

**TESTIMONY OF DOUGLAS COX, CHAIRMAN, MENOMINEE NATION
PRESENTED TO THE
U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON APPROPRIATIONS,
SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
MARCH 6, 2019**

Good Afternoon Chairman, members of the subcommittee. I am Douglas Cox, Chairman of the Menominee Nation. And on behalf of the Menominee Tribe, I provide the following testimony regarding funding priorities, concerns, and recommendations in regards to natural resource management for Menominee Nation.

On behalf of Menominee Nation, 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.

Tribes, as proven effective managers of our own resources, must be provided with the appropriate funding and support as required by the federal treaty and trust responsibilities. Federal support for tribal natural resources efforts, however, has not kept pace with tribal efforts and as such, undervalues tribal natural resources management initiatives.

For Menominee Nation our forest and natural resource management are one of the leading programs in the Country and globally. Our Menominee Reservation was established in 1854 in a treaty with the United States Government. Since this time in history, the heart of our Menominee Nation is our forest, and the natural resources embraced by this forest. The backbone to the economy of Menominee Nation has been our forests, and the industry surrounding the sustainable management of that resource. The forest covers 95% of the reservation.

The Menominee forest is a major natural resource. And included in our major reservation resource is our water with 187 streams and rivers, 57 lakes, totaling 2,756 acres of surface water grace the reservation. Our forest creates ideal habitat for a large number of wildlife and fish. Our forest is host to a variety of native shrubs, grasses, sedges, and wildflowers. The 220,000 acres of Menominee forest distinguishes the reservation from the surrounding landscape. The major difference between the Menominee forest and the surrounding landscape is not determined by the natural differences but is due to our management and ethics.

Our natural resource program includes Environmental Services, Fisheries Management, Waterfowl habitat protection, forest management, Conservation Law Enforcement, Wildlife protection, Historic Preservation, and numerous environmental programs. Our Natural Resources programs employs environmental protection specialists, foresters, conservation wardens, fish biologists, wildlife biologists, hydrologists, technicians and administrators, many of whom are paid in full or in part with federal funds and critical to our work protecting the resources that were promised to us in our Treaties. We urge the Subcommittee to ensure equity

and consideration towards funding our tribal Natural Resources programs that are critical to protecting our culture, our health and our economy.

For Menominee Nation to fully manage and use our natural resources and to establish and maintain natural resource management programs, funding for BIA natural resource programs must increase. BIA programs represent a significant source of funding to protect tribal lands. Instead, tribal funding opportunities have declined incrementally over decades, and more precipitously than other natural resources programs in DOI. Tribes continue to be excluded from eligibility for billions of dollars from dozens of natural resource programs across the federal agencies that are otherwise available to states, local governments, and other entities. For example, per acre funding for Forest Service lands is three times the per acre funding for tribal forest lands; and per acre funding for the DOI invasive species program is five times the per acre funding for the BIA's Invasive Species Program.

Many of the BIA Trust Natural Resources programs experienced substantial cuts over the past decade. Further base program reductions in FY 2013-2015 under the Budget Control Act of 2011 and Sequestration have eliminated jobs, stymied economic activity at a critical time for tribes, and curtailed combined tribal, federal, state and community collaboration as well as the valuable perspective in natural resource management that tribes contribute to national natural resources and the economy.

We request the following:

- Provide \$10.5 million for the BIA Water Management, Planning, and Pre-Development Program.
- Provide \$5 million for Water Resources TPA Program.

Funding from the BIA Water Management, Planning, and Pre-Development Program is used to assist tribes in protecting and managing their water resources, thereby reflecting the federal trust obligation to tribes. The Water Resources TPA program allows tribes and BIA regional offices to provide for the protection and management of tribal water resources. Funding is used for the administration and management support of individual tribal water programs. Tribes use funding to participate in the management and use of regional water resources appurtenant to tribal and/or Indian trust lands, including public domain allotments. Under this program, funds are also provided to support tribes' diverse water management needs. Funding for the Water Resources TPA program has not increased in decades and should be increased to \$5 million in FY 2020.

- Restore funding to \$3 million for the BIA Endangered Species Program.

The BIA's Endangered Species Program is the only program that provides tribes with technical and financial assistance to protect endangered species on Indian trust lands. From FY 2002 to FY 2012, funding for this critical program declined 58 percent to \$1.245 million. In FY 2016 and FY 2017, funding was approximately \$2.6 million. This is still short of the FY 2002 level. Tribes request that funding levels of \$3 million be restored so that tribes can continue to support habitat and environmental requirements to protect endangered species, especially in light of increasing threats caused by climate change and human development.

- Support FY 2020 funding at or above \$30 million for the BIA Tribal Climate Resilience program.

