

**Witness Testimony of Harold C. Frazier, Chairman of the Cheyenne River Sioux Tribe
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I. Introduction

Due to a series of federal Indian policies, the United States conducted experiments to displace and exterminate Indian people. An assimilation chain was initiated throughout Indian Country, some more aggressive than others, and it all started through regulating our funding. Now, we must submit our testimony in an attempt to fight for the scraps of what is left over from the pursuit of the federal government's manifest destiny. Although there has been significant improvements made by allowing tribes to contract federal services, the budget itself continues to cause harm to the people its intended to be responsible for. Our people characterize this responsibility and annual appropriations process as "rent" due.

The Cheyenne River Sioux Tribe continues to struggle economically because our people have suffered through centuries of traumatizing events, paternalism, and poverty. The poverty has indoctrinated our people, leaving us in a state of continued dependency. The only way we will be able to break free from this dependent status is by having adequate funding sent our way for the next five years. Our tribe is a non-gaming tribe, our revenue is limited to tax collections, minor tribal businesses, and land leases. This is not enough to bring our people into a place of renaissance, and to the Lakota, human life is sacred.

In order to make our government to government relationship more meaningful, we need sufficient increases to be directed toward the Great Plains area. Increases in the Great Plains area budget will also increase the revenue for the state of South Dakota. Most of the residents who reside on the reservation travel to the surrounding cities for shopping and entertainment. Increasing our budget also nurtures tribal-state relations.

We are one of the largest reservations in the United States, specifically, around the size of Connecticut. We are part of the Seven Council Fires, our people belong to the Teton Council Fire, and we are comprised of the Minnecojou, Siha Sapa, Sans Arc, and Oohenumpa bands. The Reservation is one hundred miles long and sixty miles wide, and includes Dewey County and Ziebach Counties, South Dakota. We are located in a rural area of north-central South Dakota. With tribal enrollment at 18,814, of which 10,564 live on or near the Reservation, roughly, thirty five percent of the population is under twenty years of age. With an extraordinarily high unemployment rate, we also are of the top five poorest counties in the United States. On top of working in an impoverished, rural area with no tax base, we are left with the responsibility for supplementing underfunded basic governmental services and disaster relief.

Our goal is to aim federal funding toward our long standing, culturally vibrant, existing communities through infrastructure development to revitalize the our societies, reduce public works costs, and safeguard rural landscapes. When we align federal policies and funding to remove barriers to collaboration, leverage funding and increase the effectiveness of programs to plan for future growth we also enhance the government's trust responsibility. This testimony will discuss the most critical need first, our infrastructure. Second, I will discuss the need for education, specifically a new school campus to drastically reduce the poverty through striving for academic excellence and attracting and retaining qualified teachers. Last, I will discuss Public Safety to ensure we are providing adequate services to our large land base.

II. Infrastructure

Cheyenne River believes investing in our well designed infrastructure will have long term economic benefits for the people. Our rural area covers two counties, therefore, there is a strong demand for transportation infrastructure investments. Residents of Cheyenne River want public infrastructure listed as a priority because it is an essential part of the economy. Tribal members use the transportation infrastructure to travel to work, check on elders who live in the outlying communities, and travel to cultural activities year round. We will see a business boom when we have a well-functioning infrastructure system to obtain supplies, manage inventories, and deliver goods and services throughout the reservation. UPS and FedEx, retail businesses, propane and trash trucks all indirectly rely on a stable infrastructure system. We also have farmers who use publicly funded infrastructure to ship crops to buyers. Increased funding for a modern transportation infrastructure network is critical for our economy to function, not to mention a prerequisite for future growth and expansion.

