

GREAT LAKES INDIAN FISH & WILDLIFE COMMISSION

P.O. Box 9 • Odanah, WI 54861 • 715-682-6619 • FAX 715-682-9294

www.glifwc.org

• MEMBER TRIBES •

MICHIGAN

Bay Mills Community
Keweenaw Bay Community
Lac Vieux Desert Band

WISCONSIN

Bad River Band
Lac Courte Oreilles Band
Lac du Flambeau Band

Red Cliff Band
St. Croix Chippewa
Sokaogon Chippewa

MINNESOTA

Fond du Lac Band
Mille Lacs Band



FY 2024 TESTIMONY – BUREAU OF INDIAN AFFAIRS AND ENVIRONMENTAL PROTECTION AGENCY

HOUSE APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, ENVIRONMENT AND RELATED AGENCIES

JAMES G. THANNUM, ACTING EXECUTIVE ADMINISTRATOR

GREAT LAKES INDIAN FISH AND WILDLIFE COMMISSION (GLIFWC)

1. DEPARTMENT OF THE INTERIOR, BUREAU OF INDIAN AFFAIRS, OPERATION OF INDIAN PROGRAMS

- a. **TRUST-NATURAL RESOURCES MANAGEMENT, RIGHTS PROTECTION IMPLEMENTATION (RPI)** No less than the **\$49,200,000** provided in FY 2023 and a proportionate share for **GREAT LAKES AREA RESOURCE MANAGEMENT**.
- b. **TRUST-NATURAL RESOURCES MANAGEMENT, TRIBAL MANAGEMENT/DEVELOPMENT PROGRAM (TM/DP):** At least the **\$18,544,000** provided in FY 2023 and the TM/DP requests of GLIFWC's member tribes.
- c. **TRUST-NATURAL RESOURCES MANAGEMENT, FISH/WILDLIFE/PARKS PROGRAM:** At least **\$23,699,000** the amount provided in FY 2023.

Funding Authorizations: Snyder Act, 25 U.S.C. s. 13; Indian Self-Determination and Education Assistance Act, (P.L. 93-638), 25 U.S.C. ss. 450f and 450h; and the treaties between the United States and GLIFWC's member Ojibwe Tribes.¹

2. ENVIRONMENTAL PROTECTION AGENCY

- a. **ENVIRONMENTAL PROGRAMS AND MANAGEMENT, GEOGRAPHIC PROGRAMS, GREAT LAKES RESTORATION:** At least **\$368,000,000**, including no less than **\$20,900,000** for the Distinct Tribal Program (DTP).
- b. **STATE AND TRIBAL ASSISTANCE GRANTS, CATEGORICAL GRANTS, TRIBAL GENERAL ASSISTANCE PROGRAM:** At least \$74,750,000, the amount provided in FY 2023.

Funding Authorizations: Clean Water Act, 33 U.S.C. s. 1268(c); Water Infrastructure Improvements for the Nation Act, Pub. L. 114-322 s. 5005; and treaties cited above.

These programs fulfill federal treaty, trust, and contract obligations to GLIFWC's member tribes, providing vital resources to sustain their governmental programs. We ask that Congress maintain and enhance these programs.

¹ Specifically, the Treaty of 1836, 7 Stat. 491; Treaty of 1837, 7 Stat. 536; Treaty of 1842, 7 Stat. 591; and Treaty of 1854, 10 Stat. 1109. The rights guaranteed by these treaties have been affirmed by various court decisions, including a 1999 US Supreme Court case.

