

**Testimony of George Thompson, Vice President  
Lac du Flambeau Band of Lake Superior Chippewa Indians Before the House  
Appropriations Subcommittee  
on Interior, Environment and Related Agencies May 7, 2024**

Thank you for giving me the opportunity to testify on behalf of the Lac du Flambeau Band of Lake Superior Chippewa Indians concerning the Tribe's FY 2025 funding needs primarily in the BIA, IHS, and EPA accounts. The Tribe is located in northern Wisconsin. Our 144 square mile reservation lies in Vilas, Iron, and Oneida Counties. The name of our Tribe means "Lake of the Torches" and derives from our ancestors' practice of harvesting fish at night by torchlight. Nearly half of our reservation is water with 260 lakes, 65 miles of streams, rivers, and lakes.

Thank you for your bipartisan support of Tribes and for educating your colleagues on the needs of Tribal governments and the government-to-government relationship between the United States and Indian Tribes. The Chippewa bands to which we belong entered into many treaties with the United States. Our ancestors forever ceded territory to the Federal government, but reserved the right to hunt, fish, and gather food in the ceded territory.

Our Tribal citizens live close to the land, Waaswaagoning, our homeland. We harvest fish, operate a fish hatchery, cultivate wild rice, and hunt deer and other game. For that reason, protection of our waters, lands, air, wildlife, and vegetation are critical to the health of our citizens. These resources are at risk from pollution, contaminants such as PFAS "forever" chemicals, mercury, and chronic wasting disease that endanger our citizen's health.

Our enrollment is over 4,400 members and as a rural, remote Wisconsin reservation, our Tribal government is the first responder for so many needs. We operate the "Lake of the Torches Casino," provide jobs, and generate revenues from tourism and other Tribal enterprises. Despite being the largest employer in Vilas County, Wisconsin, according to the most recent HUD data (FY 2024), there are 725 Native families on our reservation whose family income ranges from less than 30% Median Family Income to 80% of Median Family Income. The U.S. Census Bureau lists Median Family Income on our Reservation as \$51,742 (2022). That means that these Tribal families earn less than \$15,222 - \$41,394 annually. This imposes great hardships on these families and the Tribe.

**Increase FY 2025 funding for BIA Law Enforcement and Pub. L. 280 Court accounts** – I will be blunt. Annual Federal appropriations to the BIA Public Safety & Justice account and Pub. L. 280 Tribal Court accounts are insufficient to address the immediate and urgent needs of rural, remote Tribal communities for public safety officers and Tribal Courts. In FY 2024, Congress appropriated \$274 million for BIA Criminal Investigations and Police Services, and \$21 million for the Pub. L. 280 Tribal Court program, the same funding levels as FY 2023. As you consider the FY 2025 budget, I ask this Subcommittee to consider the great unmet need we face for public safety services and Tribal Court needs and prioritize these accounts for increases.

There are three significant community safety issues in our community: 1) a fentanyl epidemic and with it; 2) an increase in mental health crises; and 3) the emergence of human trafficking (MMIP). Our Police Department sees a direct correlation between the presence of fentanyl and offenses such as child abuse/neglect, elder abuse, domestic violence, sex trafficking and property crimes.

We began to see heroin use in 2018 that has now transitioned to fentanyl alone or meth/fentanyl combined. Of the nine law enforcement agencies in the surrounding jurisdictions, Tribal law enforcement incidents and service calls are much higher than any other jurisdiction. From 2020 to 2023, the Tribe's Police Department averaged 6,000 calls per year and the trend is increasing. From 2018 through 2023, our Police Department made a total of 2,062 arrests; of those 706 or one-third were for meth. While meth arrests are down, heroin/fentanyl drug arrests are increasing.

Fentanyl overdoses are common and officers must use several Narcan/naloxone to revive users who have strong addictions. For non-Indian offenders, our officers must drive off-reservation to county detention facilities. Thus, the two patrol officers/12-hour shift are reduced because an officer is driving off-reservation.

