



**TESTIMONY OF CHAIRMAN ROBERT MIGUEL
ON BEHALF OF THE AK-CHIN INDIAN COMMUNITY**

**BEFORE THE U.S. HOUSE OF REPRESENTATIVES
APPROPRIATIONS SUBCOMMITTEE ON
INTERIOR, ENVIRONMENT AND RELATED AGENCIES**

February 11, 2020

Chairwoman McCollum, Ranking Member Joyce, and Members of the Subcommittee:

My name is Robert Miguel and I am honored to serve as the Chairman of the Ak-Chin Indian Community (“Community” or “Ak-Chin”) and to give testimony to you today on our Community’s priorities.

First, I would like to thank all of the Members of this Subcommittee for inviting me to testify today. Despite the Trump Administration consistently proposing cuts every year to the many programs that Tribes utilize, this Subcommittee increased funding for the Bureau of Indian Affairs and the Bureau of Indian Education in FY 2020 by \$142 million over FY 2019. This Subcommittee also increased funding to the Indian Health Services by \$243 million over the FY 2019 enacted level. This increased funding will help tribal governments, including ours, provide quality health services to their citizens. Thank you for your continued dedication to the trust responsibility of the federal government to Tribes and for these increases in funding for FY 2020.

Before I begin on our funding priorities I’d like to tell you a little about the Ak-Chin Indian Community. We are and have always been a farming tribe and our name is directly derived from an O’odham word that refers to a type of farming traditionally practiced by the Ak-Chin people. Throughout our history, we have relied on subsistence and eventually commercial farming for sustenance. Today, we own and operate Ak-Chin Farms, we cultivate more than 15,000 acres of farmland, and the Farms have been a central economic enterprise for the Community since the 1960s.

We are a small but growing tribe with 1,130 enrolled Community Members and as the area surrounding us continues to grow at one of the fastest rates in the nation, we are committed to being good neighbors while also working hard to build a stronger future for the next generation of Ak-Chin Community Members.

This is my 5th appearance before the Subcommittee and today I am here to testify on a number of important issues to the Community including funding for health care programs and Tribal Self-Governance. My testimony today will focus on a handful of programs that our Tribe utilizes for the benefit of our people. Although it is important for me to be here to speak on these issues today, we are advocating for funding for these and other programs almost every day. As you know, the Indian Health Service and the Bureau of Indian Affairs, are both on the Government Accountability Office's High-Risk List. We hope the Subcommittee can address this and join us in supporting a budget that assists Tribal communities in advancing sustainable Tribal programs.

Self-Governance

The Ak-Chin Indian Community is a compacted Self-Governance Tribe with the BIA. The Compact enables the United States to maintain and improve its unique and continuing trust relationship and responsibility to the Community through tribal self-governance for various programs, services, functions, and activities (PSFAs) such as our public safety, social services, courts, road maintenance and various other vital programs.

Currently, the Community has a Self-Governance compact with the Indian Health Service ("IHS") for our Emergency Medical Service Ambulance Program and our Health Education Program. We are proud to provide these important services, but they are just a first step towards improving the healthcare options for our entire Community. Ultimately it is our goal is to make informed decisions about which PSFAs to assume and the necessary steps to successfully support these programs. The Community applied and received two Tribal Self-Governance IHS Cooperative Agreements Grants under Planning and Negotiation. We are truly appreciative as this funding has been an asset while our Community upgrades and modernizes our health care system.

Because of the success of Tribal Self-Governance, we ask the Subcommittee to expand self-governance status to include any programs that Tribes are eligible for in both IHS and DOI, as well as being open to compacting under other federal agencies. Our self-governance programs have been a model of success. If we have the opportunity to self-govern more of our programs, it will undoubtedly lead to higher quality services to our Community.

Advanced Appropriations

As you know, advanced appropriations would ensure that funds are available in advance to alleviate the unfortunate circumstances so many Tribes faced during the partial government shutdown last year. Currently, critical federal programs at the Department of Education, Department of Housing and Urban Development, Department of Labor, and Veteran's Affairs are all authorized for advance appropriations. Funding uncertainty causes Tribes to redistribute funds from other Tribal programs, just to continue to operate programs. Advanced appropriations would prevent future lapses in funding associated with potential funding delays and will help in keeping critical services uninterrupted. We ask for your support for advanced appropriations BIA, BIE and IHS funding.

