

Terry Rambler, Chairman, San Carlos Apache Tribe
House Appropriations Subcommittee on Interior Environment, and Related Agencies
American Indian and Alaska Native Public Witness Days
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Dagot’ee, greetings. My name is Terry Rambler, and I am honored to serve as Chairman of the San Carlos Apache Tribe (“Tribe”), representing over 17,300 enrolled members. We are located on the San Carlos Apache Reservation (“Reservation”), which spans 1.8-million acres in southeastern Arizona. The U.S. entered into the ratified Apache Treaty of Santa Fe in 1852 to end hostilities. The original Reservation boundaries were established by President Grant on November 9, 1871. The U.S. Calvary, through brutal military campaigns, forcibly removed Apache bands to the Reservation in the latter half of the 1800’s, and the Reservation was a concentration camp until the early 1900s. The Reservation is situated in 3 counties and is the tenth-largest Indian reservation in land area. Major communities on the Reservation include San Carlos, Upper Seven Mile, Gilson Wash, Peridot and Bylas.

At the outset and in response to President Trump’s Executive Orders, we request that the House Appropriations Committee work to ensure that federal agencies disperse **all** funding to tribal governments as appropriated by Congress in furtherance of the federal government’s treaty and trust responsibilities to tribal governments and request the exemption of BIA and IHS from the Office of Personnel Management’s hiring freezes and workforce reductions given the high employment vacancy rates and the extreme challenges filling these jobs at these agencies that provide essential services for tribal communities.

We thank the subcommittee for this opportunity to submit FY26 testimony. My testimony focuses on the following: (1) the need for increased law enforcement funding; (2) the need for funding to address dangerous road conditions; (3) the need for funding to implement the Tribe’s enacted 1992 water rights settlement legislation; (4) the need to continue BOR’s domestic water supply program for disadvantaged communities; and (5) the need for Contract Support Costs and Section 105(1) Tribal Lease Payments to be reclassified as mandatory appropriations.

Urgent Need for Increased BIA Funding for Police Services

The Tribe deeply appreciates the Subcommittee’s efforts to provide for a significant funding increase for public safety and justice programs at BIA given that appropriations meet only 13% of need with an estimated unmet need of over \$3 billion in Indian Country according to the BIA’s 2024 report to Congress on these programs.

Like other tribes, the San Carlos Apache Police Department (SCAPD or Department) is in dire need of increased funding. In 2022, the U.S. Department of Justice’s Bureau of Justice Statistics ranked the Reservation as number 1 in violent crime, including 4 homicides, based upon 2020 data. The Reservation is plagued with rampant crime including drug trafficking, human trafficking, sexual assault, physical assault, and gun violence. In FY23, we suffered 3,344 crimes on the Reservation, including 11 homicides, and 30,000 calls for service, including 847 calls for shootings. In FY24, we suffered 3,688 crimes, including 3 homicides, with 32,732 calls for service, including 1,080 calls for shootings. We removed 65 handguns, 110 rifles, and numerous

pipe guns. In the first 4 months of FY25, we have suffered 1025 crimes with approximately 10,971 calls for service.

Despite this high rate of violent crime and requests for service calls, SCAPD remains critically underfunded and understaffed to the point that public safety on the Reservation is severely compromised. The shortage of resources results in inadequate personnel, insufficient training programs, and outdated equipment. The Tribe's ability to effectively combat crime, respond to emergencies, and provide essential services to tribal members is severely hindered. The consequences of inadequate police funding extend far beyond the area of law enforcement. Community members are left vulnerable to criminal activity and drug trafficking, and trust in public safety personnel has eroded. Further, the lack of sufficient resources hampers efforts to address matters involving substance abuse, domestic violence, and mental health, which often require a coordinated response from law enforcement and social services.

