

RED LAKE BAND of CHIPPEWA INDIANS RED LAKE NATION HEADQUARTERS



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

Before the House Appropriations Subcommittee on Interior, Environment, & Related Agencies on the FY 2026 Bureau of Indian Affairs (BIA), Bureau of Indian Education (BIE), Indian Health Service (IHS), and Environmental Protection Agency (EPA) Budgets
February 25, 2025

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 17,140 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 3.3%, 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 \$55.5 million in FY 2026 funding for our programs as described in more detail below.**

Uphold the Trust and Treaty Obligations to Tribes as Sovereign Governments. On February 5, 2025, Senate Committee on Indian Affairs (SCIA) Chairman Lisa Murkowski sent a letter asking the director of the Office of Management and Budget (OMB) to issue a memorandum directing all federal agencies to ensure that Tribes, Tribal programs, and federal funding Tribes receive due to their political status are not affected by implementation of the President's Executive Orders (EOs) and other initiatives. The SCIA letter acknowledged the Department of Interior (DOI) Secretarial Order (SO) 3416, which specifically states that implementation of EO 14151 related to diversity, equity, inclusion, and accessibility (DEIA), and environmental justice (EJ) should not impact "the statutory authorities, treaty, and/or trust obligations of the Department and its Bureaus/Offices to Tribal nations and the Native Hawaiian Community." The U.S. Department of Health and Human Services (HHS) Acting General Counsel Sean R. Keveney also issued guidance stating that the EO "at issue does not apply to programs or activities of the Department of Health and Human Services that affect or serve AI/ANs." This guidance should serve as a model for other federal agencies as they implement these Presidential initiatives and we ask that you also include specific language in the FY 2026 Interior funding bill, reaffirming the political status of Tribes and requiring the United States to carry out its federal trust responsibilities by fully funding tribal programs.

Provide \$27.1 billion for BIA and BIE. Tribes are very concerned about proposals to cut government funding by up to \$2 trillion dollars, and how this would impact funding for our programs. We do not know what the President may propose for FY 2026, but in May of 2018 I testified before this Subcommittee regarding then President Trump's FY 2019 proposed budget for the BIA and BIE. The President's proposal included a horrible \$465 million cut over the FY 2018 enacted level, a cut far greater than for any other DOI agency. The Tribal Interior Budget Council (TIBC), and Tribal leaders were shocked to find that many of their top priorities were cut the most, or outright eliminated in the President's budget, including programs that serve our children and families and educate our youth. Thankfully, this Subcommittee rejected the cuts proposed for FY 2019, and we ask you to fight tooth and nail against any cuts proposed for BIA and BIE funding in FY 2026 and beyond.

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 83%. 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 \$6 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 60% reduction in out of home placements in the last 6 years.

Tribes are anxious to see Tiwahe expanded to benefit more tribal communities. Last April at the third national Tiwahe conference, 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.

Tiwahe is aligned with several of the Administration's goals and principals including: Promoting Government Efficiency because the federal government provides the funds and then gets out of the way to let Tribes implement solutions at the local level; Tiwahe is a "whole of tribal government" approach, bringing all programs together to address the root issues for families to thrive, while at the same time increasing efficiency and better use of funding by integrating programs and breaking down silos; Tiwahe's results are documented through Congressional reports including measures of success; and Tiwahe's focus is on the individuals/family, and is accountable to all stakeholders.

We appreciate your ongoing funding provided to the original six Tiwahe sites, and we urge you to continue providing the same level of support in FY 2026. 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 in FY 2024 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 sites as soon as Congress provides the additional funds. We therefore support the TIBC FY 2026 Budget Recommendations for an **additional \$39 million in Tiwahe funding to support the existing Tiwahe Tribes and to expand Tiwahe to more Tribes.**

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 71 overdoses and 2 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 need your support to enact legislation that would authorize Tribal police to arrest and detain non-Indian drug dealers.

Additionally, we need your support to increase funding authorized by 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 the TIBC FY 2026 Budget Recommendations for **an additional \$1.1 billion for Law Enforcement, \$1.1 billion for Tribal Courts, and \$101 million for Detention, and, an additional \$8.5 million for Red Lake Law Enforcement to combat our drug crisis.**

Community Fire Protection has also 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 2026, 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 Program Increases for several important natural resource programs in FY 2022 and FY 2023, including Water Resources, Wildlife and Parks, Forestry, and the Tribal Management/Development program (TMDP). These increases are critical for tribes with large land bases. Red Lake manages the sixth largest freshwater lake in the U.S. on less than \$1 per acre. The BIA did not follow Congressional intent when distributing these funding increases, and in some cases excluded self-governance Tribes including Red Lake from receiving their share of the increases. We ask that you direct BIA to provide an equitable share of all funding increases to self-governance tribes, and to follow Congressional intent with respect to General Program Increases, by including an equitable share of any increases to the tribes that operate these programs. **We also urge you to increase funding for the BIA budget categories of Tribal Management Development, Natural Resources TPA, Wildlife and Parks TPA, Water Resources**

TPA, and Forestry TPA by at least \$5 million each, above the FY 2025 enacted levels.

Fully Fund IHS at \$63 Billion, Continue Support for Advanced Appropriations. We appreciate your efforts to secure advanced appropriations for IHS in recent years, and we ask you to continue this support in FY 2026 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 \$63 billion in FY 2026.** 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.

Make Sec. 105(l) Mandatory Spending. Sec. 105(l) leases are a critical tool to ensure federal programs are provided in well-maintained buildings. Red Lake uses Sec. 105(l) leases to maintain our fire halls, criminal justice center, dialysis center, and other critical infrastructure. For this reason, Red Lake calls upon Congress to classify Sec. 105(l) leases 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 in FY 2026.**

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 \$40 million that are shovel-ready, and we request this amount in FY 2026.**