

**RED LAKE BAND**  
**of CHIPPEWA INDIANS**  
**RED LAKE NATION HEADQUARTERS**

PO Box 550, Red Lake, MN 56671

Phone 218-679-3341 · Fax 218-679-3378



**OFFICERS:**  
DARRELL G. SEKI SR., Chairman  
SAMUEL R. STRONG, Secretary  
VERNELLE R. LUSSIER, Treasurer

**DISTRICT REPRESENTATIVES:**  
GLENDA J. MARTIN  
EUGENE R. STANDINGCLOUD  
ALLEN D. PEMBERTON  
HAROLD E. GRAVES, JR.  
ROBERT "BOB" SMITH  
ROBERT L. MAY  
MICHELLE (BARRETT) COBENAIS  
HARLOW S. SPEARS

**ADVISORY COUNCIL:**  
7 HEREDITARY CHIEFS

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

**To the House Appropriations Subcommittee on Interior, Environment, & Related Agencies on the FY 2025 Bureau of Indian Affairs (BIA), Bureau of Indian Education (BIE), Indian Health Service (IHS), and Environmental Protection Agency (EPA) Budgets**

**May 7, 2024**

Chair Simpson, Ranking Member Pingree, chi miigwetch (thank you) and the other distinguished Subcommittee members for this opportunity to testify on behalf of the Red Lake Band of Chippewa Indians (Red Lake). Red Lake has 17,023 members, and an 840,000 acre Reservation 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 area over which we exercise full governmental authority and control, in conjunction with the United States. Due to our remote location, there are few job opportunities available. While unemployment in Minnesota is 2.7%, ours remains close to 40%. The lack of good roads, communications, and other critical infrastructure impedes economic development and job creation. Federal appropriations are the primary way in which the United States fulfills its trust responsibility and honors its obligations to Tribes. And it is these appropriations that fund critical programs Red Lake uses to overcome the challenges of our region. As such, **Red Lake requests an additional \$53.5 million in FY 2025 funding for our programs as described in more detail below.**

**Administer Federal Funding Through Formulas, Not Grants.** Tribes are overwhelmed by the myriad of grants established by Congress, navigating burdensome applications, and complying with complicated reporting requirements which overwhelms our limited staff. Through hundreds of Tribal consultations, Tribes across the country have expressed this same frustration. For this reason, **Red Lake urges this Subcommittee to administer funding for Indian Country using formulas which are based on certified Tribal enrollment data instead of complicated grants.**

**Provide Robust Funding for BIA and BIE.** For years, BIA and BIE funding has fallen far below the President's budget request, less than this Subcommittee's recommendations, and less than Senate Interior Subcommittee's recommendations. We cannot recall a time when the final appropriation levels did not fall somewhere between the House and Senate recommendations. We do commend this Subcommittee for your strong support. You have always understood the importance and the need for more funding. But when the enacted levels for BIA and BIE fall hundreds of millions below what the President, the House, and Senate all recommended, something is wrong. For this reason, **we encourage you to fight tooth and nail to fund BIA and BIE at a combined total of \$23.7 billion, as recommended by the Tribal Interior Budget Council (TIBC) in their FY 2025 Budget Recommendations, and which comports with E.O. 14112, calling for full funding of tribal unmet budget needs across the federal government.**

**Protect Tribal Program Funding from Across the Board Rescissions.** Since FY 2000 there have been 20, across-the-board rescissions to Tribal programs totaling 9.5% to provide support for things like Hurricane Katrina recovery. While the needs of these rescissions were met long ago, the cuts stayed in place. And since FY 2013 we lost another 5% from sequestration. These cuts have greatly reduced our ability to serve our citizens. Worse yet, inflation since FY 2000 was 65%. Pay Costs are the only increase many Tribal programs receive but since FY 2000 Interior agencies lost more than \$3 billion from only partial funding of Pay Costs. This Subcommittee has told all Administrations to request full Pay Cost funding in all budgets. We ask that you renew this call, **and we ask for \$5 million for Red Lake to partially restore what we have lost since FY 2000.**

**Fully Fund and Expand the Tiwahe Initiative.** Red Lake was one of the first Tribes to successfully implement the Tiwahe Initiative 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. And we are seeing great success. In the last five years, we have only lost two youth to suicide. Although these losses hurt, we've made significant progress in our push to end youth suicide. Tiwahe has been critical for our Juvenile Wellness and Family Drug Courts, by providing funding to keep the courts staffed and functioning. Tiwahe Job Placement/Training funds have allowed us to offer training programs which directly create jobs and reduced reliance on TANF and other public assistance. Tiwahe enabled us to open and operate the Red Lake Children's Healing Center, a 24/7 youth residential treatment program providing vital mental health, substance abuse, and recidivism reduction services in a culturally sensitive way. And, Tiwahe has benefitted our family reunification program, keeping more children out of foster care, with a 56% reduction in out of home placements in the last 6 years.