Tribal peoples, lands, and infrastructure are disproportionately impacted by the effects of climate change and, due to infrastructure inadequacies and remoteness, tribal governments do not have sufficient personnel to implement programs for climate adaptation. Despite having some of the most pristine habitat in the United States, tribes have been historically underfunded for wildlife and natural resource management and conservation. Tribes strongly support increasing this amount to at least \$30 million in FY 2020 to remedy inequities and enable the BIA to address tribal natural resource management in an effective manner and to build tribal capacity to plan and implement programs in the face of climate change. Increasing the FY 2020 funding to at least \$30 million would help identify impacts of climate change and enable tribes to develop strategies to protect our tribal lands.

FISH AND WILDLIFE PROGRAMS

Three key programs for tribes, including Menominee Nation, to manage reservation fish and wildlife resources are Tribal Management and Development (TMD), Wildlife and Parks, and Natural Resources programs. These programs help meet the growing national demand for outdoor recreation and tourism, as well as supporting the protection of millions of acres of habitat necessary for the conservation of fish, wildlife, and plant resources. Hence we request:

- Increase appropriations to \$25 million for base and programmatic funding for the BIA Tribal Management and Development Programs.

From FY 2002 to FY 2012, funding for the Tribal Management and Development Program (TMD) declined 17 percent from \$9.3 million to \$7.7 million. For FY 2016, Congress restored funding to \$9.3 million, and in FY 2017, Congress provided \$11 million for TMD programs. While these investments are appreciated, an increase to \$25 million for FY 2020 will substantially strengthen tribal conservation successes and meet the federal government's trust responsibility. Of the \$25 million requested, \$5 million should be set aside for Conservation Law Enforcement Officers. The remaining \$20 million requested will support the base and programmatic operations of the TMD program, which the BIA has recognized as critically needed for tribes to manage fish and wildlife programs on their lands.

- Increase funding to \$10 million for the Natural Resources Tribal Priority Allocations.

The Natural Resources program fulfills the federal trust obligation through improved management, protection, and development of Indian land and natural resource assets. Funding for this Tribal Priority Allocation (TPA) program has remained flat for years, at around \$5 million. Funding for the Natural Resources program should be increased by \$5 million in FY 2020. This investment will substantially increase tribal land and resource management capabilities and increase economic independence through generating revenues for tribal economies. By enhancing tribal economies through this program, the economic costs of social

decline (e. g., increased need for law and order, social services, and health services) are decreased, resulting in cost savings.

- Increase funding to \$12 million for the BIA Invasive Species Program.

The Invasive Species Program provides critical funds to tribes to control noxious and invasive species. Invasive species cause approximately \$3 billion in damage on tribal trust land. The impacts of invasive species have a particularly disproportionate impact upon tribes because such species affect plants, animals, and other wildlife that are essential to tribal members for sustenance, medicines, ceremonies, cultures, and economic health. This BIA program, which was funded at \$6.7 million in FY 2018, is the only funding stream designated to address invasive species on tribal trust land. In contrast, DOI spends considerably more each year to address invasive species on non-Indian lands. The BIA program is a critical element of the Department's Invasive Species Crosscut Initiative, since tribal trust land is often contiguous to other federal lands. In light of the disproportionate impact invasive species have on tribes, the significant need for equity in funding between non-Native and tribal land under DOI's jurisdiction, and the contiguous nature of many tribal and non-Native DOI land areas, an increase to \$12 million in BIA's Invasive Species Program for FY 2020 is an equitable and reasonable request.

FORESTRY

Like many Tribal forests and forest management, our Menominee forestry program is documented with chronic underfunding, forestry staff decrease, decrease in economic opportunities, and impacts of invasives, insects, disease, and climate change. Federal funding for the management of our forest is only approximately one third of that provided for National forests. An additional \$100 million annually would be required to reach funding equity with tribal forestry management, development, and protection. Additional positions in a wide variety of skill areas are needed to provide adequate staffing, and additional funding for annually for training, retention, and recruitment. Hence, we ask for

- Increase overall base BIA forestry funding (TPA and Forestry projects) by \$25 million as a first step toward providing the \$254 million for management the BIA needs as minimum annual funding to achieve equity with other federal forestry programs
- Increase annual funding by \$12.7 million for BIA Forestry projects to initiate a BIA Forestry Workforce Development Program

Federal investment in tribal natural resources management helps sustain tribal land, grow economies, and support continued tribal health. As tribal communities become more secure in their environments, food and water systems, and their abilities to manage those resources, tribes and tribal members can turn to other needs: creating jobs; building supportive infrastructure; forming healthy tribal and neighboring community relations; developing innovative approaches to other concerns that affect the broader community; and diminishing the strain on land management and law enforcement services, among other things.

Thank you for the opportunity to appear before you today. Waewaenen