



WHITE EARTH RESERVATION

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WRITTEN TESTIMONY
SUBMITTED TO THE
HOUSE APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED
AGENCIES

HENRY FOX, VICE-CHAIRMAN, RESERVATION BUSINESS COUNCIL
WHITE EARTH NATION

On behalf of the White Earth Band of Ojibwe (the "Band"), as the Vice-Chairman of the Reservation Business Council, I am grateful for the opportunity to share with our some of our needs to ensure that our concerns and voices are heard on these issues. My name is Henry Fox and I am thank you for this opportunity to address fiscal priorities and needs in Indian Country. I respectfully submit the following written testimony for the House Appropriations Subcommittee on Interior, Environment, and Related Agencies for your consideration.

Established by the Treaty of 1867, the White Earth Reservation is a 36 mile by 36 mile square in northwestern Minnesota. Our homelands are very important to us but lagging investment in infrastructure over the last several decades has created serious need within our communities. This testimony will focus on roads, Tribal Management/Acquisition of the Tamarac National Wildlife Refuge and I.H.S. Funding

ROADS

First, I will address the reservation roads program by highlighting funding levels as well as BIA policies. Despite having a very large, rural land base with many reservation roads and isolated communities, the White Earth Nation does not receive anywhere near the necessary funding to build or maintain roads for their citizens, thus jeopardizing public health and safety. We understand that federal funding is limited, but we believe that BIA policies on distributing existing monies also play a key role in these budget shortfalls.

Under the operation and maintenance of BIA roads, transportation facilities located on Indian Reservations and within tribal communities are maintained largely by the tribe. Roads maintenance program funds are administered at the BIA Region offices for the maintenance of roads identified as part of the BIA roads system. The BIA road system is part of the National Tribal Transportation Facility Inventory (NTTFI). As public roads, BIA roads and bridges are often major corridors that provide critical access for tribal communities through which medical, educational, commercial, and recreational services and opportunities are delivered or made available to tribal members and the general public.

The White Earth Reservation has a large land base, and the Band finds it increasingly difficult to maintain the current roads/bridges in the inventory to acceptable standards. While the Band once received about \$5 million (plus) dollars in annual allocation, the amount the Band now receives has decreased to approximately \$1.5 million. This is a 70% reduction in funding yet there is no reduction in the Band's responsibility or cost. Desperate for adequate funding, the Band often must position the Tribal Road Department to make difficult decisions to choose which projects to fund over others. Typically, the Band must seriously consider whether to convert or revert the Band's roads back to aggregate with a failing surface type or a failing road bed condition. Either decision has unavoidable risks associated with it.

With the recent increase of construction costs and equipment repair, the needs of the Band have become progressively difficult. The maintenance formula is only pennies to a dollar compared with our local counterparts for cost per mile to maintain. We simply cannot continue to upgrade and maintain our roads under the current system. The allocation system must be fair to all.

Based on the Band's Long Range Transportation Plan (LRTP) to meet future residential expansion and economic growth, we require a total of thirty million dollars (\$30,000,000.00) for road repairs and upgrades. These repairs and upgrades will not only assist the Band in meeting our goals within our LRTP but provide safer transportation within the Reservation boundaries. Many roads Band members use to travel to their homes and between communities are gravel or dirt roads and this investment will help make our roads safer and more well suited to our northern climate.

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TRIBAL MANAGEMENT/ACQUISITION OF THE TAMARAC NATIONAL WILDLIFE REFUGE

My second topic is the Tamarac National Wildlife Refuge. The Collier agreement of 1935 was an agreement between the Biological Service (now the US Fish & Wildlife Service) and the Bureau of Indian Affairs (BIA) to create the Tamarac National Wildlife Refuge within the White Earth Reservation. The White Earth Band of Ojibwe is now seeking to manage these lands again. The first step to this should be a co-stewardship and co-management agreement between the Band and the USFWS. On January 26, 2023, White Earth sent a letter on this topic to Secretary Deb Haaland and the congressional delegation was briefed. We believe that the White Earth Band of Ojibwe can better administer these lands, many of which contain important cultural and historical heritage areas and patrimony. We respectfully request that funding be included in FY 25 Interior Appropriations to help fund a 638 self-determination contract between the USFWS and the Band to execute an imminent co-management agreement for the Tamarac. While funding for 638 contracts is mandatory for BIA programs, 638 contracts with other agencies are discretionary and are heavily impacted by the availability (or lack thereof) of appropriated funds.

The terms of the Collier Agreement have not been fulfilled to the satisfaction of the White Earth Band. The Federal Government bears the burden of protecting the best interests of the Band and its members, however, the Federal Government has failed to meet its obligations with respect to allotments in the Refuge area. Many allotments within the Refuge area were sold by the Federal Government on behalf of the original allottee at values far below the then market rate. For instance, the allotment owner for O-1789 accepted \$280 for her entire 80-acre allotment which is a rate of \$3.50 per acre. Other parcels received a rate of \$10-\$15 per acre. This discrepancy shows that Indian beneficiaries were deprived of their land at below-market value. While White Earth members can hunt, fish, and gather within the Refuge, we believe the Band would be an ideal steward for these lands and welcome that opportunity.

LAW ENFORCEMENT

My third topic is to highlight the urgent need for increased financial support for the White Earth Tribal Police Department (WETPD) to address its acute recruiting and retention challenges. Despite its unwavering commitment to safeguarding the White Earth Reservation community, the WETPD has faced significant obstacles due to limited resources. In response, the department made the difficult decision to cut positions to

reallocate funds towards enhancing wages in a bid to compete with neighboring law enforcement agencies. However, this approach has further strained the department's ability to maintain adequate staffing levels, exacerbating recruitment and retention difficulties.

The WETPD's struggles with recruiting and retention are primarily rooted in its inability to offer competitive salaries and benefits compared to other law enforcement agencies. While the department's dedication to serving the community is unwavering, the financial constraints have hindered its ability to attract and retain qualified officers. The decision to cut positions to boost wages was a necessary step to address this issue. However, without additional financial support, the WETPD remains at a disadvantage, perpetuating staffing shortages and impeding its effectiveness in fulfilling its mission.

Moreover, the ramifications of underfunding the WETPD extend beyond staffing challenges to impact public safety and community trust. A shortage of officers compromises the department's capacity to respond effectively to emergencies, investigate crimes thoroughly, and engage in proactive community policing efforts. Furthermore, high turnover rates disrupt continuity within the department and erode trust between law enforcement and tribal members. Therefore, increased funding is urgently needed to address these critical issues and ensure that the WETPD can recruit and retain a dedicated workforce committed to protecting and serving the White Earth Reservation community.

In light of these pressing concerns, I urge the BIA to allocate additional financial resources to support the recruiting and retention efforts of the WETPD. By investing in the department's capacity to offer competitive compensation packages, we can bolster recruitment efforts, reduce turnover, and enhance public safety in tribal communities. It is imperative that we take decisive action to address these urgent challenges and uphold the safety and well-being of all tribal members on the White Earth Reservation.