



**SALT RIVER
PIMA-MARICOPA INDIAN COMMUNITY**

10005 E. Osborn Road, Scottsdale, Arizona 85256 / Phone 480-362-7400 / Fax 480-362-5791

May 2, 2018

The Honorable Ken Calvert
Chairman
House Appropriations Subcommittee
On Interior, Environment and Related
Agencies
2205 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Betty McCollum
Ranking Member
House Appropriations Subcommittee
On Interior, Environment and Related
Agencies
2256 Rayburn House Office Building
Washington, D.C. 20515

Good afternoon, Chairman Calvert and Ranking Member McCollum, and thank you for the opportunity to testify before you today regarding the Fiscal Year 2019 Interior appropriations and specifically, the importance of self-governance programs within the Bureau of Indian Affairs (BIA) budget. My name is Delbert W. Ray, Sr. and I am the President of the Salt River Pima Maricopa Indian Community, located in the metropolitan Phoenix area in Arizona.

As you know, there are two primary ways for tribal governments to receive funding from the federal government: direct service and self-governance. As a matter of policy and practice the Salt River Pima Maricopa Indian Community believes in self-governance. We fully endorse the philosophy of removing the federal bureaucracy from tribal programs and to allow tribes to directly use federal funding in the most efficient manner to meet tribal need. The Community has worked successfully to transition the administration of many essential government functions from BIA control to the responsibility of our Community. To date, we have assumed responsibility for administering a host of programs from trust services, detention and corrections, social services, to road maintenance, law enforcement, probate, and most recently the Land Title and Records function. We are proud to say our experience with tribal self-governance compacting has been very successful and is a perfect example of the most efficient use of the federal dollar. However, the one caveat that I would stress to the Committee and the Congress is that funding for BIA programs continues to be woefully inadequate.

I believe funding for Self-Governance Programs should be the highest priority for the Administration and the Congress to fund for the reason mentioned above. I was, therefore, dismayed to see that the President's FY 19 budget reduces funding levels for practically all areas of the Bureau of Indian Affairs, including the office of self-governance and other programs that support self-governance, like the Johnson O'Malley Grant, which provides for cultural and language opportunities for Indian children in public or private schools.

I recognize that the President's budget in Fiscal Year 2018 proposed similar cuts and that this committee not only restored but enhanced funding for tribal priorities rather than cutting spending. I am grateful for your commitment to Indian Country: you have backed up your words

with action. I am hopeful that you will continue to invest in Indian Country and in tribal self-governance as you draft the FY 19 appropriations bill.

I would like to draw your attention to a couple of points as they relate to self-governance, including the Johnson O'Malley grant, the opioid crisis, and critical underfunding in many self-governance areas.

Johnson O'Malley Grants

Most of the Community's students attend school off the reservation, in the surrounding communities of Scottsdale, Tempe and Mesa. This makes the Johnson O'Malley grant, which provides supplemental assistance to address academic and cultural needs of Native American students in public schools, critical for Salt River. The Johnson O'Malley grant dollars have historically been an addition to our base funding agreement with the BIA, meaning supplemental funds we can rely on for the education of our young people. The Administration's FY19 budget zeroes out this vital program and I implore you to restore this funding in the Interior appropriations bill.

The Opioid Crisis

On March 19th, 2018, Secretary Zinke visited our Community and held a press conference on our reservation about the President's plan to combat the opioid crisis. He specifically discussed working with Indian Country on enforcement, treatment and prevention. Sec. Zinke noted in his remarks that tribal governments should have access to funding directly for new opioid crisis initiatives and that we should not have to go through the state to access this funding. As you know, tribes are particularly impacted by the opioid epidemic sweeping the nation and Salt River is no exception. This is a priority for our Community and we are investing in many different ways to address the impact among our people, including diversion programs our schools, our brand new Way of Life wellness Facility, and in law enforcement and our court system.

I understand the strategy for combatting the epidemic is broad and multi-faceted - as it should be - and investments will be made through other agencies in addition to DOI. However, we hope you will ensure that funds are appropriated for combatting opioids and drug addiction in Indian Country and that tribes, as sovereign governments, have equal access to funds that are made available to states.