SCAPD needs a total of 75 sworn police officers. We are woefully short of what we need and currently operate with only 19 sworn police officers, including the Chief of Police and 9 dispatchers, to cover fourteen 12-hour shifts per week, 52 weeks per year, on our 1.8 million-acre Reservation. SCAPD is currently one of the lowest paying police departments in Arizona. Recruitment and retention of police officers is a challenge for police departments across the United States. These challenges are even greater for SCAPD due to insufficient funding, low salaries, the rural nature of the Reservation, lack of housing for officers recruited from outside the Reservation, inability to offer signing bonuses, and a demanding and grueling call load. As a result of these challenges, the SCAPD has lost many sworn officers over the years. The bottom line is officers need to be adequately paid. Current staff is comprised of a group of highly dedicated professionals who are committed to their mission to protect and to serve. With current levels of inadequate staffing, SCAPD is a reactive department responding to calls for services. There is little to no ability to perform community policing, crime prevention, or research and evaluation. When evaluating the level of violence on the Reservation, community policing and crime prevention programs are essential to combat the violence.

Need for Increased Funding to Address Dangerous Road Conditions

Our Reservation, which the United States holds in trust for the Tribe, has over 2,400 miles of road ranging from U.S. Highway 70, BIA roads, county roads, Forest Service roads and the Tribe's own roads. We are in urgent need of a significant increase in road funding for maintenance and construction. There are simply too many roads with blind curves, no shoulders, too few guardrails, poor signage, and unsafe design. Given that the Reservation spans 1.8 million acres and we are located in a rural area, we log many hours driving from place to place to get to work, school, appointments, cultural events, etc., and our tribal members need safe roads. Further, our bus drivers need to be able to safely transport students to/from school; and our law enforcement and fire fighters need to be able to safely get to emergencies as quickly as possible. Unfortunately, countless numbers of our tribal members have died because of the poor road conditions on our Reservation.

To give you a sense for our enormous road backlog due to a chronic lack of BIA funding, the following are some of our major long-languishing projects: \$7M for design, engineering, and construction of a new 2.3 mile access road to our IHS hospital; \$20.6M for redesign and

reconstruction of BIA Route 6 from U.S. Hwy 70 to milepost 7.1; \$6.15M for design, engineering, and reconstruction of BIA Route 170/171; \$2.6M for road maintenance for all subdivision roads; \$5M for safety guard rails throughout the Reservation; \$8.03M for design, engineering, and construction of Old Winkleman Road; \$9.46M for design, engineering, and construction of new road from 7-Mile community to BIA Route 6; \$2.2M for design, engineering, and construction of Rosco Boni Loop; \$4.4M for design, engineering, and construction for Peridot Power Line Road; \$1.9M for Coolidge Dam Road bridge projects, etc; \$66M for reconstruction of 30 miles of Coolidge Dam Road Route 3; \$58M for reconstruction of 51.5 miles of San Carlos Route 8 (Geronimo Trail); and \$10M for an adequate DOT administrative headquarters.

The small amount of BIA roads funding we receive each year is a drop in a bucket and never addresses our true need. We need significantly increased sustained funding for the BIA Roads Program in order to protect the lives of our tribal members and others driving on the Reservation.

Given the budget caps that the Interior appropriations bill faces, we urge the Subcommittee to work with the Transportation, HUD Appropriations Subcommittee and the House Transportation and Infrastructure Committee to prioritize dangerous road conditions on Indian reservations, including federal highways and BIA roads, given reservations are federal lands. Further, we seek allocated funding from U.S. DOT directly to tribes to address our staggering road backlog for maintenance and construction.

Need for Funding to Implement Water Rights Settlement

In 1992, Congress enacted the San Carlos Apache Tribe Water Rights Settlement Act (“Act”). The Tribe has been waiting for over 33 years for the water delivery and distribution system set forth in the Act to provide safe and reliable drinking water supplies on the Reservation so that we can move away from water supplies containing levels of arsenic and other toxic substances dangerous to human health. Further, this water system will help boost the Tribe’s distressed rural economy through agricultural production and cattle ranching. These needs have been exacerbated by historic draught conditions, the growing intensity of wildfires on the Reservation, and other external factors. Thankfully, over the past couple of years, BOR and other Interior Department officials have been collaborating with us to make positive strides and are currently working on a feasibility study for the project. We are working to complete the feasibility study in 2027 so that we can advance to planning, design, and then construction of the system. We request that the Subcommittee work to ensure that the Interior Department has sufficient funding to fully implement our water rights settlement.