Section 105 (I) Leasing

The Ak-Chin Indian Community has an interest in pursuing Section 105 (I) leasing, the ability to lease facilities that are owned or leased by the Tribe or Tribal organizations and utilized for services under the Indian Self-Determination and Education Assistance Act. The ability to reimburse Tribes the costs associated with providing healthcare facilities, where IHS would have to provide otherwise, would be very beneficial to Tribes. As we keep track of how the 105 (I) leasing continues to expand, we have noticed some inconsistencies with funding. IHS did not plan for the funding necessities to properly adhere to 105 (I) leasing requests. Therefore, we respectfully request to create a separate funding line for the 105 (I) leasing to ensure the funding is adequately available for those Tribes and Tribal organizations seeking this option for their Tribal communities.

Special Diabetes Program for Indians

Last year I spoke to you on the importance of health care programs for our Community. One of our Tribe's top priorities and challenges is to provide our Members with high quality health care and health services. This is important for predicting health disparities and prevention going forward. In 2017, the Community conducted a Community Health Assessment to determine areas of emphasis and need for prevention and outreach. Diabetes prevention and metabolic syndrome risk factors will continue to be emphasized on strategies for prevention.

As grantees, the Special Diabetes Program for Indians (SDPI) enables our Community to expand services to tribal citizens who have diabetes.

We thank the Subcommittee for fully funding the SDPI at \$150 million last year and including a short-term extension of the Special Diabetes Program for Indians (SDPI) for a 5-month period through May 22, 2020. However, this Congress urgently needs to reauthorize the SDPI program. Congressman Tom O'Halleran of Arizona last year introduced H.R. 2680, the Special Diabetes Programs for Indians Reauthorization Act of 2019. The bill would set the SDPI funding level at \$200 million per year through FY 2024. We respectfully request the Subcommittee support swift passage of H.R. 2680 and fund the SDPI at \$200 million for FY 2021.

We also wanted to inform you that our Tribal government is implementing a plan to have more control over health care benefits going to our Community. We look forward to working with the Subcommittee and Indian Health Services to help determine areas of emphasis for need and identify areas of strength when it comes to the health and wellness of our Community Members.

Johnson O'Malley Grant Program (JOM)

Ak-Chin, like many other Tribes, has utilized this funding to meet the unique educational needs of our youth. This continues to be a highly successful program and the demand is growing in our Community. We have used this funding in the Community by enabling JOM students to have a successful school year by providing vital school essentials for preschool, elementary, middle, and high school students. 71% of our Community is low to moderate income families and many parents cannot afford quality backpacks that will

last the duration of the school year and the school supplies needed for the classroom. The Ak-Chin JOM program distributes backpacks and school supplies every July before the onset of the school year during our annual Back to School Bash.

We thank the Subcommittee for being responsive to our request last year and increasing funding in FY 2020 to \$20.3 million, an increase of over \$5 million from FY 2019. Because of the continued need and high demand at Ak-Chin, we ask the Subcommittee to increase this funding to \$25 million in FY 2021.

EPA Tribal General Assistance Grant Program

This program under the Environmental Protection Agency's General Assistance Program (GAP) is important for Tribes like ours who are dealing with numerous environmental issues. In the past our Community has used funding from this program to complete a Tribal Environmental Plan, draft an Integrated Solid Waste Management Plan, and conduct solid waste outreach activities under the Community-Based Social Marketing pilot program developed by the Region 9 Tribal Solid Waste team.

We thank Congress for appropriating \$65.47 million for this program in FY 2020, over \$20 million more than the Administration's requested level of funding. However, due to global climate change and the increased need by Tribes to address environmental issues, we ask for increased funding of this program to \$75 million.

Environmental Protection Agency - Nonpoint Source - Section 319 Grants

The Section 319 grants developed under the Clean Water Act are used to address pollutants from water run-off that move to water sources such as lakes and rivers. Ak-Chin has implemented the Clean Water Act section 319 since March 2000. The Community has completed several restoration projects to restore impacted areas to our prior cultural conditions, such as harvesting and planting native vegetation (cottonwood trees) within the watersheds with assistance from this program.

We thank the Subcommittee for increasing funding to this program by \$1.433 million from FY 2019 to \$172.3 million total in FY 2020. With the increased use of fertilizers, herbicides and insecticides throughout the west, the demand to manage these pollutants is increasing. We ask the Subcommittee to increase funding to this program to \$190 million in FY 2020.

Conclusion

Again, I would like to thank the Chairwoman and Ranking Member for holding this hearing and engaging in the government-to-government consultation to hear our Community's priorities. We hope this Subcommittee will continue its good work and address the challenges we continue to face. I hope my testimony today has given you meaningful insights into these federal programs and how they are positively impacting our Community Members.