Investing in our infrastructure will create a more livable community for our tribal members. Our quality of life will dramatically improve because we would be able to provide more transportation choices to decrease household transportation costs, reduce our dependence on oil, improve air quality and promote public health. For starters, our BIA Routes 11 and 12 provide the only access to emergency services, schools and services for the communities of Bridger, Cherry Creek, Takini and Red Scaffold. These two roads are brutally dangerous and create an imminent threat to the health and safety of the residents of the large communities and the 155 children attending Takini School. The impact of the poor condition of both roads are acute, and pose imminent risk to life and safety, as well as short and long term economic impacts including. The Tribe is not able to expand in these communities due to the road conditions. In order to improve economic competitiveness of the communities, we need to give the people reliable access to employment centers, educational opportunities, services and other basic needs.

The conditions of these roads are tripling emergency service response times for ambulance, law enforcement and fire protection increasing risk of fatalities. There is an increased number of accidents of private vehicles and extreme risk to school buses and commercial vehicles. Additionally, we suffer economic losses due to extreme wear and tear on all vehicles for the school buses, private vehicles, emergency services and deliveries to the school of supplies.

The main access to the school for delivery of supplies and materials is BIA Route 11, and this project includes 6.7 miles of road from Takini School to Highway S.D. 34. What is troubling about this, is when there are muddy conditions, companies will not deliver to the school and school buses have a very hard time staying on the road. With BIA road maintenance currently funded at only 14% of the need crews are not able to adequately keep this road in good condition. This paving project would reduce the total miles of roads to be bladed and also increase funds available for construction and maintenance of all other roads on the reservation. The problems with the condition of this road is astonishing; the existing gravel surfacing is nearly gone causing washboards, holes, rutting, and sloping on the road increasing potential for rollover accidents and likelihood of fatalities, and the road side slopes are so steep accidents are more likely to result in fatalities. Ultimately, it is impossible to maintain school access in the winter and during rainfall events because the road base is thick clay called gumbo that dries slowly and last, there are no shoulders on the road increasing potential for accidents.

Another important road is BIA route 12 that serves as the primary access to Cherry Creek Community and it provides the only direct access to State Hwy 63 for the southwest corner of the reservation. This road is 18.1 miles long and the last time it was paved was over forty years ago.

Since then, it has deteriorated and is only partially graveled, making this the most dangerous road in Dewey and Ziebach County. Fixing this road will enhance the unique characteristics of the communities by investing in health, welfare and safety of all residents who live in this area. The road would also make way for expansion, because the tribe eventually will build energy-efficient housing choices for people of all ages and incomes to increase mobility and lower the combined cost of housing and transportation.

III. Education

Every time a tribal member is born, a new life is dependent on our care. It is our duty a tribe to provide each life with an opportunity to reach their potential. It is our obligation to ensure each child is loved and nurtured and given a chance to make a life. The Bureau of Indian Education of grave concern to Cheyenne River. School maintenance and school operations continue to be underfunded. BIE has been attempting to reorganize and move further away from our children. Cheyenne River is home to one BIE operated school and two tribally controlled schools all which serve thousands of students. The tribe would like to see education funding best spent directly in schools in ISEP funding and school maintenance and administration. The tribe continues to oppose any increases in BIE administrative dollars and unnecessary pilot project "experiments".

It is disheartening to report that our students have the lowest high school graduation rates in the country. ACT scores are on the decline, and our students have little to no access to high-level high school courses. Our students are not proficient in reading or math by the eighth grade and this is because the federal government continues to cut our funding, move our resources further and further away, conduct experiments on us, and use us as research instead of just adequately fund us until we can become self-sufficient enough to grow on our own.

Presently, the Cheyenne Eagle Butte School is over 55 years old and it is crumbling as we speak. We cannot pick up a telephone and call one person for help because BIE has no authority to request funding for construction of a new school. Federal law, 25 U.S.C. § 2005(d) allows Congress authorization for replacement construction of any additional BIE operated schools. We ask Congress to exercise this power and put us on the list immediately. The Department of Interior has spent over ten million dollars on the Cheyenne Eagle Butte School in the past decade just to put band aids on a crumbling facility that is beyond repair. Our children attend school in the winter with their jackets on because the school's heating system functions so poorly that most classrooms are only at 50 degrees. Mold is a major health concern because it continues to grow in latent areas and there is asbestos exposure from failing walls, floors and ceilings, and cracking from a failing foundation. We continually force our children to sit and attempt to learn in this kind of environment and expect them to perform at proficient levels.

