

CHAIRMAN ROBERT MIGUEL, AK-CHIN INDIAN COMMUNITY

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

May 8, 2024

Good morning Chairman Simpson, Ranking Member Pingree, and Members of the Subcommittee,

It is a pleasure to be here with you all once again. Thank you on behalf of the entire Ak-Chin Indian Community for providing us with this opportunity to share our Community's funding priorities for the 2025 fiscal year. We appreciate your time, and we deeply value your partnership on these important issues and programs.

My name is Robert Miguel, and I have served as Chairman for the Ak-Chin Indian Community for more than eight years. Our Community is relatively small with more than 1,100 members, but we are growing quickly. That growth presents us with an exciting time as a Community. We have a young Membership, and we are located about 40 miles south of Phoenix, Arizona—one of the fastest growing metropolitan areas in the country. In my time as Chairman, I have seen our Community overcome unprecedented challenges to achieve transformative successes. That success will help us attain the exciting future we are building towards, and I thank the Subcommittee for sharing in many of those success stories.

The Ak-Chin Indian Community's funding priorities for the upcoming year include increasing support for our public health programs; public safety and justice initiatives; social services and education; and infrastructure capital improvements and maintenance. We also seek additional funding and resources for the underfunded and backlogged 105(l) lease program. In addition to highlighting the necessary increases in funding, we must also address the logistical challenges created by the processes in which funds are currently administered. This includes emphasizing the vital importance of ensuring advanced appropriations for both IHS and BIA funding, showing how the grant process and match requirements burden an already complicated application system, and requesting government agencies expand their work to collaborate with the Tribes towards self-governance and greater funding efficiency.

Public Health

The health and safety of our Community Members is our top priority. Our Ak-Chin Community is exploring opportunities to open and operate our own clinic, and the existing clinic needs funds to maintain and expand the direct care services it is able to perform on site. We also request increased funding for purchased/referred care, which is necessary to allow for the many treatments and services the currently operating clinic is not equipped to handle. Increasing funding for both direct and purchased/referred care is vital to ensuring the health and wellbeing of our Community.

Public Safety and Justice

Our Community's law enforcement, court, and detention center is in need of additional funding,

and we respectfully request an increase in funding for public safety in Indian Country. Law enforcement plays a critical and specialized role in our Community. Our Community Membership benefits when the police are wholly integrated into the fabric of our communities as trusted neighbors and friends. This requires significant programming and resources, but in turn creates a safer and more cohesive Community and more effective law enforcement. Our public safety programs provide on-ground support for our Community Members, and growing neighboring communities increase the need for additional law enforcement personnel, facilities, and equipment. We also prioritize training to effectively protect and serve the Ak-Chin Indian Community and our visitors. We are appreciative of recent increases in appropriations, and respectfully request that the Subcommittee maintain its commitments to the Ak-Chin people with appropriate increases in public safety and justice funding in FY2025 and moving forward.

Social Services & Education

We also seek increased funding for Health and Human Services, including our Social Services. The behavioral and mental health issues confronting Indian Country are well-documented and addressing these challenges is a major component of our work to promote the Community's health and safety holistically. As a Community with many young Members, we know it is particularly important to adequately fund social services to help strengthen families and provide the next generation with a happy and healthy home to grow and thrive.

We also understand education's role in ensuring the brightest future for our young Members. Ak-Chin is grateful to receive Johnson-O'Malley funds, which directly benefit our school-aged children, and we rely on those funds to prepare our young people for success in the classroom. We request continued funding for social services and education to help our Community Members realize their bright future.

Infrastructure Improvements and Maintenance

We are proud of our Community's fast growth, and we recognize that growth taxes the infrastructure in our Community. Funding is necessary to address these issues—for maintenance of existing resources, and for capital projects to expand and improve our infrastructure. Unfortunately, current funding levels are entirely inadequate to meet even maintenance needs.

Take our roads as just one example. Our roads serve as vital arteries in and out of our Community for our Community Members and our neighbors alike. We have seen an explosion of traffic on our roads that far outpaces the funding we receive to maintain them. With this shortfall we have only enough funds to offer short-term, band-aid fixes to patch up potholes and only the most immediate safety issues. We desperately need funds to address the underlying issues in our roads and repave them to create fixes that will last for years. Providing adequate funding for both maintenance and capital projects will allow us to create lasting solutions and more efficiently direct our maintenance work moving forward.