Tribes are anxious to see Tiwahe expanded to benefit more tribal communities. I just returned from the third national Tiwahe conference hosted by the Pascua Yaqui Tribe, and there were more than 250 attendees excited to share their success stories and their hopes for strengthening families. Tiwahe tribes are in 14 states: Alaska, Washington, Idaho, Montana, Maine, Minnesota, Oklahoma, Arizona, North Dakota, South Dakota, New Mexico, Utah, Colorado, and Wisconsin. We also note Tiwahe's influence internationally. Former U.S. Sen. Tom Udall, now U.S. Ambassador to New Zealand, supported the conference by noting that one of his "priorities while serving as the U.S. Ambassador to New Zealand has been to engage with and learn from Māori communities and facilitate more indigenous community ties between our two countries." He noted the participation of a "delegation from New Zealand's Whanau Ora" at the conference and that "[t]hese two initiatives, (Tiwahe and Whanau Ora were) birthed independently, (and) are making great strides and it is wonderful that you are working together to help all of your communities go further."

We appreciate your ongoing funding provided to the original six Tiwahe sites, and we encourage you to continue providing the same level of support in FY 2025. And we much appreciate your providing new funding in FY 2022 and FY 2023 to add a total of four new demonstration sites (now 10 sites representing 65 tribes). In addition, BIA provided one-time funding this year to each of 12 additional Tiwahe Incubator tribes/consortia, to assist them in developing Tiwahe implementation plans, so that they will be ready to onboard as full Tiwahe demonstration sites in FY 2025 if Congress provides the additional funds. To achieve these efforts, **Red Lake supports the President's FY 2025 budget request for an increase of \$28.6 million across several Tiwahe budget lines, as well as additional funding, to support all the Tiwahe tribes, and to expand**

**Tiwahe to benefit even more tribes:**

- \$17.2 million in Tiwahe Social Services to expand Tiwahe to 13 additional Tribes/consortia, 15 additional Tiwahe Incubator sites, and National Tiwahe office support;
- \$7.5 million increase in Tiwahe ICWA funding;
- \$2 million increase for the Tiwahe Housing program;
- \$1.9 million increase for Tribal Justice Support for healing to wellness courts;
- \$2 million in Tiwahe Job Placement/Training funds;
- \$1 million in Tiwahe Courts funds; and
- \$5 million to establish a Tribal Economic Development component within Tiwahe to further development and deployment of multi-disciplinary socioeconomic solutions.

**Increase Funding for BIA Law Enforcement, Courts, Detention, and Community Fire Protection.** In 2017, Red Lake declared a Public Health Emergency due to a sharp increase in opioid overdoses. Sadly, we continue to see horrific numbers of opioid and fentanyl related overdoses and deaths. Last year we had 107 overdoses and 8 deaths. Part of the problem is non-Indians entering the Reservation to peddle drugs. We routinely banish these criminals and turn them over to other agencies, because we lack the authority to arrest and detain non-Indians. The criminals know this and keep coming back here. We are working with U.S. Sens. Tina Smith (D-MN) and Amy Klobuchar (D-MN), and Congresswoman Betty McCollum (D-MN) to enact legislation that would authorize Tribal police to arrest and detain non-Indian drug dealers, and AS-IA Bryan Newland to assist in addressing this problem until that occurs.

We need your support to increase funding authorized in the Tribal Law and Order Act (TLOA). Since TLOA began, BIA public safety funding has shrunk. In the last two years, Red Lake had to spend \$8.5 million more than the BIA provided, which was taken from other critically underfunded Tribal programs. The BIA's latest TLOA report says Tribal law enforcement needs \$1.7 billion per year for minimal public safety. That is more than six-times the current funding level. The report also says Tribal courts need \$1.5 billion per year to provide adequate justice for Tribal citizens. That is thirty two-times the current level. We support TIBC recommendations for **an additional \$1.1 billion for law enforcement, \$1.1 billion for Tribal courts, and \$103 million for detention, and, an additional \$8.5 million for Red Lake Law Enforcement to combat our drug crisis.**