GLIFWC's FY 2024 FUNDING REQUEST HIGHLIGHTS

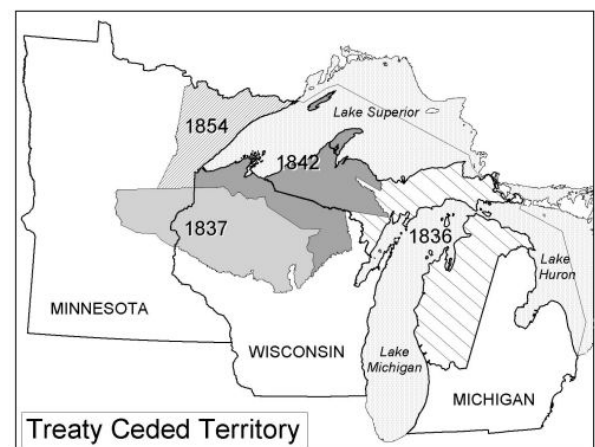
1. Should Congress provide an increase to the RPI line item, GLIFWC's top funding priority would be to adjust the overall grades/steps of current and incoming employees. With the increase provided in FY 2023, GLIFWC was able to match the FY 2023 GS scale, however GLIFWC is still unable to compensate its employees at rates similar to their state and federal counterparts, and this is hindering its ability to attract candidates for open positions. GLIFWC was recently unable to fill 17% of its conservation officer force due to this pay discrepancy. Annual RPI increases are needed to keep pace with the federal scale so that no such shortfall occurs again.
2. Great Lakes Restoration Initiative funding of no less than \$368,000,000, as provided in FY 2023, with an increase to the Distinct Tribal Program (DTP) to at least \$20,900,000, the amount EPA has committed to provide in FY 2023.
3. Full funding for contract support costs, as required by the ISDEA Act.
4. Sufficient funding in the Tribal Management and Development line item for GLIFWC's member tribes to fulfill their needs for reservation-based natural resource programs and to fund the Circle of Flight wetlands program.

GLIFWC's GOAL – A SECURE FUNDING BASE TO FULFILL TREATY PURPOSES AND LEGAL OBLIGATIONS

For over 35 years, Congress has funded GLIFWC to implement comprehensive conservation, natural resource protection, and law enforcement programs that: 1) ensure member tribes are able to implement their treaty reserved rights to hunt, fish, and gather throughout the ceded territories; 2) ensure a healthy and sustainable natural resource base to support those rights; 3) protect public safety; and 4) promote healthy, safe communities. These programs also provide a wide range of public benefits, and facilitate participation in management partnerships in Wisconsin, Michigan, and Minnesota.

GLIFWC's PROGRAMS – PROMOTING HEALTHY COMMUNITIES AND EDUCATING TRIBAL MEMBERS THROUGH TREATY RIGHTS EXERCISE

Established in 1984, GLIFWC is a natural resources management agency of eleven member Ojibwe Tribes with resource management responsibilities over their ceded territory (off-reservation) hunting, fishing and gathering treaty rights. These ceded territories extend over a 60,000 square mile area in Minnesota, Wisconsin, and Michigan.² GLIFWC employs over 80 full-time staff, including natural resource scientists, technicians, conservation enforcement officers, policy specialists, and public information specialists.



² GLIFWC's programs do not duplicate those of the Chippewa Ottawa Resource Authority or the 1854 Treaty Authority. GLIFWC also coordinates with its member tribes with respect to tribal treaty fishing that extends beyond reservation boundaries by virtue of the Treaty of 1854 and the reservations' locations on Lake Superior.

GLIFWC strives to implement its programs in a holistic, integrated manner consistent with the culture and values of its member tribes, especially in light of tribal lifeways that the exercise of treaty rights supports. This means not only ensuring that tribal members can legally exercise their rights but supporting community efforts to educate them about the benefits (physical, spiritual, and cultural) of harvesting and consuming a more traditional diet, as well as promoting inter-generational learning and the transmission of traditional cultural and management practices.

GLIFWC and its member tribes thank Congress, and particularly this Subcommittee, for its continuing support of these treaty obligations and its recognition of the ongoing success of these programs. GLIFWC's FY 2024 funding request includes two main elements:

1. BIA RIGHTS PROTECTION IMPLEMENTATION/GREAT LAKES AREA MANAGEMENT (WITHIN THE RPI LINE ITEM):

No less than **\$49,200,000**, which was the amount provided for RPI in FY 2023. The five treaty commissions have estimated the cost of full implementation of the court orders governing their treaty-reserved rights at, collectively, no less than \$66,000,000. The overall FY 2023 increase of \$3,513,000 is greatly appreciated. GLIFWC continues to support allocating increases to the RPI line item among the treaty commissions in the historically proportionate amounts, regardless of additional directed funding. As we stated in our testimony before this Subcommittee last year, GLIFWC's top priority with any increase to RPI funding was to compensate its employees at a rate commensurate with colleagues in other agencies. With the FY 2023 increase, GLIFWC was able to adjust its pay to the FY 2023 pay scale. However, the funding discrepancy is still significant. GLIFWC estimates that it would need an increase of approximately \$963,000 to fully adjust its compensation structure.