Internet access offers another example of how our growth necessitates additional funding needs to serve our Community Members. We are grateful for the Biden Administration's broadband grants to Tribes, which enabled the Ak-Chin Indian Community to offer expanded internet coverage on

our land. But already new neighborhoods are expanding out beyond even our expanded coverage, and additional funds are needed to keep up our growing communities and provide coverage to our newly built neighborhoods. We are proud of the resiliency and hard work of our young people, but no student should be forced to drive to a McDonald's parking lot late at night to submit a work assignment for school because internet coverage does not extend to their home. Broadband is no longer a luxury in this society; it is a necessity that allows our Community Members to compete with the fast-paced nature of the rest of our world. Accordingly, we request increased funding for infrastructure maintenance and capital projects in the upcoming year to meet the increased demands of our growing Community and the necessities of today's society.

105 (l) Lease Operations and Maintenance

The Ak-Chin Indian Community is a Self-Governance Tribe with a Compact with the BIA. The Compact facilitates the Federal Government's trust relationship and responsibility to the Community through Tribal self-governance for many of the programs I have discussed. The Indian Self-Determination Education and Assistance Act 105(l) lease program allows the reimbursement of facility costs when part of a facility is used to carry out self-determination programs, functions, services, or activities. Our expansive self-governance programs increase the effectiveness of Tribal government services while cutting bureaucracy that we must navigate.

Many of our facilities that house Self-Determination programs eligible for 105(l) leases need repairs, but we have experienced serious difficulty and delay using the program. We request additional funding for repairs under 105(l) leases, as well as funding for the office itself. In our experience, the office appears backlogged and underfunded, and it is our hope that additional resources would result in funds being approved more quickly and efficiently.

If adequately funded, the 105(l) program offers an exciting opportunity to ensure that funds earmarked for important programs like public health services go directly to treating patients and serving our Community Members. Instead, we sometimes find ourselves with major facility issues, like a leaking roof, that require us to direct funds to address these facility costs. We hope that additional funding will be provided to the program to allow Tribes to more efficiently and effectively direct funds that directly benefit their Tribal Members.

The Vital Importance of Advanced Appropriations

Advanced appropriations are a vitally important development supporting Tribal self-governance and effective budget management. Advanced appropriations allow our government to most efficiently allocate resources and prepare for future challenges and opportunities alike. Uncertainty is expensive, and that is a concept the federal government understands judging from their use of advanced appropriations when funding many other agencies. Nothing about BIA or IHS make this untrue as applied to these agencies, yet until recently the government excluded Tribes from joining agencies receiving advanced appropriations.

We ask that advanced appropriations for IHS funds are made mandatory moving forward, and that BIA adopt advanced appropriations for funding. Advanced appropriations allow for better planning, and more efficient and the best targeted use of funds. This is not simply a matter of

paperwork; ensuring advanced appropriations of funding directly impacts our Community Members' lives. We respectfully request advanced appropriations to ensure that Tribes are not forced to move money to cover funding shortfalls right when their people need funds the most.

Promoting Efficiency in Grant and Funding Processes

We are grateful for the relationship and shared successes we have achieved with the Federal Government. Since becoming Chairman, I have seen real and meaningful improvements to the funding process and the Federal Government's partnership with the Tribes. We are appreciative of the Biden Administration's Executive Order 14112 on Tribal Self-Determination and believe it is evidence of a growing commitment to respect Tribal autonomy and promote our shared interests.

In this vein, we have seen promising improvements to the appropriations and funding process, but work remains to be done here. Bureaucratic red tape, complicated and opaque application processes, and costly delay still prevent an efficient funding process and frustrate Tribal goals. Competition through the grant application process is particularly challenging, and creates a zero-sum game for Tribes while further burdening projects with difficult conditions like matching funds requirements in grant applications.

To address this inefficiency and delay, we believe that since the majority of the federal funding is currently distributed through grants, perhaps federal funding could be distributed in the form of formula-funded base dollars; to flow directly through Self-Determination Contracts and Self-Governance Compacts. This change would keep with the Administration's initiative and the Federal Government's work to better respect Tribal sovereignty while cutting administrative costs and particularly burdensome funding delays.

Moving federal grant funds to Self-Determination Contracts and Self-Governance Compacts is a more efficient and effective method of funding vital programs like the ones I have outlined today, and these programs directly benefit our Community Members. And we have already seen that this method of distribution works with the success of the COVID Relief Fund. For that fund, Tribal Governments provided requested information including self-certified Tribal Enrollment to the Federal Government that led to success in sending out record funds quickly to Tribes that desperately needed it during that uncertain time. We remain grateful for the Administration's Executive Order 14112 and enhanced partnership with the agencies, but we hope to see these encouraging changes implemented permanently.

Conclusion

Again, thank you Chairman Simpson and Ranking Member Pingree for allowing me to discuss the Ak-Chin Indian Community's priorities. We are grateful for your time and your partnership on these critical initiatives, and I hope this Subcommittee will continue to build on previous funding authorizations that have led to increases in Tribal funding. I cannot emphasize enough the importance of these issues to our Community's priorities and continued growth, and how additional funding can support the Ak-Chin Indian Community. Thank you.