Continuing BOR Domestic Water Supplies Program for Disadvantaged Communities

Under the Inflation Reduction Act, a new program was created at BOR to develop drinking water infrastructure for historically disadvantaged communities, including tribal communities, that have lacked access to reliable drinking water supplies. Last October, the Tribe received a grant award of \$7.3 million for planning, design, and permitting for drinking water infrastructure, including a water treatment facility, that will serve the central part of the Reservation where many of our tribal members reside and who do not have access to safe and reliable drinking water. The area is prone to frequent water curtailments or shutdowns due to poor water quality and system mechanical failures, which often occur in the hot summer months. We would like to

flag that we are still waiting for notification that we can start drawing down this award. Once the 2-year planning/design phase for this project is completed, we plan to submit an application to BOR for construction funding. Given news reports of efforts to repeal IRA programs in the upcoming reconciliation package, we request that the Subcommittee work to protect this program from rescission or repeal.

Need to Reclassify Contract Support Costs and Section 105(l) Payments as Mandatory

The Tribe requests that the Subcommittee reclassify Contract Support Costs (“CSC”) and Section 105(l) Tribal Lease Payments as mandatory appropriations. For years, the Tribe has been a leader in the effort to ensure that the federal government provides its legally obligated payments for CSC under ISDEAA. In 2015, we assumed operations of the federal programs, functions, services and activities related to providing direct clinical and hospital-based services in our newly built hospital facility that now employs over 800 employees, including 150 doctors and 100 nurses. Our Tribe provides a wide range of clinical services, including surgical and ambulatory healthcare, while also managing public health and wellness programs.

Last year, in *Becerra v. San Carlos Apache Tribe*, the U.S. Supreme Court upheld the position of our Tribe that IHS must pay CSCs to tribes when spending revenue collected from third party billing, such as Medicare, Medicaid, or private insurance. With this ruling, it is essential that these legally required CSC and 105(l) payments be reclassified as mandatory appropriations to avoid negatively impacting other service funds within the IHS budget.

Since FY 2022, the Departments of the Interior and Health and Human Services have requested that CSC and 105(l) payments be appropriated as mandatory, but Congress has not yet acted on this common-sense proposal. The Supreme Court ruling will have major budget implications on the IHS CSC budget. During oral argument, the government argued that this decision could cost up to \$2 billion annually, which would more than double the current CSC obligation. With the Fiscal Responsibility Act in place, domestic discretionary spending will increase by just 1%. This is not nearly enough to absorb these costs without further cuts to other essential services and programs. These costs should be reclassified as mandatory funding as soon as possible.

The importance of reclassifying 105(l) Tribal Lease Payments as mandatory appropriations is underscored by our frustrating 15-year uphill climb to secure a permanent public safety facility on the Reservation when BIA condemned our previous public safety facility in 2009 without meeting its obligation to provide an adequate replacement facility. The San Carlos people desperately need a fully functioning facility, especially our brave police officers, judges, public defenders, prosecutors, domestic violence advocates, and other public safety personnel who dedicate themselves every day to keeping our Reservation safe. It is impossible to meet the serious public safety and criminal justice needs on the Reservation without a functioning facility. Given the stark realization after many years that BIA will continue to shirk its responsibilities to provide an adequate permanent replacement facility, we are working to secure a new replacement facility through the 105(l) process.

Further, given the lack of IHS funding for a satellite clinic in the Reservation community of Bylas, we financed a \$33 million clinic and are utilizing the 105(l) program for this clinic. We also seek to construct a \$133 million skilled nursing facility on the Reservation using the 105(l) program given lack of available federal construction funding for this purpose.