

RED LAKE BAND
of CHIPPEWA INDIANS
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TESTIMONY OF THE HONORABLE DARRELL G. SEKI SR.
CHAIRMAN, RED LAKE BAND OF CHIPPEWA INDIANS

Before the House Appropriations Subcommittee on Interior, Environment, and Related Agencies
Regarding the FY 2020 BIA, IHS, and EPA Budgets

March 7, 2019

Chair McCollum and Ranking Member Joyce, thank you and the other distinguished Subcommittee members for this opportunity to testify for the Red Lake Band of Chippewa Indians. Red Lake has 12,000 members, and our 840,000 acre Reservation is held in trust by the United States. While diminished in size over time, our Reservation was never broken apart or allotted, and we are exempt from P.L. 83-280. Thus, we are responsible for a large land area over which we exercise full governmental authority and control, in conjunction with the United States. Due in part to our remote location, there are few job opportunities available. While unemployment in Minnesota is below 3 percent, ours remains close to 40 percent. The lack of good roads, reliable communications systems, and other necessary infrastructure impedes economic development and job creation at Red Lake. Appropriations are the key way in which the United States fulfills its trust responsibility and honors its obligations to tribes. **We request an additional \$5.5 million in FY 2020 funding for Red Lake programs as described below.**

Protect Indian Country from Funding Cuts to BIA. We greatly appreciate your recent rejection of the Administration's FY 2019 BIA budget cuts, and for adding several much-needed increases. The President's proposal to cut the BIA by \$665 million from FY 2018 enacted levels would have made the BIA cuts far greater than any other Interior agency. Tribes were shocked to find their top priorities faced the sharpest cuts. For example, Social Services was cut by 37 percent, Indian Child Welfare by 28 percent, and Tribal Courts by 28 percent. In addition, Tribal Scholarships, HIP, Johnson O'Malley, Tiwahe Initiative, and 18 other programs were eliminated under the proposal. These crucial programs are crucial because they serve our children and families and educate our youth. If the President's FY 2020 budget request proposes similar draconian cuts to programs that impact tribes, we ask that you **oppose all such proposed cuts and instead make additional investments as described below.**

Rescissions, Sequestration, and Pay Cost Cutbacks Have Eroded Tribal Program Funding. Since FY 2000 there were 20, across-the-board rescissions to tribes' core government programs, totaling 9.5 percent, including things like Hurricane Katrina recovery. The needs of most rescissions were met long ago, but the funding cuts continue. Since FY 2013 our government

programs were cut another 5 percent from Sequestration, and these cuts also were never restored. This caused significant erosion to critical tribal program funding and our ability to maintain public health and safety. To make things worse, inflation since FY 2000 totaled 41 percent. Pay Costs are the only increase many tribal programs receive and are vital to maintain minimal staffing levels. Since FY 2001, Interior agencies lost more than \$800 million from the partial funding of Pay Costs. Each of the last three Administrations and OMB have been guilty of this, and this Subcommittee has previously stated the Administration should request full funding for Pay Costs in all future budgets. We ask that you renew the call to **fully fund Pay Costs, including \$2.5 million for Red Lake to restore what Red Lake has lost since FY 2001.**

Protect and Fully Fund the BIA Tiwahe and Recidivism Reduction Initiatives (RRI). The Tiwahe Initiative was established in 2015 to improve the health and wellbeing of families in tribal communities by reducing poverty, substance abuse, domestic violence, and associated outcomes such as youth suicide. Tiwahe includes two components: (1) a recurring funding increase for all tribes that operate Social Services and ICWA programs and (2) additional funding for a demonstration program at 6 tribal locations (representing 61 tribes and Alaska Native villages) to develop improved coordination and delivery of services. Tiwahe funding includes BIA programs of Social Services, ICWA, Courts, Housing Improvement (HIP), Job Placement & Training, and Public Safety Recidivism Reduction Initiative. Upon completion of the 5-year demonstration program period, if tribes evidenced success through performance measures identified in their Tiwahe plans, the program and funding would thereafter be recurring. Other successful tribal demonstration/pilot programs supported by Congress and the Administration, and which subsequently became permanent and expanded, include the 477 Program (P.L. 102-477), and, the Self Governance Program.