About 50% of Tribal Police arrests involve drugs, yet we only have 7 Full-Time Patrol Officers, 2 Sergeants, 1 Chief of Police, and 1 Detective, 1 part-time Detective Canine Officer, and 2 administrators. Our Tribal Police Department should be twice its size. Vilas County has a police force of 39 and Oneida County has a police force of 36.

We also see an increase in the number of welfare investigations (welfare checks) the Tribe performs. These checks are for well-being, suicide threats, missing persons, and voluntary and involuntary emergency commitments. These checks take time and we are shortstaffed.

Please prioritize the BIA Criminal Investigations and Police Services and Tribal Pub. L. 280 Court accounts for meaningful increases. Public safety and judicial services are essential Tribal government functions. Our Tribe subsidizes law enforcement, Tribal Court, Wellness and Drug Court operations with some \$3 million annually. We have MOUs with Wisconsin County police and sheriff offices. We apply for Department of Justice COPS grants and work with State and other Federal agencies to improve our law enforcement capabilities and training, such as the FBI, DEA, AFT, and Department of Homeland Security. But we need recurring BIA funding to sustain our Police Department and Tribal Court.

We are proud of our Tribal Police and the incredible job they do with the few personnel and resources they have. But we are losing good officers due to non-competitive salaries and limited retirement benefits that do not vest until 10 years of service, twice the time a State-employed officer must wait for their pension to vest. Our situation is not sustainable. I respectfully request that Congress pass this session the bipartisan "**Parity for Tribal Law Enforcement Act**," H.R. 4524 and for this Subcommittee to provide funds to support such legislation.

Our officers serve 12-hour shifts and respond to 50% more calls than surrounding non-Indian jurisdictions that have two and three-times the number of officers. Our Tribal Court docket handles domestic abuse, drug and alcohol abuse, truancy, theft, with nearly half of our Tribal Police arrests involving meth, heroin, and fentanyl. At times, Tribal Police are also called to appear in court to provide security for cases involving heated custody disputes and child welfare matters. The Officers are also first responders for emergency management services including motor vehicle crashes, spills, fires, and weather incidents.

Our officers are also challenged by the fact that many Tribal health and social service programs

operate weekdays only and close on the weekend. Physical and mental health services for individuals detained by Tribal Police after hours and on weekends require Tribal Police to transport individuals off-reservation for such services and programs. This leaves us short-staffed on a recurring basis. Tribal communities need more resources to keep families safe.

**Tribal Court** - For our Tribal Court, we employ one full-time Judge, two contracted Judges, three Clerks, a full-time Tribal Attorney/Prosecutor, and four judicial staff.

Our court handled over 2,000 cases in FY 2023, including Civil Code violations, Juvenile Code violations, illegal drug possession, foreclosures, foreign judgments and garnishments, probate, adoption, child welfare petitions, family custody petitions, domestic abuse/harassment injunctions. The Tribe must subsidize the Tribal Court based on the inadequate funding we receive from the BIA under current appropriations. We need Federal assistance to cover the costs of additional court personnel, including two deputy clerk positions, an associate judge position, and a bailiff for Tribal Court hearings, elections and other public events.

We also operate the “Zaagiibagaa” Healing to Wellness Court (Ojibwe word interpreted as budding shoot or sprig, new life, new beginning) funded through the State of Wisconsin and SAMHSA grants as an alternative to incarceration program. It is a four-phase program: 1) treatment; 2) skill building; 3) walking straight on mother earth; and 4) transition: getting ready to leave the nest.

Tribal members suffering from addiction do not receive the level of treatment required to break addictions when incarcerated in county jails. Medical data reveals that six-month and greater term treatment programs work better than limited term treatments. With increases in the BIA accounts supporting alternatives to incarceration, and an opportunity to compete for such funds, the Tribe would like to develop transition programming for Tribal inmates. Please prioritize for funding increases in FY 2025 those demonstrably successful programs that reduce addiction, recidivism, and improve the wellness of rural Tribal communities.

