive adequate resources to fulfill their intended purpose. These programs are provided to tribal nations because of the unique political relationship that exists between our sovereign governments.

As a tribal leader, I have developed a deep understanding of our community's pressing needs, as well as of the immense potential of the Santa Clara People to succeed if given the appropriate level of resources and support. To further these twin objectives of progress and achievement, I offer the following FY 2019 budget recommendations for the Subcommittee.

I. Promoting Access to High Quality Healthcare in Indian Country

Provide Full Funding and Advance Appropriations for the Indian Health Service. The IHS strives to provide tribal citizens with access to high quality and comprehensive medical services. Unlike other federal healthcare agencies, such as Veterans Affairs, the IHS must balance the delivery of services with years of under-resourcing and the detrimental, lingering effects of sequestration under the Budget Control Act of 2011. The sum of this equation is all too often manifested in negative health outcomes for American Indian and Alaska Natives who depend on the IHS for care. Full advance appropriations for the IHS would promote greater stability in

services, medical personnel recruitment and retention, and facilities management. It would also provide the IHS with parity to other federal healthcare agencies that have demonstrated success in delivering consistent medical services under advance appropriations that have otherwise been interrupted by budget-related complications like continuing resolutions. IHS appropriations reform is urgently needed to provide Indian Country with access to this same peace of mind and reliability in healthcare services. **We urge Congress to fully fund advance appropriations for the IHS under the FY 2019 budget and beyond.**

Maintain Funding for the Community Health Representatives (CHR). CHRs are a valued and valuable asset in the Indian healthcare systems. Providers come from the communities they serve and have the necessary tribal cultural understanding to identify, respond to, and address our Pueblo members' needs. They also serve as important sources of basic healthcare services, disease prevention services, and health education. We are deeply disturbed by the President's FY 19 proposal to eliminate all funding for this unique and highly effective program. **We urge Congress to maintain funding for CHRs and promote community-connected care in Indian Country.**

Maintain \$150 million in Mandatory Spending for the Special Diabetes Program for Indians. As you are well aware, communities across Indian Country are associated with tremendous, alarming, and debilitating statistics related to incidences of diabetes and diabetes-related complications among tribal members. The Pueblo of Santa Clara is no exception. SDPI is a critical program that has demonstrated success in reducing incidences in diabetes and end-stage renal disease in tribal communities, as well as in preventing, treating, and managing symptoms. **We strongly urge Congress to maintain the current \$150 million in SPDI mandatory funds.**

II. Effective Natural Resources Management

Increase Funding for BIA Disaster Recovery and Prevention Programs. The stewardship of land, minerals, water and other natural resources is key to both the economic well-being of Pueblo people and to their cultural survival. As tribal leaders, we strive to balance these interests through beneficial partnerships and the effective management of our natural resources. Nature, however, chooses her own course. Our Pueblo has been devastated by not one but *three* catastrophic wildfires – the 1998 Oso Complex Fire, 2000 Cerro Grande Fire, and the 2011 Las Conchas Fire. We have invested heavily in the development of fire preparedness and suppression resources to protect life and property. The BIA and other federal agencies have worked closely with us to carry out these activities and address what continues to be an existential threat to our Pueblo. Because of these efforts, we are proud to say that Santa Clara is home to top-tier tribal forestry and land management departments. **We urge Congress to increase funding for BIA natural disaster recovery and prevention programs to better protect tribal and federal lands.**

Establish a BIA Emergency Response Fund. Our experiences with disaster relief highlight the need for tribal nations to receive assistance as soon as possible following a natural disaster. For many tribal governments, however, the upfront investment in emergency staff and services, and the high cost-sharing requirements of certain federal programs present significant financial barriers. When added to the unavoidable bureaucratic delays in distributing funds, it often takes an unacceptable amount of time for communities to receive disaster relief at a time when quick access to resources is of the essence. With the increased intensity and scope of wildfires, floods, and other natural disasters in recent years, we anticipate the need for these resources will only

continue to grow. For this reason, we recommend the creation of a BIA Emergency Response Fund. The idea behind this fund would be for the BIA to have readily at hand significant funding that can be deployed as necessary to address short- and long-term disaster recovery and disaster mitigation needs in Indian Country. **We recommend an initial amount of \$5 million be allocated to establish a BIA Emergency Response Fund within the Office of Trust Services.**

Prioritize Implementation of the Tribal Forest Protection Act (TFPA) in the USFS. The TFPA (Pub. L. 108-278) authorizes the Secretary of the Interior to give special consideration to tribally-proposed Stewardship Contracting or other projects on Forest Service or BLM land bordering or adjacent to tribal lands to protect trust and federal resources from fire, disease, and other threats. These stewardship agreements are an important tool for fighting the ever-growing threat of wildfires in the West. Empowering tribal governments as caretakers to protect tribal lands by managing adjacent federal lands is a smart policy. The TFPA was authorized, however, without a designated funding mechanism. As a result, efforts to implement its beneficial provisions have been impeded. **We urge the Subcommittee to provide \$5 million in FY 2019 in priority funding for the implementation of the TFPA within the U.S. Forest Service.**