The problems that continue to be documented are unrepaired flooding water damage from frozen pipes including cracks in mortar, ceiling, and wall, flooring damage. We have leaking roofs on buildings, leaking heaters resulting in ceiling damage, electrical hot spots in classrooms and electrical power jumping resulting from inadequate electrical systems to handle maximum operational loads occurring, missing and damaged tiles on floors and in bathroom facilities. There are leaks in the boiler and piping resulting in damage to walls, ceilings and flooring and disintegrating parking lots and sidewalks causing trip and fall hazards. The plaster walls in dormitories that are not fire rated and temperatures of 100 degrees in the kitchen from old equipment and inadequate ventilation. There is an inability to place any additional computers in classrooms due to an inadequate electrical system resulting in denial of access to technology for all students.

This is another cry for a new school campus, please put us on the list so our children can have something to look forward to. This new campus will attract qualified teachers who will want to live among us, and become family. The new campus will also attract our own tribal members to pursue a higher education and teach our own.

Last, Higher Education is being completely gutted. With no gaming revenue to supplement this scholarship program, this cut will leave Cheyenne River members without any type of scholarship funding. The tribe simply cannot afford to offer this service without the funding. The tribe is responsible for the administration of the Higher Education Scholarship Program. This program provides financial assistance to attend a post-secondary institution to pursue an academic degree. The importance of continued education is stressed at all levels - Federal, State and Tribal. The cost of attending college is continually rising and many of our students that attend college off-reservation can expect to face a high loan debt.

IV. Public Safety

Traditionally, public safety has always been our strongest asset. Today, we deal with a host of issues as a direct result from the poverty and rural location. Our public safety department cannot improve services with inadequate funding. Our goal is to create a model for development through community planning tailored toward culturally relevant public safety initiatives. Crime prevention through traditional environmental design initiatives will reduce opportunities for street crime, access more control over housing areas, enhance our neighborhood images, and make the best use of our land.

With only twenty three Law Enforcement Officers, coverage is extremely limited. The sheer size of our reservation, coupled with understaffed department, outdated equipment, and the cost of leasing vehicles through GSA result in risks to the health and safety of the Reservation residents and the officers. Our patrol alone takes one or more hours to respond to reported crimes, emergency calls and law enforcement backup. Patrol vehicles go through a high level of wear and tear with high mileage and maintenance, due to the road conditions and the number of miles driven on the reservation, and our working conditions have resulted in staff turnovers and heightened stress level at the work place. The budget cuts increase the disparity in funding already existing between Courts and law enforcement. It is our hope that Congress will understand that no amount of short term pilot project and grant funding by BIA or Department of Justice will alleviate the crisis created by this underfunding in law enforcement. To properly administer fair justice, our funding must be increased. With thousands of cases, and funding for only three judges, two prosecutors and one public defender, the civil and criminal justice systems are not functioning. Backlogs result in release of offenders while awaiting charging, and inadequate time on each case.

V. Conclusion

In conclusion, Congress needs to provide sufficient funding for Cheyenne River. The general reductions in the Indian Affairs budget is a disgrace to Indian Country. There is no resource more vital the continued existence and integrity of Cheyenne River than our children. As a trustee, you must protect our interests and our future. Congress must move away from paternalistic thinking by funding our allocation requests, protecting our boundaries, and just support tribal governmental authority so we can provide culturally sound care and services our people need. Thank you for this opportunity to give testimony on behalf of the Cheyenne River Sioux Tribe, Teton Council Fire from the Great Sioux Nation.