Wisconsin is a Pub. L. 280 State. Tribal Police refer all criminal cases to the District Attorney in Vilas County Circuit Court. Criminal prosecutions for drug and alcohol are turned over to the Vilas County District Attorney. If the District Attorney’s Office declines, the Tribal Attorney/Prosecutor may prosecute the case on a civil citation.

**Increase FY 2025 Funding for BIA Human Services accounts** - In FY 2024, Congress appropriated \$164 million for BIA Human Services programs, about a 2% cut from the FY 2023 enacted level of \$167 million. We cannot understand these funding decisions. The BIA Social Services account was cut to \$53 million in FY 2024, Welfare Assistance funding was flat at \$78 million, and ICWA was cut \$1 million to \$17 million for FY 2024.

ICWA enables the Tribe to maintain and protect the sanctity of the Anishinaabe family unit. The ICWA is one significant legislative action that provides the opportunity to protect the preservation of the tribal family unit and tribal culture, values, and norms.

The Tribal Court handled about 2,000 cases in 2023. There were 248 petitions in FY 2023

involving children and families, an increase of 7 % over the prior year. These petitions involve child welfare, child support, parental and custody issues, domestic relations or divorce, guardianship, paternity actions, truancy citations and domestic abuse and harassment restraining order petitions/notice of injunctions and injunction hearings. There were 52 petitions relating specifically to Child Welfare involving child abandonment or children left without proper care, custody or guardianship. Over half of these petitions were filed by the Child Welfare office under emergency conditions.

We need more resources in the Social Services accounts, including funds for increased Tribal foster families and housing improvements. We seek to provide child advocacy services on the Reservation, rather than having to add further trauma to Native children by providing various exams and forensic interviews 250 miles away in Marchfield, Wisconsin and 165 miles away (round trip) in Wausau, Wisconsin. We need more resources on the Reservation to address the impacts of child abuse, child sex abuse, and trauma.

**Expand the Tiwahe Initiative Program** - Congress, responding to the request by Tribes, is gradually expanding funding for the Tiwahe “Family” Initiative Program that assists Tribes by supplementing ICWA, BIA Social Services, HIP, and Job Training and Placement (JTP) programs with Federal funds and authority to Tribes to utilize these funds to help keep at-risk Tribal families together and to bring the parents and children of such families culturally appropriate services and programs to put them on a better path. We urge the Subcommittee to increase funding for the Tiwahe Initiative so that more Tribes may benefit from this successful program.

**Increase FY 2025 Funding for BIA Rights Protection Implementation (RPI) account and EPA’s GLRI account** – In FY 2024, Congress appropriated \$49.2 million for the BIA Rights Protection Implementation account (Trust-Natural Resources), the same level as FY 2023. As a member of the Great Lakes Indian Fish & Wildlife Commission (GLIFWC), the Tribe supports the Commission’s request for no less than \$8.125 million of a requested \$50.6 million for Rights Protection Implementation. More broadly, the Tribe supports full funding for the RPI at no less than \$66 million.

**Increase funding for BIA Natural Resources, Wildlife and Parks, TMDP, Fish Hatchery Operations and Maintenance Accounts** – The Tribe operates a comprehensive Natural Resources Program, including the William J. Poupart, Sr. Fish Hatchery that produces and stocks Walleye, Fingerlings, Perch, Brown Trout, and White Sucker Fry. The hatchery is 25-years old and requires significant renovations if we are to maintain our fish stocks and compete to stock Wisconsin lakes and waters. Growing fry to fingerlings to better ensure their survivability is costly. The hatchery supports Tribal subsistence and non-Tribal fishing stocking Reservation and ceded territory waters to provide sports fishing in northern Wisconsin. We appreciate the \$290,000 U.S. F&WS award to replace worn pumps and make other emergency improvements, but we have only \$1.3 million set aside from ARPA and State funds for a \$6.5 million hatchery upgrade. Please take Tribal infrastructure replacement needs into account in the FY 2025 budget. Miigwech.