Tiwahe has improved coordination of and strengthened our youth suicide prevention efforts at Red Lake. We had no youth suicides last year, and only one youth suicide in the last 40 months. Although one suicide is too many, for Red Lake this represents a significant reduction, and we have made major progress towards our goal of ending youth suicide.

Tiwahe has provided other critical investments to strengthen families and provide wrap around services. In remote northern Minnesota, good paying jobs are scarce. Tiwahe enabled Red Lake to address a regional welding job shortage by establishing two welding classes. A total of 108 students participated, with a 67 percent graduation rate, and a 20 percent job placement rate. Last year we launched a new training facility, the Oshkiimaajitahdah Institute of Technology (OIT), which provides welding and Certified Nursing Assistant (CNA) classes and workforce development skills. The Tribe will soon offer a welding III course in partnership with local industries such as Arctic Cat, which includes an onsite manufacturing facility. The Tribe also offers training opportunities to our neighbors, including other tribes. Tiwahe enabled us to establish a CNA program with an onsite lab, which will increase the number of CNAs at local healthcare facilities. OIT is also creating a Workforce Academy to build a vibrant, quality workforce to help strengthen Red Lake families and the entire northern Minnesota region.

Tiwahe and RRI enabled us to open the Red Lake Children's Healing Center (CHC), a juvenile facility that sat vacant for a decade due to lack of funding. The CHC provides vital mental health, substance abuse, domestic abuse, and recidivism reduction services to youth in a culturally-

sensitive way. We also operate an onsite school for high risk middle school students in a partnership with the Red Lake School District. This year the CHC will implement a 24/7 youth residential treatment program for rehabilitative mental health and substance abuse services.

Congress has supported the Tiwahe Initiative since it began, citing the importance of providing culturally-appropriate services with the goals of empowering individuals and families through health promotion, family stability, and strengthening tribal communities as a whole. FY 2019 is the fifth year of the Initiative, and Congress requested a final report at the end of FY 2019 which includes measures of success and guidelines for other tribes to implement the model. However, Congress is now deliberating the FY 2020 budget, well before the report due date. It is in the interest of all tribes who operate Social Services and ICWA programs, the tribal demonstration sites, and all of the children and families benefitting, that you **fully fund Tiwahe in FY 2020**.

Red Lake firmly believes Tiwahe can serve as a successful model for other tribes tackling these same issues. For this reason, we also ask that you **expand the program with additional resources for all tribes, and make the Tiwahe program permanent**. You are helping our children and families to have better lives and safer communities, and we thank you for your help.

BIA Justice Services: Law Enforcement, Courts, and Community Fire Protection. The Tribal Law and Order Act (TLOA) was intended to give tribal law enforcement the resources needed to combat crime. But since TLOA began, BIA funding for tribal law enforcement has shrunk, thus hindering our ability to reduce crime and protect lives. Our greatest need is for a recurring funding increase for more tribal officers. There was only one such increase in a decade, \$5.6 million in FY 2017, which provided an additional \$36,500 to Red Lake. But this was less than the amount we lost to Sequestration. The BIA is obligated to provide adequate funding to meet our basic public safety needs but has repeatedly failed to do so. Our public safety programs are understaffed and undersupplied relative to BIA safety standards. Last year, we had to spend \$3 million more than the BIA provided, by taking funds from other critical tribal government programs that are already underfunded, just to maintain minimal public safety at Red Lake.