There is a long history of federal funding for treaty rights protection and implementation programs. For more than thirty years, Congress and each Administration have appropriated funding for these programs. GLIFWC has testified about the fact that the need is consistently greater than RPI funding, and the impacts that underfunding has on treaty rights programs. The federal government, as a treaty signatory, is required to uphold treaty rights. It has appropriately chosen to invest in our programs as efficient, cost-effective service delivery mechanisms at the governmental level most appropriate to most effectively implement federal court orders and to protect and restore the natural resources on which the treaty rights are based. GLIFWC continues to support allocating any increase to the RPI line item among the treaty commissions in the historically proportionate amounts.

GLIFWC's holistic approach to protecting treaty rights and the natural resources that support them requires that we undertake a variety of activities that promote tribal lifeways and inform natural resource management activities. These include scientific, technical and policy analyses, promotion of healthy foods, and language revitalization. To this end, maximum flexibility should be provided to GLIFWC and its tribes to define for themselves the science and research activities best suited to the needs of their member tribes and the particular issues within their region.

2. EPA GREAT LAKES RESTORATION INITIATIVE: \$368,000,000. DISTINCT TRIBAL PROGRAM (DTP): \$20,900,000. GLIFWC supports continued funding for the Great Lakes Restoration Initiative (GLRI) as an important non-regulatory program that enhances and ensures coordinated governance in the Great Lakes, fulfillment of international agreements, and substantive natural

resource protection and restoration projects. GLIFWC supports the continuation of GLRI funding at no less than \$368 million.

GLIFWC continues to appreciate the directive that EPA should follow the guidance in House Report 117-83, which directs the EPA and other federal agencies to fund tribal activities at not less than \$15 million. The DTP has proven to be a successful program, and an increasing number of tribes are participating. This is in part because the EPA and the BIA have proven to be engaged and cooperative partners with tribes throughout the implementation of the DTP. However, the DTP should include some insurance of predictability when funding is increased. We ask that Congress provide direction to the EPA to direct no less than 5% of total GLRI funding to the DTP, never to fall below the \$15 million base.

RESULTS AND BENEFITS OF GLIFWC'S PROGRAMS

- 1. MAINTAIN THE REQUISITE CAPABILITY TO MEET LEGAL OBLIGATIONS, TO CONSERVE NATURAL RESOURCES, AND TO REGULATE TREATY HARVESTS:** At its most basic level, GLIFWC's programs support tribal compliance with court decrees and intergovernmental agreements that govern the tribes' treaty-reserved rights. Funding for science and research enhances GLIFWC's ability to address ecosystem threats that harm treaty natural resources, including those related to climate change.
- 2. REMAIN A TRUSTED MANAGEMENT AND LAW ENFORCEMENT PARTNER, AND SCIENTIFIC CONTRIBUTOR IN THE GREAT LAKES REGION:** GLIFWC has become a respected and integral part of management and law enforcement partnerships that conserve natural resources and protect public safety. It brings a tribal perspective to interjurisdictional Great Lakes management forums and would use its scientific expertise to study issues and geographic areas that are important to its member tribes but that others may not be examining.
- 3. MAINTAIN THE OVERALL PUBLIC BENEFITS THAT DERIVE FROM ITS PROGRAMS:** Over the years, GLIFWC has become a recognized and valued partner in natural resource management. Because of its institutional experience and staff expertise, GLIFWC has built and maintained numerous partnerships that: i) provide accurate information and data to counter social misconceptions about tribal treaty harvests and the status of ceded territory natural resources; ii) maximize each partner's financial resources and avoid duplication of effort and costs; iii) engender cooperation rather than competition; and iv) undertake projects that achieve public benefits that no one partner could accomplish alone.
- 4. ENCOURAGE AND CONTRIBUTE TO HEALTHY TRIBAL COMMUNITIES.** GLIFWC works with its member tribes' communities to promote the benefits of treaty rights exercise. These include the health benefits associated with a more traditional diet and the intergenerational learning that takes place when elders teach youth. In addition, GLIFWC sponsors a camp each summer where tribal youth build leadership skills, strengthen connections to the outdoors, and learn about treaty rights and careers in natural resource fields.