Community Fire Protection has been neglected for decades. We are responsible for fighting fires and protecting lives at Red Lake, on a yearly BIA-funded budget of only \$42,500. Our actual expenditures exceed \$1 million each year. We ask that you **provide \$10 million for Community Fire Protection in FY 2025, as well as \$1 million for Red Lake Community Fire Protection.**

**Ensure Increases to Trust Natural Resources Support Self-Determination Tribes.** Red Lake thanks this Subcommittee for providing General Increases for several important natural resource TPA programs in recent years, including Water Resources, Wildlife and Parks, Forestry, and the Tribal Management/Development program (TMDP). These increases are critical for Tribal governments with large land bases. Red Lake manages the 6<sup>th</sup> largest freshwater lake in the U.S. on less than \$1 per acre. Despite these much-needed increases, BIA excluded nine self-governance Tribes, including Red Lake, that operate TMDP programs from receiving a share of the TMDP increases despite these Tribes operating the same type TMDP programs as the other 638 tribes who received increases. In addition, the BIA did not follow Congressional intent with respect to

the General Increases in 2022 and 2023 for Water Resources and Wildlife and Parks. Red Lake has operated these programs for more than 30 years, but we received NO share of these General Increases. The Indian Self Determination and Education Assistance Act requires that self-governance Tribes be treated equally in any general funding increases. We ask that you direct BIA to fix these serious problems, provide an equitable share of all funding increases to self-governance tribes, and to follow Congressional intent with respect to General Increases, by including an equitable share of these increases to the tribes that operate these programs. **At the Subcommittee's request, we can provide documentation on the history of BIA's failure to treat Self Governance Tribes equitably regarding TMDP and other Natural Resource programs.**

**Fully Fund IHS at \$54 Billion, Continue Support for Advanced Appropriations.** We appreciate your efforts to secure advanced appropriations in FYs 2023 and 2024 and we ask you to continue this support in FY 2025 and beyond. There is a tremendous unmet need for IHS and Tribal health programs, stemming from years of chronic under funding. Mandatory increases for inflation, population growth, pay costs, and CSC surpass enacted increases. **We support the IHS Tribal Budget Formulation Workgroup's request to fully fund IHS at \$54 billion in FY 2025.** We also support budget requests of the National Indian Health Board, American Cancer Society Cancer Action Network, and others working to address shortfalls in our healthcare systems.

**Direct IHS to Pay Both Sec. 105(l) Lease Depreciation and Principal and Interest Payments, Make Sec. 105(l) Mandatory Spending.** Sec. 105(l) leases are a critical tool to ensure federal programs are provided in well-maintained buildings. However, the BIA and IHS do not implement the authority the same. The BIA correctly reads Sec. 105(l) to require the payment of debt service obligations (both principal and interest) of new construction, acquisition, or rehabilitation costs of leased facilities, as well as depreciation. But in 2021, the IHS refused to follow the law and would only pay depreciation, not principal and interest. Then, in 2022 IHS reversed course, and allowed principal and interest payments, but refused to allow depreciation. **IHS should be directed to immediately pay both depreciation and principal and interest payments for eligible facilities, just as BIA does to provide consistency for Indian Country.** Red Lake also calls upon Congress to classify Sec. 105(l) leases, and CSC, as mandatory spending.

**Fully Fund EPA Programs.** Spanning a geographic area the size of West Virginia, 60% of the Indian trust land in EPA Region 5 consists of Red Lake's Reservation. To manage and protect our water, wetlands, animals, and plants, Red Lake relies on critical EPA programs like Tribal GAP, Clean Water Act Sections 106 Pollution Control and 319 Nonpoint Source, Brownfields, and Clean Air Act Section 105. **We urge you to provide robust funding for these programs.**

**Increase Funding for Drinking and Wastewater Infrastructure Projects on Tribal Lands.** Red Lake maintains 85 miles of water lines and 45 miles of sanitary sewer lines, most of which were installed in the 1960s and are of deteriorating asbestos cement. We have three sewage lagoons that are at, or over capacity, which need to be expanded. Our crumbling water and sewer systems are in dire need of replacement and pose health and safety risks to both users and maintenance staff. We have been unable to get our projects on the IHS sanitation deficiency list because it prioritizes projects where houses are crammed together to provide more service per mile. This unfairly hurts Red Lake, and we have nowhere else to go for financial assistance. **We have six projects totaling \$39 million that are shovel-ready, and we request this amount in FY 2025.**