Protect Wildlife with Restored Funding for the BIA Endangered Species Program. The effective management and conservation of our natural resources is not limited to the waters, soil, and trees that form the rich landscape of Pueblo Country. We must also account and appropriately care for the diversity of wildlife that is meaningful to our culture and essential to maintaining our ecosystems' equilibrium. The BIA Endangered Species Program provides tribal nations with the technical assistance and financial resources to protect endangered species on tribal lands through natural resources restoration and management, as well as economic development. **We recommend Congress provide \$3 million for the BIA Endangered Species Program in FY 19.**

Promote Sustainable Tribal Communities through the EPA General Assistance Program. EPA funding and grants enable our Pueblo to administer and support an array of projects that improve the quality of life for our people and safeguard the natural resources that provide us with physical and spiritual sustenance. Without these funds, our Pueblo would face tremendous hurdles in delivering essential services such as clean drinking water and hazardous waste management to our people. Among the most widely utilized EPA sources of funding is the Indian Environmental General Assistance Program (GAP), which assists tribal nations in developing the internal capacity to manage their own environmental protection programs. Cuts to the GAP will directly impact front-line environmental staff working for tribal governments and place our natural and cultural resources at unacceptable risk. We support the GAP's spirit of greater local control, cooperative federalism, and exercise of self-determination in allowing tribal nations to manage their resources. **We strongly urge Congress to provide full GAP funding to advance sustainable environmental protection measures in Indian Country.**

Maintain Funding for the Tribal Climate Resilience Program. Across America, communities are facing mounting challenges related to our progressively unstable natural environment. We have seen this in catastrophic wildfires in the southwest, debilitating snowfalls in the northeast, persistent droughts in the northwest, and severe floods in the southeast. Invasive species, disappearing tree lines, and accelerated rates of erosion are also taking an increasing toll on our agricultural and natural resources. The BIA Tribal Climate Resilience Program and Department-wide Landscape Conservation Cooperatives (administered in agencies such as the

BLM, FWS, NPS, BIA, and BOR) provide tribal nations with the tools to manage resource stressors and develop adaptive management plans. Both programs prioritize intergovernmental coordination to mitigate and prevent further environmental degradation. Continuing these programs is critical not only for tribal nations, but for all Americans. **We, therefore, recommend Congress provide \$30 million for the BIA Tribal Climate Resilience Program and \$30 million for Department-wide Cooperative Landscape Conservation programs.**

III. Support for Tribal Self-Governance

Increase Funding and Support for the Office of Self Governance (OSG). The Pueblo of Santa Clara is a self-governance tribe, meaning we have assumed control of many Bureau of Indian Affairs functions in our community. We provide our tribal members with a full range of governmental and social services, including tribal education, elder care, public works, and traditional cultural practices to support their spiritual and physical well-being. OSG plays a pivotal role in supporting the exercise of our tribal sovereignty by providing financial assistance and compacting services to the 277 tribal nations participating in the program. Yet, the OSG is constantly operating at a deficit – both financially and in personnel – that impairs its ability to fully support self-governance tribes and the delivery of essential, timely services to our people. **We recommend that Congress provide at least \$2 million as baseline funding for the Office of Self Governance to fulfill its mission in serving self-governance tribes.**

IV. Protecting Tribal Cultural Patrimony

Maintain the \$1 million in Dedicated Funding for NAGPRA Implementation. The theft, trafficking, and sale in objects of tribal patrimony causes immeasurable harm to our way of life. An object of tribal patrimony is not meant to be simply displayed in a museum or hung on the wall as art. It is a vital part of the community with both presence and purpose. Congress has recognized the special status of these objects and is working closely with tribal nations to develop appropriate federal protections. The \$1 million in dedicated funding for NAGPRA implementation in FY 2017 and FY 2018 is contributing to tremendous progress in this area. We are happy to report that Congress's support has translated into the creation of a dedicated FTE position and Bureau-wide trainings on the nuances of the law and the importance of tribal patrimony. We look forward to continuing to expand these achievements going forward. **We strongly encourage Congress to maintain the \$1 million in direct funding for NAGPRA implementation in FY 2019.**

Support Tribal Historic Preservation Offices (THPOs). The preservation of tribal sacred and cultural sites is a priority for the Pueblo of Santa Clara and all of Indian Country. Such sites may be found in natural geographic formations or in man-made markers and monuments. Damage or destruction of these sites is often irreversible, forever altering the way in which we can express ourselves as Pueblo People. More tribal nations are choosing to establish THPO equivalent to state offices under the National Historic Preservation Act to protect tribal heritage. Our officers use their expertise to identify sacred and cultural sites and coordinate with the appropriate officials and third parties to ensure that they are conserved for future generations. **We appreciate that Congress has stood with tribal nations in rejecting proposed cuts to THPO funding and we urge the Subcommittee to include further support for this vital program in its FY 2019 budget recommendation report.**