We appreciate the \$7.5 million you provided in FY 2018 and FY 2019 for more police officers to fight the opioid epidemic. We hope some of these funds will reach our Tribe, but this has not yet happened. In 2017 Red Lake declared a Public Health Emergency because of the sharp increase in opioid overdoses. We had 87 overdoses, with 55 lives saved by the use of Narcan under our Naloxone program. Despite inadequate BIA funding, Red Lake Law Enforcement is waging a fierce war on drugs. Last year we took over 27,904 grams of heroin and other drugs valued at over \$1 million out of our Reservation. In addition, we seized vehicles, personal property and over \$38,000. We executed 54 search warrants and made 358 drug-related arrests. We are holding drug dealers accountable, and our crime rates are going down. But we need more resources if we are to succeed in stopping this epidemic. We request **an additional \$20 million in FY 2020 for tribal law enforcement operations, with an additional \$3 million for Red Lake Law Enforcement to combat our opioid crisis**.

Tribal Courts are a top priority for tribes but are severely underfunded. We appreciated your efforts to increase Court funding in FY 2019 by \$8 million. However, this increase was not included in the final bill. We ask that you **provide an additional \$10 million in FY 2020 for Tribal Courts**.

Community Fire Protection has been neglected for decades. We are responsible for fighting fires on our Reservation and protecting lives, on a yearly BIA-funded budget of only \$42,500. We ask that you **provide \$10 million for Community Fire Protection in FY 2020.**

Public Safety and Justice Construction. Red Lake has been trying to fix our dilapidated public safety infrastructure. Years ago BIA condemned its law enforcement center at Red Lake, but did not replace it due to lack of funds. As a result, the Tribe was forced to obtain a \$5 million loan to replace the federal facility in 2011. This year the Tribe is replacing our two dilapidated BIA fire halls, also through a loan. Replacement of these three buildings was the responsibility of the BIA, but since they would not do it, we had to. We are now developing BIA lease agreements pursuant to 25 USC 5324(l), so that BIA can share in the cost of these buildings. We ask for your **assistance and support in our efforts to obtain these building lease agreements from BIA.** If BIA won't provide the capital funding to repair and replace its own facilities, it should at least pay a fair and equitable lease cost to us when we replace federal buildings.

Housing Improvement Program (HIP). HIP provides housing assistance for our poorest and elderly members. Thank you for restoring HIP in FY 2019, and for providing \$1.7 million for HIP under the Tiwahe Initiative. We request **an additional \$10 million for HIP in FY 2020.**

Trust Natural Resources. Most tribal natural resources base programs, which fund our day-to-day conservation responsibilities, have not been increased for years. As a result, tribes have been unable to adequately manage their resources (e.g., Red Lake must manage the 6th largest freshwater lake in the U.S. on less than \$1 per acre). Most tribal resource management activities are funded under the BIA budget categories of Tribal Management Development, Natural Resources TPA, Wildlife and Parks TPA, and Forestry TPA. We urge you to **increase funding for each of these programs by at least \$5 million above FY 2019 enacted levels.**

Indian Health Service (IHS). There is a tremendous unmet need for IHS and tribal health programs, stemming from years of chronic under funding. IHS mandatory increases for inflation, population growth, pay costs, and CSC surpass the requested increase. Per capita expenditures for IHS in 2017 were only \$3,851 person, compared to \$10,348 for the general population, a great disparity. For FY 2020, we support the IHS Tribal Budget Formulation Workgroup request and ask that you **provide \$7 billion for IHS.**

EPA Programs. Our Tribe has 60% of the Indian trust land in EPA Region 5. We span a geographic area the size of West Virginia. Our water, wetlands, animals, and plants are vital to us. Vital EPA programs like General Assistance (GAP), Clean Water Act Sections 106 Pollution Control and 319 Nonpoint Source, Brownfields, and Clean Air Act Section 105, provide only 50 percent of the staff and support needed. We ask that you **restore all of the FY 2020 proposed cuts for these programs, and that you consider increasing them.**

Thank you for allowing me to present, for the record, some of the most immediate needs of the Red Lake Nation in FY 2020, and for your consideration of these needs.