Under-funded Self-Governance programs

As you may be aware, tribes begin an internal process with the BIA and the Office of Self-Governance about two years ahead of the fiscal year. We outline every government function that the tribe administers and oversees and the anticipated costs associated with every line item under that program. For most, the amount received from BIA is a mere fraction of the actual cost to administer. For example, our detention and corrections program costs \$6.8 million annually, however the Community receives only \$206,000 dollars in its base funding agreement with BIA. This represents only 3% of the annual budget for detentions and corrections, with the Community backfilling the remaining 97%. We are not suggesting the Federal Government is responsible for funding 100% of these programs, but we do encourage you to seek more equitable funding levels.

In addition, the law enforcement function is a critical part of tribal programming. The current tribal enrollment is over 10,000 and the latest census data shows that over 10,000 people live within the reservation boundaries. Based on the BIA Law Enforcement Cost

estimating table, the need is \$ 3,836,000 per year. The tribe currently receives \$ 3,272,449 per year, leaving an unfunded obligation of \$ 563,551 per year. The lack of adequate funding hampers the tribe's ability to provide adequate public safety for the tribal members. From fiscal year 2015 – 2016 calls for service increased 20%. Additional funds will enable the tribe to reduce response times and provide a bigger, much needed presence in Community.

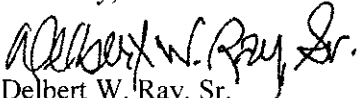
Importantly, maintenance of roadways in the community promotes better public safety. The Community has 71.2 miles of BIA roads on the reservation. Based on the BIA's estimating model of assuming maintenance costs for these roads is \$10,000 a mile per year, the amount needed is \$ 720,000. The Tribe currently receives \$92,652 for BIA Road Maintenance, leaving an unfunded obligation of \$619,348. As a result, the BIA Road system is years behind on much needed roadway maintenance such as pot hole repair, crack sealing and asphalt overlays. The continued lack of maintenance on these roads will result in the need for new construction versus extending the useful life of the existing road. The poorly maintained roads creates issues for Public Safety vehicles, school busses and the tribal member's ability to safely drive in the Community. Additional funds will assist the tribe in purchasing materials to maintain the existing BIA road system by mitigating the safety hazards and extending the useful life of the roadway.

Lastly, since coming into the Self-Governance Program in 1995 the Community's funding for the Realty function has remained the same from the BIA and it now needs additional staff and operational costs not only to maintain, but to modernize and improve its accountability to the 10,000+ tribal members that it serves. The realty program performs its portion of land transactions for tribal land owners as timely and accurately as possible. However, it often has to wait an inordinately long time for the BIA to perform its portion of land transactions up the line to the Land Title and Records Office (LTRO). These inefficient land transactions often hamper individual or tribal requests for mortgages, land exchanges, negotiated sales, partitions and leases. As the Community has recently taken over the LTRO function the community is seeking \$471,000 for start-up costs to fully implement an LTRO in-house. It is our goal to improve Real Estate services delivery to over 10,000 tribal members within twelve months by strengthening staff competence and capacity through training (which is a legal requirement according to the Tribe's Funding Agreement with Interior). Support for timelier recordation will also stimulate the economy by creating a few more jobs on the reservation.

Mr. Chairman and members of the Committee, these are just a few examples of the critical need for BIA funding for Self-Governance programming. As you prepare to write the Fiscal Year 2019 Interior, Environment and Related Agencies appropriations bill, I hope you will consider this request. Self-governance is good policy and it is good practice. It ensures that scarce federal dollars are used to build capacity rather than bureaucracy. And it makes good on the United States' obligation to respect tribal sovereignty and to allow tribal governments to manage our own affairs. Thank you for your commitment to Indian Country and to self-governance- I know that you understand the critical role it plays in supporting Indian self-determination.

I look forward to working with both of you to ensure that our Community, and Indian Country as a whole, can thrive in years to come.

Sincerely,


Delbert W. Ray, Sr.
President